60:25 speaking
6:5 141:21 149:1 special
105:14,14 specially 27:14 specific
12:19 50:9 68:9 134:19 135:17 specifics
106:13 spectrum 123:20 speeding
113:20 speeds 113:16 spent
101:3 107:13 145:8 spending
113:9 started
35:10 101:20 102:7,8 108:12 112:22 113:6 144:19 spoken
6:21 62:11 spread
90:1 Spurs 152:11 St
149:23 staff
123:8 staffing
147:5,6 stamps
91:3 stands
72:14 stand
3:8 68:12 87:5 standard
6:3,12 154:3 standards
76:21 88:15 88:23 standpoint
104:13 stands
91:19 start
60:25 61:4 started
19:17 37:1 118:17 135:6 starting
113:21 state
32:8 54:1 86:21 124:14 statement
20:5 22:12 114:17 149:17 151:14 states
20:20 94:23 144:8 station
109:22 statistic...
117:17 statistics
97:8,16 status
84:1 statute
53:14 116:15 116:19,23 steady
146:5 steal
26:14 32:24 Steel
157:15 stepfather
110:22 stepped
69:14 stepping
65:11 69:17 steps
8:12 85:13 143:14 stereotyp...
81:21 Stevens
7:10,13,22 8:14 16:3 stop
34:2 36:13 36:14 37:9 38:1,14,18 38:22,25 81:16 storm
116:20 story
34:5 straight
80:18 Street
160:12 streets
130:18 stretch
27:23 40:16 stretches 13:9 strict
121:18 strike
10:10 17:14 stringent
7:5 77:8
Case 1:12-cv-00128-RMC-DST-RLW Document 208-2 Filed 06/20/12 Page 70 of 223

VOTER FRAUD HEARING - VOL. 1
MARCH 1, 2012

202
| unconstit... | 10:11,19 |
| downside... | 66:13 80:4 |
| understand... | 16:13 |
| understand... | 11:14 14:11 |
| understand... | 25:18 26:18 |
| understand... | 127:17,19 |
| unimportant... | 116:20 |
| United... | 99:17 |

|...|...|
| 13:2 35:22 | 51:8 52:14 |
| 67:8 125:1 |...|
| universe | University |
| 37:15,17,18 | 149:5 |
| unkown | unprovable |
| 60:25 | 40:15 |
| unregistered | unsuccessful |
| 19:4 | updates |
| 101:12 | upheld |
| 6:25 7:6 | 88:15 |
| upheld | 14:14 |
| upholding | 7:14 86:20 |
| upshot | 74:2 |
| use | 3:3 27:3 |
| 31:20 57:3 | 90:3,23 |
| 110:24 | 126:8 |
| useful | users |
| 152:25 | 95:4 |
| usually | utilities |
| 92:20 | 54:5 |
| utility | utility |
| 27:6 43:17 | 95:12 102:4 |
| U.S. | 54:9 59:20 |
| 71:4 86:20 | 88:13 94:11 |
|...|...|
| 94:12,14 | 108:8 |
| 111:19,20 |...|
| v...|v|
| 6:19,24 | Valdez |
| 54:2 | valid |
| 8:1,3 9:10 | 9:15,19,22 |
| 10:17 12:20 | 20:23,24 |
| 71:3,6 91:5 | 94:8,11,11 |
| 94:14,15 | 111:14,20 |
| 124:21 | 135:25 |
| 156:10 | validating |
| 9:15 | validity |
| 7:7 10:9 | 61:20 |
| validly-cast | value |
| 10:1 | 115:22 |
| various | verified |
| 20:3 |...|
| various... |...|
| 72:5 79:18 |...|
| vast | Veasey |
| 38:6 147:1 | 3:18 4:6 |
| 18:15 20:11 | 21:13,14,17 |
| 21:24 22:11 | 22:16,19,21 |
| 23:9,12,17 | 23:21,24 |
| 24:2,4,7,9 | 36:1,2,3,4 |
| 36:7,10,18 | 36:22,24 |
| 37:4,8,15 | 37:21,25 |
| 38:13 39:20 | 39:21,25 |
| 40:3 50:2,3 | 50:4,16 |
| 72:9,10 | 73:5,25 |
| 76:9 77:6 | 80:23 89:4 |
| 92:2 117:5 | 117:7 |
| 118:14,16 | 119:16 |
| 120:5,23 | 121:10,21 |
| 122:5,11 | 130:4,5,16 |
| 130:22 | 131:15 |
| 133:5,10,24 | 135:7 |
| 148:11 | 156:25 |
| 157:2,12 | 158:10,19 |
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
|...|...|
violate
108:5
violates
17:18
violation
17:18 54:8
violations
127:14,15
virtually
62:24
visit
58:20
voice
85:20
voiced
117:15
Volume
1:10 159:22
volunteer
40:23 48:21
volunteered
89:15
volunteers
39:5 48:21
vote
5:1 7:16,21
7:24 8:18
9:12,14
10:1,4,16
10:21 20:9
21:22 23:2
23:6 26:17
30:14 31:3
32:23 33:6
33:7,7,8,11
33:12,22
43:3,15,19
46:10,17
48:15,17
50:11 51:19
52:16 53:4
54:9 56:24
58:6 59:3,4
59:7,9,9,11
61:17 63:6
66:6,8,9,11
66:14,16
68:14 69:2
70:1 72:17
73:9 74:21
74:25 76:5
76:6,6 77:1
77:13 78:6
78:17,20,22
79:9 80:3,5
85:10 86:8
87:2,5,7,9
88:9 89:25
90:6,7,17
94:20 97:13
97:14 98:14
98:17 99:5
99:5,24
100:6,10,13
100:15,16
100:18
103:19
106:6
107:21,23
108:14
109:7 110:4
110:16,24
115:17,22
119:23,23
120:3 121:7
124:15
129:17
131:15
133:22
135:2,2,3
135:23
136:15,18
136:22
137:3,4,22
137:25
140:8,23
142:4,11
144:5
146:18,19
146:22,23
146:25
147:15
151:19,20
153:4
155:11
voted
30:23 37:11
37:12 76:2
77:15 84:19
88:7 97:19
99:1 150:16
153:3
voter
1:6,7 6:25
7:3,5,6,8,9
7:18 8:2,4
9:2,22
10:22,23
11:22 12:2
12:3,8,18
12:21,22,25
13:17,23
14:15,20
16:5 20:6,7
20:8,10
21:6,7,21
21:25 22:8
22:9,10,13
22:14,17
25:3,15,17
26:11,15
32:24 34:18
34:23 35:8
36:19 37:1
37:6 38:4,4
38:9,11,11
38:14,18
39:8 41:3,5
41:6,12,12
41:17,20
42:3,22,24
43:7,11,18
44:11,13,15
44:23 45:1
45:15 46:5
46:11 48:24
50:20 52:16
52:19,21
53:7,15
54:2 55:6
55:11 59:9
61:21 62:14
62:20,25
65:18,19,21
65:25 67:10
67:15 68:12
69:21 71:16
78:1 79:20
81:6 83:11
86:16,23
88:2,11
89:18,19,22
89:24 90:1
90:2,4,4
91:22,22
94:9,16,18
94:21,25
95:1,20
96:11,16
97:8,16
98:15
101:14
105:18
109:2,2,18
118:3,17
123:11,17
123:25
124:2,11
125:14,15
125:18
126:3
127:12
129:8,16
130:24
131:6 132:1
132:4,8,22
132:25
133:5,8
134:16,17
135:20,23
135:23
136:5,6,22
137:1,6,8,9
137:9,11,20
138:7,8,19
139:8,9,19
139:21
141:25
142:7,17,20
142:21,21
143:7,7,9
143:25
145:13,23
146:2,3,8
146:11
147:11,14
147:23,24
148:6,8,24
149:8,13,15
149:18
152:2
153:20
154:6,7
155:18
156:1,6,15
156:15
157:5,6,7
157:16
158:13
159:3,16,16
159:17
160:4,5
voters
4:24 5:2,2,3
8:16 9:25
14:11,11
17:23 18:24
20:21 21:2
23:6 43:22
44:10 65:11
70:1 73:9
73:10,19,24
74:5,19,20
74:20,22
75:8,14,25
76:4 80:14
80:14 81:4
86:24 87:2
88:17 94:6
94:24 95:1
95:8 97:7,9
97:18,19,22
97:23 98:20
98:25
103:23
104:1
113:17
114:21
122:17
124:4,5,7,9
124:17
<table>
<thead>
<tr>
<th>Voter's</th>
<th>5:1 9:14,16 89:21,23 94:10 96:15 135:19,19 143:20,21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Voter's</td>
<td>5:1 9:14,16 89:21,23 94:10 96:15 135:19,19 143:20,21</td>
</tr>
</tbody>
</table>
VOTER FRAUD HEARING - VOL. 1

MARCH 1, 2012

Toll Free: 800.211.DEPO
Facsimile: 512.328.8139

Suite 220
3101 Bee Caves Road
Austin, TX 78746
www.esquiresolutions.com

JA 001658

USA_00016540
139:11  
150:22  
**workable**  
133:9  
**worked**  
72:20,20,22  
73:21 80:8  
129:5 133:1  
144:8  
**worker**  
134:22  
**working**  
38:12  66:18  
132:11  
150:15  
**worried**  
24:20  28:16  
38:12  66:18  
132:11  
150:15  
**workman**  
134:22  
**working**  
38:12  66:18  
132:11  
150:15  
**worried**  
24:20  28:16  
38:12  66:18  
132:11  
150:15  
**worse**  
142:6  
**worth**  
25:25  31:2  
49:12  98:14  
114:17  
132:4  
158:20  
159:11  
**wrapping**  
114:8  159:14  
**write**  
119:12  
**writing**  
104:12  
**wrong**  
48:22  75:6,6  
129:18  
**wrongfully**  
80:12  
**wrote**  
7:14  118:18  
**WSB**  
109:21

<table>
<thead>
<tr>
<th>Y</th>
<th>Yeah</th>
<th>6:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>139:11</td>
<td>150:22</td>
<td>133:9</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yetter</th>
<th>yield</th>
<th>131:6</th>
</tr>
</thead>
<tbody>
<tr>
<td>6:1</td>
<td>133:1</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>York</th>
<th>8:15 76:15</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>young</th>
<th>80:11</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>you-all</th>
<th>93:21</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>z</th>
<th>28:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>year</th>
<th>50:23 72:25</th>
</tr>
</thead>
<tbody>
<tr>
<td>90:9 96:5</td>
<td>133:1</td>
</tr>
</tbody>
</table>

| 96:10 114:4 | 131:6 |
| 121:3 122:9 | 131:6 |
| 130:14 | 131:6 |
| 146:1,24 | 131:6 |
| 147:8 | 131:6 |

<table>
<thead>
<tr>
<th>years</th>
<th>6:20 9:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>19:1 20:2</td>
<td>131:6</td>
</tr>
<tr>
<td>20:25 30:20</td>
<td>131:6</td>
</tr>
<tr>
<td>36:17,18,21</td>
<td>131:6</td>
</tr>
<tr>
<td>36:22 39:6</td>
<td>131:6</td>
</tr>
<tr>
<td>39:6 42:7</td>
<td>131:6</td>
</tr>
<tr>
<td>43:1 48:4</td>
<td>131:6</td>
</tr>
<tr>
<td>62:1 69:20</td>
<td>131:6</td>
</tr>
<tr>
<td>70:3 76:10</td>
<td>131:6</td>
</tr>
<tr>
<td>77:24 79:14</td>
<td>131:6</td>
</tr>
<tr>
<td>79:25 82:15</td>
<td>131:6</td>
</tr>
<tr>
<td>83:12 84:10</td>
<td>131:6</td>
</tr>
<tr>
<td>84:10</td>
<td>131:6</td>
</tr>
<tr>
<td>105:13</td>
<td>131:6</td>
</tr>
<tr>
<td>106:5</td>
<td>131:6</td>
</tr>
<tr>
<td>109:20</td>
<td>131:6</td>
</tr>
<tr>
<td>112:13,21</td>
<td>131:6</td>
</tr>
<tr>
<td>130:19</td>
<td>131:6</td>
</tr>
<tr>
<td>141:15</td>
<td>131:6</td>
</tr>
<tr>
<td>146:5 147:5</td>
<td>131:6</td>
</tr>
<tr>
<td>150:16</td>
<td>131:6</td>
</tr>
<tr>
<td>159:2</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>z</th>
<th>28:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>zipper</th>
<th>28:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>zombies</th>
<th>14:13</th>
</tr>
</thead>
<tbody>
<tr>
<td>133:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1</th>
<th>1:8 88:6,7,8</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:1</td>
<td>13:13</td>
</tr>
<tr>
<td>14:1</td>
<td>15:15</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>$</th>
<th>1.4</th>
</tr>
</thead>
<tbody>
<tr>
<td>35:11</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>$</th>
<th>1.6</th>
</tr>
</thead>
<tbody>
<tr>
<td>101:24</td>
<td>131:6</td>
</tr>
<tr>
<td>108:13</td>
<td>131:6</td>
</tr>
<tr>
<td>144:19</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>$15,000</th>
<th>131:6</th>
</tr>
</thead>
<tbody>
<tr>
<td>101:17</td>
<td>131:6</td>
</tr>
<tr>
<td>170,000</td>
<td>131:6</td>
</tr>
<tr>
<td>101:16</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>$2</th>
<th>35:14</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,000</td>
<td>131:6</td>
</tr>
<tr>
<td>50:23</td>
<td>131:6</td>
</tr>
<tr>
<td>2.1</td>
<td>144:23</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>30</th>
<th>128:22</th>
</tr>
</thead>
<tbody>
<tr>
<td>550,000</td>
<td>131:6</td>
</tr>
<tr>
<td>144:24</td>
<td>131:6</td>
</tr>
<tr>
<td>589,000</td>
<td>131:6</td>
</tr>
<tr>
<td>101:19 113:25</td>
<td>131:6</td>
</tr>
</tbody>
</table>

| 141:19 | 131:6 |
| 153:3 | 131:6 |
| 10,000 | 131:6 |
| 101:13 | 131:6 |

<table>
<thead>
<tr>
<th>100</th>
<th>9:1 48:5,21</th>
</tr>
</thead>
<tbody>
<tr>
<td>160:23</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>100-year-old</th>
<th>16:4</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
<td>48:6</td>
</tr>
<tr>
<td>108</td>
<td>98:6 99:18</td>
</tr>
<tr>
<td>100:22</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11</th>
<th>1:22 88:7</th>
</tr>
</thead>
<tbody>
<tr>
<td>125:1</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11th</th>
<th>107:16,19</th>
</tr>
</thead>
<tbody>
<tr>
<td>11343</td>
<td>131:6</td>
</tr>
<tr>
<td>90:22</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12</th>
<th>142:3 160:11</th>
</tr>
</thead>
<tbody>
<tr>
<td>12th</td>
<td>160:18</td>
</tr>
<tr>
<td>12,000</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12/31/13</th>
<th>160:22</th>
</tr>
</thead>
<tbody>
<tr>
<td>123</td>
<td>2:12</td>
</tr>
<tr>
<td>13</td>
<td>20:21</td>
</tr>
<tr>
<td>13,000</td>
<td>131:6</td>
</tr>
<tr>
<td>83:22</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>13.7</th>
<th>155:3</th>
</tr>
</thead>
<tbody>
<tr>
<td>137</td>
<td>153:24</td>
</tr>
<tr>
<td>154:17</td>
<td>131:6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14</th>
<th>3:20,25 4:1</th>
</tr>
</thead>
<tbody>
<tr>
<td>4:15,17,23</td>
<td>131:6</td>
</tr>
<tr>
<td>6:2 7:2,19</td>
<td>131:6</td>
</tr>
<tr>
<td>10:22 19:22</td>
<td>131:6</td>
</tr>
</tbody>
</table>

---

**VOTER FRAUD HEARING - VOL. 1**

**MARCH 1, 2012**
<table>
<thead>
<tr>
<th>Year</th>
<th>Early</th>
<th>Late</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1974</td>
<td>66:17,20</td>
<td>42:19</td>
<td>2</td>
</tr>
<tr>
<td>1993</td>
<td>92:19</td>
<td>30:500</td>
<td>3</td>
</tr>
<tr>
<td>2001</td>
<td>101:9</td>
<td>10:12</td>
<td>3.5</td>
</tr>
<tr>
<td>2008</td>
<td>48:20</td>
<td>20:24</td>
<td>10:12</td>
</tr>
<tr>
<td>2009</td>
<td>101:12</td>
<td>101:12</td>
<td>101:12</td>
</tr>
<tr>
<td>2010</td>
<td>101:12</td>
<td>101:12</td>
<td>101:12</td>
</tr>
</tbody>
</table>

### Notes
- Toll Free: 800.211.DEPO
- Facsimile: 512.328.8139
- Suite 220
- 3101 Bee Caves Road
- Austin, TX 78746
- www.esquiresolutions.com
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3</td>
<td>142:9</td>
</tr>
<tr>
<td>40</td>
<td>124:19, 130:14, 19</td>
</tr>
<tr>
<td>400</td>
<td>95:24</td>
</tr>
<tr>
<td>400,000</td>
<td>20:24</td>
</tr>
<tr>
<td>41</td>
<td>50:6</td>
</tr>
<tr>
<td>42</td>
<td>2:5, 97:14</td>
</tr>
<tr>
<td>43</td>
<td>50:5, 124:20</td>
</tr>
<tr>
<td>43,000</td>
<td>97:12</td>
</tr>
<tr>
<td>45</td>
<td>150:16</td>
</tr>
<tr>
<td>46</td>
<td>146:7</td>
</tr>
<tr>
<td>5</td>
<td>2:3, 103:25</td>
</tr>
<tr>
<td></td>
<td>104:8, 128:6</td>
</tr>
<tr>
<td></td>
<td>128:6, 17</td>
</tr>
<tr>
<td></td>
<td>130:21</td>
</tr>
<tr>
<td></td>
<td>134:9, 146:3</td>
</tr>
<tr>
<td></td>
<td>146:6</td>
</tr>
<tr>
<td>50</td>
<td>5:4, 68:22</td>
</tr>
<tr>
<td></td>
<td>69:8, 140:17</td>
</tr>
<tr>
<td></td>
<td>146:7</td>
</tr>
<tr>
<td>50/50</td>
<td>105:24</td>
</tr>
<tr>
<td>51</td>
<td>96:9</td>
</tr>
<tr>
<td>512</td>
<td>160:24</td>
</tr>
<tr>
<td>55</td>
<td>146:9</td>
</tr>
<tr>
<td>56</td>
<td>2:6, 83:20</td>
</tr>
<tr>
<td>57,000</td>
<td>95:15</td>
</tr>
<tr>
<td>59</td>
<td></td>
</tr>
<tr>
<td>2:7</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>68:9, 152:18</td>
</tr>
<tr>
<td></td>
<td>153:3</td>
</tr>
<tr>
<td>6:00</td>
<td>144:9</td>
</tr>
<tr>
<td>60</td>
<td>5:6, 7:8, 9</td>
</tr>
<tr>
<td></td>
<td>140:6, 8</td>
</tr>
<tr>
<td>60,000</td>
<td>95:16, 103:13</td>
</tr>
<tr>
<td>62</td>
<td>2:8</td>
</tr>
<tr>
<td>633</td>
<td>95:14</td>
</tr>
<tr>
<td>6352</td>
<td>160:21</td>
</tr>
<tr>
<td>64</td>
<td>2:9</td>
</tr>
<tr>
<td>65</td>
<td>56:24</td>
</tr>
<tr>
<td></td>
<td>690,000</td>
</tr>
<tr>
<td></td>
<td>126:1, 136:14</td>
</tr>
<tr>
<td></td>
<td>136:22</td>
</tr>
<tr>
<td></td>
<td>137:19</td>
</tr>
<tr>
<td></td>
<td>140:19</td>
</tr>
<tr>
<td>7</td>
<td>78701</td>
</tr>
<tr>
<td></td>
<td>160:6, 12, 23</td>
</tr>
<tr>
<td>99:11</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>97:15, 125:5</td>
</tr>
<tr>
<td></td>
<td>152:18</td>
</tr>
<tr>
<td></td>
<td>153:3</td>
</tr>
<tr>
<td>80,000</td>
<td>103:13</td>
</tr>
<tr>
<td>81</td>
<td>99:13</td>
</tr>
<tr>
<td>82</td>
<td>98:2, 155:1</td>
</tr>
<tr>
<td>82nd</td>
<td>1:5, 160:4</td>
</tr>
<tr>
<td>83,000</td>
<td>95:15</td>
</tr>
<tr>
<td>834,000</td>
<td>97:13</td>
</tr>
<tr>
<td>84</td>
<td>94:5</td>
</tr>
<tr>
<td>842</td>
<td>102:13</td>
</tr>
<tr>
<td>842,000</td>
<td>101:20</td>
</tr>
<tr>
<td></td>
<td>102:19</td>
</tr>
<tr>
<td>85</td>
<td>34:7, 124:22</td>
</tr>
<tr>
<td>873</td>
<td>97:23</td>
</tr>
<tr>
<td>89</td>
<td>2:10</td>
</tr>
<tr>
<td>9</td>
<td>90</td>
</tr>
<tr>
<td></td>
<td>23:6, 83:19</td>
</tr>
<tr>
<td></td>
<td>99:4, 117:24</td>
</tr>
<tr>
<td>902</td>
<td>154:6</td>
</tr>
<tr>
<td>91.2</td>
<td>98:25</td>
</tr>
<tr>
<td>92</td>
<td>142:6, 146:25</td>
</tr>
<tr>
<td>93</td>
<td>2:11</td>
</tr>
<tr>
<td>93.4</td>
<td></td>
</tr>
</tbody>
</table>
TEXAS HOUSE OF REPRESENTATIVES
82ND LEGISLATURE
SELECT COMMITTEE ON VOTER IDENTIFICATION
AND VOTER FRAUD HEARING
MARCH 1, 2011

VOLUME II OF II

Transcribed by Rhonda Howard, CSR
April 11, 2011
EXAMINATION OF WITNESS:

1. Examination of Virginia Townsend
2. Examination of Fern McLaugherty
3. Examination of Bee Whitlock
4. Examination of Elizabeth Barns
5. Examination of Mark Williamson
6. Examination of Anita Previtter
7. Examination of Kenneth Buelter
8. Examination of Alan Vera
9. Examination of Sumit DasGupta
10. Examination of Jessica Gomez
11. Examination of Andrew Joseph
12. Examination of Diana Gorman
13. Examination of Verona Thornton
14. Examination of Tonja Michelle Goby Smith
15. Examination of John O'Brien
16. Examination of Russ Duerstine
17. Examination of Toby Moore
18. Examination of Tova Wang
19. Examination of Sonia Santana
20. Examination of Mary Ann Collins
21. Examination of Rebecca Bradford
22. Examination of Carol Kitson
23. Examination of Ramey Ko
24. Examination of John Woods
25. Examination of Ann McGeehan
26. Examination of Rebecca Davio
27. Examination of David Maxwell
28. Examination of Justin Levitt

REPORTER'S CERTIFICATION PAGE
(Continued from Volume 1)

CHAIRMAN BONNEN: Members, we're going to move to some public testimony, which is limited to three minutes per witness. We have, I believe, if I'm counting correctly, three expert witnesses left. We're going to have them by Skype, which is something I'm unfamiliar with, but we have a computer expert who will help us do that. And when -- when he arrives, which he is not late at all, but when he arrives we'll go back to those expert witnesses who, again, have ten minutes.

So let me call Virginia Townsend, court -- representing myself [sic] as a private individual court watcher is here to testify for Committee Substitute Senate Bill 14.

Mrs. Townsend, if you would state who you're with and -- for the record.

VIRGINIA TOWNSEND: Good afternoon. Virginia Townsend. I'm with the OWLS, which is Objective Watchers of the Legal System. I'm from Hidalgo County. We were here two years ago to testify. There were hard-working people from Progresso that drove all night to get here. So they thought they would get a chance to testify, because they live with this every day. They live on a --
right next to Progresso Bridge, so they have people come over from Mexico all the time. Now, the people who live there all the time know who lives in the town and who does not. And so they watch the voting process. And a lot of the people who did not live in this country, who did not live in Progresso -- they were allowed to vote. And one lady was here two years ago, and she wanted to testify to this. And she knew she was putting herself in danger, but she was going to do it, and she was not allowed to testify. But it does happen. Voter impersonation, I am sure, is not real common, but it does happen. And especially we on the border, where it's so easy -- I mean, we're just coming across and back and forth, and it's easy if somebody wants to manipulate somebody to make them vote. So -- but it's not the only problem we have. That's not all. There's others ways that our -- our election systems are broken like Indiana's was or whomever we take.

We need a lot of work on our system and putting laws in place that make us so we are more secure about our voting process.

We're in the process right now of losing our confidence, and that's why there's such -- everybody -- some people think there's overreaction,
but it isn't. It's because it's the most important thing in the world to us to have the security of one person, one vote. And we don't see that all the time. So we do get a little bit panicky and we do get a little bit paranoid, but that's -- now, we're court watchers. I've been a court watcher for 30 years, so I've been around a long time. So I -- I've seen good people come in and try to clean it up, and then something comes and messes it up again. So I -- I don't know. We count on you all to know the right thing to do.

I am very sorry to see it is partisan. I was -- don't like partisan, but that's what I see here. And I believe Representative Veasey said it wasn't partisan, and I kind of went, whoa, not partisan, huh? Well, anyhow, I think it is. But I don't care about who belongs to what and who's Democrat and who's Republican. All I care is that we get our system back like it should be where everybody is confident that when they come, it is one person, one vote. Thanks.

CHAIRMAN BONNEN: Thank you very much, Ms. Townsend. Any questions, Members?

REPRESENTATIVE GUTIERREZ: Thank you,
Ms. Townsend. How -- how did you all get that gal across the check point last session?

VIRGINIA TOWNSEND: Oh.

REPRESENTATIVE GUTIERREZ: I was just wondering.

VIRGINIA TOWNSEND: I don't know how she came on the check point. I don't know. I didn't ask.

REPRESENTATIVE GUTIERREZ: Oh, good for her.

VIRGINIA TOWNSEND: She was with 30-some people. Maybe she just got lost in the bunch. I don't know.

REPRESENTATIVE GUTIERREZ: Well, thank you very much for coming. Thank you, ma'am.

CHAIRMAN BONNEN: Fern McLaugherty - I probably messed that up; I apologize - here to testify for Committee Substitute Senate Bill 14.


CHAIRMAN BONNEN: Uh-huh.

FERN MCLAUGHERTY: We are to have a driver's license and a CHL. And I believe they have to be current to be legal. One cannot be without the other. They're a team together. We have to
have an I.D. with picture on it to go to Sam's, be a student. Government jobs, we have picture I.D.

Doctor's office. I saw a lady the other day. She was in a walker. She got turned around to go home and get her I.D., because she couldn't see the doctor, because she forgot her -- her driver's license. Military, passport, Social Security, when you go in there, they want your I.D. They want a picture I.D. of you.

I have been a poll catcher, I have been a judge, and I have been on the ballot board. And we need to work there a great deal. We need to work there. You all need to work on those -- those three positions.

We had one -- we have a gentleman that's from Progresso. He has drawers -- drawers of voter I.D. cards that he pulls out and hands to people, which is that lady that we were talking about that was in the room with you all. Some of you all were here. And they stopped them from testifying. So now I know why sometimes you all never see any, because you don't allow them to testify. But she was here and was willing to tell you all that this man gave you [sic] one. Now, not only is she an illegal and she was a lady, but she voted as a man,
because it was a man's name on the card, but nobody noticed that.

So like I say, we were here two years ago and it was a -- a little surprising. And like I said, we don't know how she got across. She wasn't with us. But with 33 coming, I guess they just let them come on. We don't know.

Our last elections administrator, the one before we have now, she was indicted and she's pled out. And so we not only start at the top with things in illegal and working down with things, we start at the top. We had a Commissioner, Precinct 1, that's in the federal pen -- penitentiary right now. So from Hidalgo County, like I say, we start at the top on and work down.

So we would like to have the voter I.D. We go around for the last two years and we've asked the poor people that we meet, we've asked the elderly, "Do you have a problem with the voter I.D. with your picture on it?" I have yet to have one, not one. They all say, "Heavens, yes, it would be so much easier." And the last time I was here, I understand that some of you didn't know where your voter registration cards are. How many of you know where your driver's license are or your CHL? I have
both of them. When I came in the building today I handed him my CHL, and I got right on through.

Today someone stated that being 70 years old, I believe, that you don't need a -- a picture I.D. Don't you still have to have one for like Social Security, Medicare, Medicaid, whatever? So I'm 62. I'm trying to figure out how old I am. I'm either 62 or going to be 63, somewhere in there. So that means when I get to be 70, my driver's license and my CHL, I won't need? I'll be able to carry them; that's the age I'll be --

CHAIRMAN BONNEN: Thank you. Your time is up.

FERN MCLAUGHERTY: Okay. Thank you. I do appreciate it. And we do want the voter I.D.

CHAIRMAN BONNEN: Thank you. Any questions, Members?

Bee Whitlock here to testify for the Committee Substitute Senate Rule 4.

UNIDENTIFIED REPRESENTATIVE: Bob?

CHAIRMAN BONNEN: Yes.

UNIDENTIFIED REPRESENTATIVE: I have a question of Ms. Harless, since this is her bill. With respect to the 70 requirement --

CHAIRMAN BONNEN: Right.
UNIDENTIFIED REPRESENTATIVE: -- could you explain how that works for the record, please.

REPRESENTATIVE HARLESS: The 70 requirement was put on in the Senate. And the thought process was that -- that members, citizens, that were of the age 70 become less active in -- for the record, any of my friends that are in the room that are 70, 80 or 90, please don't hold that against me. It was not my statement. But that's a time in their life where they have a tendency to be less active, and we wanted them to have the provision of the exemption.

UNIDENTIFIED REPRESENTATIVE: And -- and the exemption, as I understand it, is actually going to -- the group is actually going to grow smaller --

REPRESENTATIVE HARLESS: Yes.

UNIDENTIFIED REPRESENTATIVE: -- through attrition. Is that right?

REPRESENTATIVE HARLESS: That's exactly right.

UNIDENTIFIED REPRESENTATIVE: All right. Thank you.

CHAIRMAN BONNEN: Mrs. Whitlock.
BEE WHITLOCK: Yes. Bee Whitlock, I'm from Hidalgo, and I'm also with the House. And I know you all don't understand the way we live in Hidalgo County, but it's -- it's just terrible. We really have a problem. And we've got expired people voting. And I'm soon -- going soon to be 80, and I don't feel like I need to be cut down on anything. So -- and every time I go to the doctor I have to show my I.D. I go get a prescription, I have to show my I.D. So we're just for it and want to go through it real bad. Thank you.

CHAIRMAN BONNEN: Thank you very much.

Questions, Members? Thank you.

Elizabeth Barns here to testify for Committee Substitute Senate Rule 4.

ELIZABETH BARNES: Afternoon. My name is Beth Barns or Elizabeth Barns. And I'm with the OWLS, and I'm also from Hidalgo County.

Voter I.D., what a concept. We live in the Rio Grande Valley where there's a big problem. I worked the 2010 election this year, finding out many, many things.

First of all, we had people come in with no I.D., I don't have a driver's license, I don't
have my voter registration card, but my name is. We found them.

We have driver's license -- we can -- one young man came in with a Mexican driver's license. He was in the system. No picture or his year -- birthdate was not there. We couldn't verify that.

Then we had another gentleman come in, California driver's license with a La Joya, Texas, address. Who knows.

Illegals are a problem. They come across the river for the better life that we can offer. Some of them don't get out of the Valley, and they stay there. Well, some of them have been there for 20 or 25 years. They somehow get a driver's license and other identification -- pieces of identification and the voter I.D. card. They come in and vote.

We just don't know what to do with it anymore, but we do very much want to have the photo voter I.D. card. Thank you.

CHAIRMAN BONNEN: Thank you. Okay.

Mark Williamson, Minister Federal Intercessors, is here to testify for the Committee Substitute Senate Bill 4.

MARK WILLIAMSON: Thank you. I was here two years ago with the Senate, and that was
quite an exercise, but glad to be back, honored to
be here and to testify on behalf of the voter I.D.
bill.

I'm an ordained minister dealing primarily
with dozens of United States Congressmen in
Washington, D.C. I recently served as the guest
chaplain of the U.S. House of Representatives just a
couple weeks ago. I approached this perhaps
differently than most, being a citizen of Texas and
also a minister focusing on God's design for the
federal government. Based on the truth of
scripture, our federal and state constitutions, I
submit it is imperative to pass this legislation and
to vote against it is a dereliction of one's duty.
It's time to secure the vote.

The Biblical command to do everything
decently and in order is not just a rule for
churches; it is a life principle. And it is a
principle particularly applicable to civil
government and its processes. Romans 13 says that
civil rulers, and that includes you Representatives,
are the ministers of God to reward good and punish
evil. You are stewards before God with a great
weight of responsibility and opportunity that you
will answer for. And do not take it lightly.
To all the Members of the House, I would urge you to not reduce yourself or your position so as to compromise commonsense and integrity in our election process. It is time to secure the vote. God is a God of standards and boundaries from Mt. Sinai to the borders of nations to the boundaries of one man one woman marriage and salvation through Jesus Christ alone.

Do not ignore the principle. Let there be one standard universally applied so that all who vote are legitimate, qualified and identified voters. A photo I.D. is not too much to ask to secure our vote. And how would it be done if not through the simplicity of a photo I.D.? A photo I.D. is not an unbearable burden when one can't function in our modern society without it. The argument that a photo I.D remains an undue burden in light of all the safeguards already in this bill to protect the rights of everyone is now only a distraction unworthy of serious discussion among rational adults.

The Bible also states that whoever resists the ordinances of God and, by implication, His standards of integrity will bring judgment on themselves. And that goes for both citizens and
rulers. God hates unjust weights and measures, the
double standard that defines the lack of integrity.
That means He is for single universally-applied
standard equal for and protective of everyone, the
Electorate as a whole, not just partisan
constituencies.

I urge you to set a meaningful standard,
set a standard against fraud and abuse of a sacred
process, secure our votes and our elections. Even
if I, for whatever reason, were unable to produce my
driver's license at the polling booth, I would
gladly sacrifice my vote to be confident that the
Electoral process was sound and secure, no matter
the outcome.

CHAIRMAN BONNEN: Sir --
MARK WILLIAMSON: Yes.
CHAIRMAN BONNEN: -- your time is up.
MARK WILLIAMSON: Okay. I was just
about to close anyway.

CHAIRMAN BONNEN: Thank you very
much.
MARK WILLIAMSON: Thank you very
much. God bless you.
UNIDENTIFIED REPRESENTATIVE: Thank
you.
MARK WILLIAMSON: And God bless Texas.

CHAIRMAN BONNEN: Thank you.

Sir, could you come back and state your name on the record.

MARK WILLIAMSON: I'm sorry. Mark Williamson, Katy, Texas.

CHAIRMAN BONNEN: Thank you.


Anita Previtter with the League of Women Voters of Texas here to testify against the Committee Substitute to Senate Bill 14.

UNIDENTIFIED REPRESENTATIVE: We're trying to get back to the expert witnesses in about 15 minutes here.

CHAIRMAN BONNEN: (Inaudible).

ANITA PRIVETT: Thank you for this opportunity. My name is Anita Privett. I'm the Advocacy Vice President for the League of Women Voters of Texas. And I think most of you know about the League's long history of 90-plus years of working on things like voter education. We really believe that civic engagement is extremely
Of those without -- I just have a few points to make, because you had heard a lot already. Of those without a driver's license, it's estimated that more than 70 percent of them are women and over one-third are seniors. Unless they happen to have a less common form of acceptable I.D., these individuals could include any who turn 70 over -- after January 1st, 2012, which I happen to one of those. I'll be turning 70 next year. And I assure you that I have a passport and a driver's license today. But I know a day will come when I don't have. And my kids live in Kentucky, and I don't want to live in Kentucky; it's cold. So I may not have the easy access to being able to get an I.D. that it -- that you have if you have a child nearby who can take you to get those I.D.s. We believe that that's going to be a problem for quite a number of seniors, as well as women.

Remember that -- that people have to keep current an I.D., not just have one at one point in time. Obtaining and renewing a photo I.D. would be most difficult for those who do not drive and who do not already have the supporting documents that are required. SB-14 gives voters new reasons to worry
that discrepancies between I.D. and the precinct
list would disqualify them from voting a regular
ballot. Discrepancies in name tend to be more
common for women who may change their name if they
marry, divorce or remarry.

The real problem in Texas is not voter
impersonation. It is low voter turnout. Texas
ranked 50th among the states in voter turnout in
2010. No state had a lower turnout than Texas.

Each election The League of Women Voters
fields a lot of questions from voters. They call
our offices and ask questions. If we can't give
them simple, clear answers they decide not to vote.

This voter I.D. requirement is going to
make it very difficult for people to really
understand what their options are. There are too
many options in some ways and there aren't enough in
others, but it's going to be confusing and people
are going to be intimidated by it.

Stricter photo identification requirements
are not what Texas needs. Further implementing
these needless requirements would involve expensive
new government programs to provide and renew photo
I.D.s for meeting --

CHAIRMAN BONNEN: Ma'am, I'm sorry.
Your time is up. Any questions, Members?

ANITA PRIVETT: Okay.

CHAIRMAN BONNEN: Representative

Harless has a question.

REPRESENTATIVE HARLESS: To let you know, there is a provision in the bill that allows for ongoing training in the discrepancies of names and for that person to be able to cast their ballot.

ANITA PRIVETT: Provisional ballot?

REPRESENTATIVE HARLESS: No, a regular ballot.

ANITA PRIVETT: Well, that's good to know. I didn't know that.

REPRESENTATIVE HARLESS: They sign an affidavit saying, you know, when you've changed a name. If you were married or left off an initial, there's a provision in there.

ANITA PRIVETT: I'm sorry. I didn't realize that that change had been made.

CHAIRMAN BONNEN: Thank you.

Kenneth Buelter, B-U-E-L-T-E-R, Goliad County, Republican Party, here to testify for the Committee Substitute Senate Bill 14.

MR. BUELTER: Thank you, Chairman Bonnen and Committee. I'm here today --
CHAIRMAN BONNEN: Could you please state your name.

MR. BUELTER: Kenneth Buelter, Goliad County, Republican party, here to testify for Senate Bill -- or the substitute for sub -- Senate Bill 14.

Chairman, I appreciate the opportunity to be here today. I am in a county that, as Representative Aliseda, who is my new representative -- and I appreciate his questions that he's put forward to all the witnesses today -- in a county that's very near something that he mentioned earlier. Goliad County registered voters for the general election in 2010 that we just had are 5,552. Goliad is a small county in South Texas, near Victoria. Our Census data just released in the last few weeks for Goliad County shows a total voting age population over the age of 18 at 5,562. That means I have 99.82 percent of available registered voters in Goliad County registered. I do not believe that to be truthful.

However, this voter I.D. bill gives us all the opportunity that when my election judges at each election have to verify those voters that they can have an easy method of verifying that by having them present a photo I.D. that shows that judge who they
are and why they should be able to have the
privilege to cast a ballot in that election. Thank
you.

CHAIRMAN BONNEN: Questions, Members?
Thank you. Appreciate your being here.

Alan Vera here testifying on behalf of
himself for the Committee Substitute Senate Bill 14.

ALAN VERA: My name is Alan Vera. I
represent myself and probably a half dozen other
old, cranky Vietnam vets. I'm here to speak for the
Committee Substitute voter I.D. photo bill.

Last November, I volunteered to serve as
an alternate judge for the general election. My
presiding judge assigned me to work the voter
registration booth to sign in voters for precinct.
There were three incidents in my assigned precinct
that I think you should know about.

The first was fairly benign. I had a
voter approach me and hold out three voter
registration cards made out to her name in various
forms. She asked me which one she should use. She
was not trying to commit voter fraud. She simply
needed guidance, because she had received three
separate voter cards.

The other two incidents were far more
serious. I'm very meticulous, almost to the point of being anal. I took the job very seriously my first time working the polls, took all the courses, read all the books, even went through the Texas Election Code, all thousand pages of it. By law, I was accepting all forms of I.D. allowed by the Election Code, putting aside my personal opinions, including utility bills, expired out-of-state driver's licenses, et cetera.

Around noon, I had a voter present me a valid voter I.D. card. When I went to find her name in the book, I found she had already voted that day, or, rather, someone else had voted in her name. And I was the one who let that person vote, using some other form of I.D. I informed her of the problem. She was understandably annoyed and irritated. She offered her driver's license to prove she was the person she claimed to be. I called the presiding judge, who reviewed the situation, called the County for a ruling, and we allowed that woman to vote provisionally, but she was told her vote probably would not count. We had disenfranchised a Texas voter in a minority area.

It happened again at 4:00 p.m. under identical circumstances.
Later that evening, I met with other judges and poll watchers to compare notes, and my incident was not by any means isolated. This occurred regularly and frequently throughout the day.

By allowing too wide a range of acceptable I.D. cards for voting, our current process is disenfranchising legitimate voters, perhaps not intentionally. But at least, in my experience, two voters were denied the right to vote. Okay?

I'm sure that we all have, in good conscious, a desire to let everyone vote and vote correctly. But our current unstructured, undisciplined form of voter I.D. is actually contributing to disenfranchisement.

In the spirit of full disclosure and fairness, I will tell you that I worked those polls under the guidance of True The Vote, which is organized by King Street Patriots in Harris County. It's a citizen-led initiative to educate citizens and train them to be poll workers, poll watchers for their party candidate or further issues. And I was one of the trainers involved, which is why I had to read all thousand pages of the Texas Election Code.

Thank you.
<table>
<thead>
<tr>
<th>Line</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Any questions?</td>
</tr>
<tr>
<td>2</td>
<td>CHAIRMAN BONNEN: Thank you.</td>
</tr>
<tr>
<td>3</td>
<td>Members, any questions? Thank you.</td>
</tr>
<tr>
<td>4</td>
<td>Sumit DasGupta, D-A-S-G-U-P-T-A, Network of Asian Organizers, here to testify against Committee Substitute to Senate Bill 14.</td>
</tr>
<tr>
<td>5</td>
<td>SUMIT DASGUPTA: Mr. Chairman, honorable Representatives, I am Sumit DasGupta, and I stand before you as the Vice President of Political Affairs of the Network of Asian Organizations, NAO -- AO for short, to express some fear on NAO's 15 organizations in the Greater Austin area, our deepest reservations about this voter I.D. bill.</td>
</tr>
<tr>
<td>6</td>
<td>As a private citizen - it will come up later on when I talk about some of the details - I'm also a computer scientist and an executive at a small company that's involved in chip design and manufacturing. In my role at NAO, I've done sufficient research which leads me to the conclusion that can best be summarized by the statements, is this a solution looking for a problem? And if there's a problem, where is the sufficient evidence? Allow me to express my concerns by punctuating my reservations with some personal...</td>
</tr>
</tbody>
</table>
I arrived in the U.S. in 1967 as a graduate student and a teaching assistant, so I had to get a Social Security card, which I did, so that I could get paid. I got my Social Security card and promptly forgot some nuanced changes in the last name, which I ran up against this last September when I had to register for Medicare. I turned 65 in October.

So I noticed that my last name was not spelled DasGupta, single word with capital D and capital G, but instead two words, D-A-S capital D, and Gupta, capital G. I then remembered that this is an artifact of mainframe programs of the 1960s. That's been fixed now. But that -- that artifact still exists in Social Security records.

And so as part of the registration, I tried to get my name changed to the proper name. I am sorry to tell you, I'm still trying and results are still incomplete. Okay?

So just for your information, I've spent 25 of my 40-year career at IBM designing mainframes and programming mainframes, so that's some of the problems that we're still faced with because the data itself goes back to the '60s.
So if such a discrepancy that I just gave you showed up between your voter rules and whatever I.D. I have to show during a vote, is that sufficient reason for me to get rejected? That's one example.

That was my last name. Let's talk about my first name. It is Sumit, S-U-M-I-T. Can you guess how many times in these 40-plus years I've been in this country where I've been called Summit, S-U-M-M-I-T, and spelled that way? And received mail addressed to Summit DasGupta. With a smile and a joke, I reminded everybody that I am still, at 65, one M short of the top.

CHAIRMAN BONNEN: I apologize, but your time is up.

SUMIT DASGUPTA: Okay. Thank you.

CHAIRMAN BONNEN: Thank you. Any questions, Members? Thank you.

Sylvia Guzman, Amigos dos de Patriots, here to testify for the Committee Substitute Senate Bill 14.

Jessica Gomez representing Disability Rights of Texas, formally Advocacy, Inc., neutral on the Committee Substitute to Senate Bill 14.

JESSICA GOMEZ: Good afternoon. My
name is Jessica Gomez, and I am a voting rights
policy specialist at Disability Rights Texas,
formally known as Advocacy, Inc. Under the Help
America Vote Act, Disability Rights Texas is charged
with ensuring the full inclusion of people with
disabilities in the electoral process. Thank you
for the opportunity to testify on the Committee
Substitute before us today.

The disability exemption included in the
bill before the committee is absolutely necessary.
And we thank you, Representative Harless, for
including it and Senator Patrick for introducing it
in the Senate.

People with disabilities are some of the
least likely to have photo I.D.s. Many people are
unable to work due to the severity of their
disability and often unable to drive, and they rely
on others to assist them with the activities that
require photo I.D.s, such as banking. They live on
fixed incomes and face numerous transportation
challenges, especially those that live in rural
areas. Yet, despite these challenges, people with
disabilities look forward to election day when they
are able to visit their neighborhood polling place
and cast a vote alongside the rest of their
community. Let's make sure that when they get there we do not turn them away because their disability has prevented them from obtaining a photo I.D.

I did want to address -- address previous testimony that you have to have a photo I.D. in order to receive disability benefits in the State of Texas or Social Security or veterans benefits. That is untrue. According to policy and procedure manuals from Health and Human Services Commission, you do have to prove your identity, but it does not have to be in the form of photo identifying. There are many other ways to verify your identity. And photo I.D.s issued by DPS is not required to receive Social Security benefits or veteran benefits on the basis of a disability.

We also need to ensure that people with disabilities and others know about the new requirements and the exemption by putting more behind voter education than the $2 million in the current fiscal note. It is simply irresponsible policymaking to pass a bill with a fiscal note that we know is inadequate, especially when the State is poised to cut programs and services that people with disabilities rely on to live.

Consider that the State spent $3.5 million
annually educating voters about the new voting systems when the Help America Vote Act passed in 2002. How, then, is two million dollars sufficient to inform voters of the drastic eligibility changes proposed in SB-14?

With a large geographic size and rural population, Texas should create mobile outreach and I.D. units that can travel to rural areas and educate people about the new requirements and give them the necessary identification, like Missouri did. This is especially important with people with disability and low income individuals, who are less likely to have access to traditional media outlets. If the intent of this bill is to protect the integrity of the electoral process and not to disenfranchise otherwise eligible voters, prove it to Texans by funding appropriate voter outreach. Thank you.

CHAIRMAN BONNEN: Thank you. Any questions, Members? Representative Harless has a question.

REPRESENTATIVE HARLESS: Thank you for being here. And you saw the Committee Substitute where we put in there if they can't have the current forms of I.D. then they would be exempt
under the language that you helped us write.

Did you also see in the fiscal note that they added additional money for technology for certain disabilities?

JESSICA GOMEZ: No, I did not. Would you --

REPRESENTATIVE HARLESS: They -- it's -- it's on Page 3 of the fiscal note and it talks about technology. They added an additional $24,000, and they anticipate that there will be -- there -- we'll have testimony about the Help America Vote Act, but they did add an additional $24,000 in there.

JESSICA GOMEZ: That's really great to hear. And would that $24,000 also come from HABA funds?

REPRESENTATIVE HARLESS: In here we -- we have a copy of it. We can get you -- it doesn't spell out specifically. It says the Secretary of -- indicates the federal funds associated with Help America Act [sic] may be available for use, but the agency would first need to verify this with the federal government. And we're going to have someone from the Secretary of State testifying later.
JESSICA GOMEZ: Great. That's --
that's wonderful to hear. I'm very glad that that
was included. However, I would caution Committee
Members that the Help America Vote Act funds have
been eliminated in the President's budget. So we
will likely not be seeing anymore of these. Let's
make sure that we don't spend the last of those
funds on this and that we reserve some to educate
voters about other important things.

CHAIRMAN BONNEN: Thank you.

Representative Aliseda.

REPRESENTATIVE ALISEDA: Perhaps this
question should go to Representative Harless, but
our version of course today is different than the
Senate's version, is that not correct, with respect
to the disabled?

The Senate version has a doctor's note
would qualify for an exemption or requirement for
the voter identification.

In this version, I believe we're using
language that you proposed, which says that a
social -- a letter from the Social Security
Administration would be sufficient. Is that
correct?

REPRESENTATIVE HARLESS: That is
correct.

REPRESENTATIVE ALISEDA: And when you talked to me about it, I expressed some concerns about doctors' notes, because we've seen what doctors' notes do in Wisconsin, for example.

REPRESENTATIVE HARLESS: That is correct.

REPRESENTATIVE ALISEDA: All right. I have no further questions. Thank you.

REPRESENTATIVE HARLESS: Excuse me. Could I clarify?

CHAIRMAN BONNEN: Okay. Do you have a question of the witness?

REPRESENTATIVE HARLESS: No. I wanted to clarify.

CHAIRMAN BONNEN: Thank you for being here. Go ahead, Representative Harless.

REPRESENTATIVE HARLESS: It does -- it does say a doctor's -- it does spell out specifically the language, but only if they don't have one of the six forms of I.D., and that was open before. Everyone was exempt with disabilities. Now it says if they have one of the six forms of I.D. then...

CHAIRMAN BONNEN: Andrew Joseph, U.T.
student, here testifying against Committee Substitute Senate Bill 14.

    Mr. Joseph, I need you to completely fill out the witness affirmation, if you would. I need your address and your phone number on this form. No problem. Not a big deal. We just need to get it done.

    ANDREW JOSEPH: Name is Andrew Joseph. I'm a student at U.T. currently, and I'm a fairly heavy utilizer of public transit. And I feel that this bill -- I mean, the way it's proposed is essentially in a way relegating us to second class citizens where, you know, we -- you know, we have student I.D.s. And we will not be able to use those student I.D.s whenever -- despite the large number of voter registration efforts that are ongoing on campus at any given time. And I feel that as public transit users we are not really given any kind of consideration.

    You know, it's assumed that just everybody should have a driver's license. But you rely on public transit, as I have many friends and colleagues that do quite often, it's not necessary that you have a driver's license. And even though I know that there are other forms provided, the idea
that this shall be very cumbersome on people to find, you know, these forms of identification, I think just puts the perception out there that -- that, you know, the purpose of the bill is for disenfranchisement. I think just the perception of that is dangerous. I think that, you know, other suggestions have been given, such as improving the databases, such as, you know, having a -- you know, day voting registration. I think that -- if those policies were instituted instead of this policy, I think that those concerns would be alleviated. And as I've heard, you know, the Secretary of State from Indiana said that -- that people would become more comfortable allowing various proposals to be floated if these measures were passed. But I don't see why we should have to appease certain groups of people in order to exercise our basic rights as citizens. And with that, I'm...

CHAIRMAN BONNEN: Members? Thank you. If you would, please, get that filled out correctly.

Diana Gorman, a travel agent representing herself, here to testify for Committee Substitute Senate Bill 14.

DIANA GORMAN: Hi. I'm Diane Gorman,
and I live in Dallas. Came from the Rio Grande Valley, so...

I just -- thank you, first of all, for letting me speak. But I was sitting out there listening to some of the previous experts, and I was very saddened by some things I heard. And it prompted me to want to come up here. So something I wrote, voter fraud comes in all colors and poor people come in all colors, too. This is not a minority or economic issue, and I'm offended by those who try to pretend it is. I have a friend who called and asked me to vote for her because she was out of town and became very upset with me because I wouldn't do it. She was a Caucasian, a professional and a Republican, so this should not be a Democrat versus Republican or minority versus non-minority issue. This is about protection of the privileges and rights of each and every citizen to have their vote really mean something.

This past year I volunteered in the campaign of Debbie Carter (phonetic), who is an African American -- at least that's how some people may see her. But to me she is an American, an unhyphenated American, just like I am. And she is also a Republican. While calling to encourage
people to vote for her, I encountered quite a few instances of people who asked, "Why vote? My vote doesn't matter anymore." They were intimidated, which seems to be the keyword around here today. They were intimidated and kept away from the polls because of voter fraud. They felt like their vote didn't really count; there was too many other people that voted illegally.

It is extremely offensive to be called, in essence, a racist just because we have a different point of view, just because we want to ensure that the voters' votes are not diluted by fraudulent voting.

I personally don't think this bill is strong enough. I am a proponent of fingerprint voting, but this bill is at least a step in the right direction.

I would like to add that I was a recipient of the E-mail that was mentioned earlier about some polling places not being safe. As a woman who is new to Dallas, I very much appreciated that E-mail warning me before I volunteered to work at nights in a high crime area. Thank you very much.

CHAIRMAN BONNEN: Ma'am? Are there any questions, Members? Thank you.
Verona Thornton, online retailer, self-employed, here to testify for the Committee Substitute to House -- Senate Bill 14.

VERONICA THORNTON: I'm Veronica [sic] Thornton, and I support SB-14. I wanted to testify, because I take issue with the race beating that I see here that -- that I'm hearing from these testimonies today. I'm a black woman, but I'm looking at this from a different point of view from regular American black people.

I'm a naturalized citizen, and I've been in this country since 1975. I became naturalized and I've worked as a clerk and as a judge in the polling place. And I don't understand why this race beating has to go on. It's an insult to the black community. And this victim mentality need [sic] to stop.

Everybody has some kind of I.D. And it seems like there are a lot of provisions that are in this bill that I don't even think should have been there. But I think it's liberal enough for everyone to be satisfied with -- with this bill.

People need I.D.s to do practically everything. If you go to Wal-Mart you cannot get your medicine without showing some kind of I.D. And
so that's all I have to say.

CHAIRMAN BONNEN: Thank you. Any questions, Members? Thank you for coming.

Tonja Michelle Goby Smith, Concerned Women for America, for Committee Substitute Bill 14.

TONJA MICHELLE GOBY SMITH: I'm actually Tonja Michelle Smith. I go by Michelle, so I'll try to clarify that. Sorry.

Mr. Chairman, Committee Members, thank you for allowing me to speak. My name is Michelle Smith, and I'm the East Texas Area Director for Concerned Women of America. I am also the election judge for Rockwall County Precinct 1D. I have served as election judge for four election cycles since before 2009.

Concerned Women for America strongly supports SB-14 in its original form. And I want to stop there and apologize, because when I came to testify, I was here to testify against the Senate Bill amendments. And I saw what you've done to strengthen the bill, and I appreciate that. And we -- it looks good. So thank you for that.

And so we also believe that fair and ethical election practices should be practiced here in Texas and across this land. Texas is a shining
star for all of America. And we want it to be
strong here. We want the highest level of integrity
brought to our voting process here.

Upon my tenure as election judge, I have
seen how the process works in Texas. Anyone can
walk into the election precinct, hand me a voter
I.D. card, and I have no idea if that is, in fact,
the person on the card or not.

We have -- I have heard argument that this
will cost the State of Texas a lot of money. How
difficult and costly can it be for someone to walk
in and show an I.D. versus a voter I.D. card?

I will say from my experience as an
election judge more than half of the people walking
in my precinct hand me a voter -- a driver's license
without even being asked, because they don't have
their voter I.D. card.

I also want to say that our election
judge -- our election chairman in Rockwall County
requires training each election cycle for us to get
refreshed on the rules. So the training is
necessary regardless of our -- of what's going on.

Understand that there will be some
literature costs involved in changing the -- the
rules, but I want to say that that cost should not
outweigh the highest integrity we have in our voting process. No matter if you're Democrat or Republican, if you're running for office, you want to make sure that that's fair and just how you're elected.

I also want to say we support a clean bill that allow -- that does not allow for any exceptions that could allow fraud or deception, and we ask the Committee to support SB-14 in its original form. So thank you very much.

CHAIRMAN BONNEN: Questions, Members?

Thank you.

UNIDENTIFIED SPEAKER: Thank you.

CHAIRMAN BONNEN: Chair calls John O'Brien, Director of the Legislative Budget Board, here to testify neutrally on the Committee Substitute to Senate bill 14.

JOHN O'BRIEN: Thank you, Mr. Chairman, Members. My name is John O'Brien, Director of the Legislative Budget Board. And I've been asked to come here as a resource witness. I'm available to ask questions.

CHAIRMAN BONNEN: Mr. Veasey, you have questions?

REPRESENTATIVE VEASEY: Yeah. I want
to -- no. He's just here to answer questions.

Yeah.

I wanted to specifically ask you about the fiscal note to the bill. What's the fiscal note that you all have on the bill?

JOHN O'BRIEN: The current fiscal note on the Senate engrossed version is a G.R. cost in 2012 of 2 million $24,000 [sic].

REPRESENTATIVE VEASEY: And so -- and -- and...

CHAIRMAN BONNEN: I want to be clear, we're here taking testimony on the Committee Substitute to Senate Bill 14, so we need to stay on the substitute.

REPRESENTATIVE VEASEY: Okay. So -- so -- and -- and there's nothing -- oh, he took -- he took it out of substitute. Is that right?

JOHN O'BRIEN: We'll do our -- we'll do our fiscal note on the substitute when you report it on the Committee.

REPRESENTATIVE VEASEY: Okay. Yeah. Because I was -- I was worried about the -- there was someone here from Indiana --

CHAIRMAN BONNEN: Correct.
REPRESENTATIVE VEASEY: -- I think they said they spent $1.6 million. And I think their largest media market would be Indianapolis. Gary was in the Chicago market, so they would probably have to spend money in the Chicago market in Gary. But, of course, we have several -- you know, we have at least two major markets, Dallas/Fort Worth and then Houston and then several medium-sized markets. And so it probably cost a lot more than that. So I was concerned about the fiscal note, but --

CHAIRMAN BONNEN: No. Please talk about it.

REPRESENTATIVE VEASEY: Yeah. And I was just trying to figure out how -- I know that you all had taken that note from the Secretary of State's office.

CHAIRMAN BONNEN: (Inaudible).

REPRESENTATIVE VEASEY: And I wanted to find out how you came to an agreement on that number.

CHAIRMAN BONNEN: Okay.

JOHN O'BRIEN: Let me say what the Secretary of State estimate includes.

First of all, that they're -- they're
talking about investing about half a million to
research ways to inform the public. And then their
media educational approach is $750,000 for T.V.,
$300,000 for radio, another $300,000 for prints and
$150,000 for Internet education.

REPRESENTATIVE VEASEY: Yeah. And
see -- and that's a concern, because we -- we would
need to probably spend a lot more money than
Indianapolis did on television. I mean, if they
spent 1-point -- I think the number was 1.6. You
know, I'm concerned about just accepting the number
from the Secretary of State's office, because it
sounds like that maybe you all should have done a
little bit more research.

Did -- did the Comptroller's office
compliment this in any way? I mean, did you all do
your own research? Is it normal for you to -- to
just take the -- another agency's word for it or do
you all --

JOHN O'BRIEN: It's not only a common
practice, it's a preferred practice. The Secretary
of State are the experts on this matter.

REPRESENTATIVE VEASEY: Okay. Yeah.
That was -- and that was my biggest concern was that
this was such a large state that there was no way
that that number's going to cover. I mean, you can
talk to political consultants on both sides of the
aisle and they'll tell you how much it cost. And
you probably have followed campaigns just on the --
you know, on the periphery. I know you're not an
elected official, but you work in the Comptroller's
office. And you probably are interested in the
Electoral process like everyone else, and it cost --

JOHN O'BRIEN: I speak for the
Speaker and the Lieutenant and Governor.

REPRESENTATIVE VEASEY: Yeah. It
cost a lot of money to advertise in this state. So
I'm just worried -- I'm very concerned about the
fiscal note.

JOHN O'BRIEN: There's nothing --

REPRESENTATIVE VEASEY: I just don't
think -- I just don't think -- it seems to be a bad
number.

JOHN O'BRIEN: As we proceed through
the appropriations processes there's nothing that
stops Senator Ogden and Mr. Pitts (phonetic) from
appropriating more if -- if --

REPRESENTATIVE VEASEY: Well, but we
don't have any money, which is another concern. So
if it costs -- if it's going to cost more, you
know, then we need to know about that, too, because we're looking at the possibility of -- of consolidating classrooms and laying teachers off. And so, you know, we're -- we're -- and I'm sure every conservative in the audience understands this. We're just at a juncture in our -- in our -- in our budget and in our history of the state to where we just don't have a lot of money. And I -- I don't think that any taxes are going to be raised. And so every dollar that we're going to spend, we need to make sure that we have a -- a full and better understanding of -- of -- of the process when these fiscal notes come out.

Missouri spent, I think, close to $10 million or more. They have one major television market. They have the St. Louis television market. It's a much smaller state. I'm -- I'm just really concerned that we're going to spend a lot more money than -- than what was presented here. And we've already had issues about not forecasting properly, which is one of the reasons why we're in the mess that we're in right now. So -- and -- and that's the only thing I have for you. I was very concerned and wanted you to just come and address that. And I appreciate you coming to address that today.
CHAIRMAN BONNEN: Mr. Veasey,

Georgia-- the -- George, from the Secretary of
State, he said that they spent $842,000 on, in
essence, their media campaign --

REPRESENTATIVE VEASEY: Uh-huh.

CHAIRMAN BONNEN: -- and $773,000 on
education, training and producing of I.D.s. So
Georgia's not quite as large a state as Texas, but
their media campaign there was, I think, less --

REPRESENTATIVE VEASEY: They have one
major market. I think Atlanta --

CHAIRMAN BONNEN: Atlanta, correct.

REPRESENTATIVE VEASEY: Houston may
be No. 10. I think Atlanta may be No. 11. But we
have several markets. We have at least two large
media markets, Houston and Dallas. And then we take
in Austin, San Antonio, Waco, Bryan College
Station --

CHAIRMAN BONNEN: They had smaller
markets, too.

REPRESENTATIVE VEASEY: -- I mean, it
cost a lot of money to advertise in this state.

CHAIRMAN BONNEN: Representative
Aliseda.

REPRESENTATIVE ALISED A: My own
observation is what's the value of an Electoral
system that the public has confidence in. It's
certainly worth more than $2 million to me for that.

REPRESENTATIVE VEASEY: And -- and
that's -- and I understand the point that the --
Representative Aliseda is making. But with the
money that we don't have to work with this session,
because everything is so tight - and we're talking
about, you know, nursing homes possibly shutting
down, schools possibly being closed, classrooms
being consolidated - we need to have a better
understanding of how much money this is actually
going to cost than -- I mean, it's clear, you know,
just from everything that I've seen thus far that we
don't, because there's no way that it's only going
to cost $2 million. That's just absolutely -- it's
not even realistic.

CHAIRMAN BONNEN: Thank you.

REPRESENTATIVE GUTIERREZ:
Mr. Chair --

CHAIRMAN BONNEN: Representative

Gutierrez.

REPRESENTATIVE GUTIERREZ: -- just a
few questions. Now, according to Secretary of
State, there's about 2.8 million registered voters
that have voted without an I.D. Is that accurate?

JOHN O'BRIEN: I have no idea. I don't work for the Secretary of State.

REPRESENTATIVE GUTIERREZ: Where -- the Secretary of State will be up here later.

UNIDENTIFIED REPRESENTATIVE: You're with the LBB. Correct?

JOHN O'BRIEN: Yes, sir.

REPRESENTATIVE GUTIERREZ: And -- and so I guess what I'm getting at or what -- and I apologize, I was in the back room talking to my good friend, Representative Pena here, about some of the woes in our communities. And I didn't hear -- where did two million dollars come from? Is this a number that came out, or is it have some kind of --

JOHN O'BRIEN: They provided some level of detail on it. I'll go over it again. It's on Page 2 of the fiscal --

REPRESENTATIVE GUTIERREZ: You can give me the short version.

JOHN O'BRIEN: Okay. About $500,000 to do research, and then the balance of the 1.5 million was on the media campaign through -- different television and so on. And as Ms. Harless said before, $24,000 on technological
improvements in order to implement this provision for the disabled.

REPRESENTATIVE GUTIERREZ: Okay. So you didn't get into the free I.D.s --

UNIDENTIFIED SPEAKER: No.

REPRESENTATIVE GUTIERREZ: -- the free --

JOHN O'BRIEN: That's -- what DPS said in response to that estimate was that they knew there would a revenue loss because of those free I.D.s, but they don't know how many people will come forward. And -- and so they did not estimate it.

REPRESENTATIVE GUTIERREZ: Okay. Well, in the interest of time, I'll save my questions for DPS, because I think that those numbers are really closer to between eight and $10 million. I think that's important to know. They -- they never suggest -- did they throw a number out to LBB, DPS?

JOHN O'BRIEN: DPS, no, sir.

REPRESENTATIVE GUTIERREZ: So you can -- it's not fair for me to ask you about DPS. We'll wait until they get up here. Thank you.

CHAIRMAN BONNEN: Any other questions, Members? Thank you, Mr. O'Brien.
JOHN O'BRIEN: Thank you.

CHAIRMAN BONNEN: Appreciate your coming by.

JOHN O'BRIEN: Sure.

CHAIRMAN BONNEN: Chair calls Russ Duerstine, Tom Green GOP Chairman and Election Support Association of Tom Green County for Committee Substitute Senate Bill 14.

RUSS DUERSTINE: Thank you, Representative Bonnen. I appreciate that. Thank you, Committee. Thank you, Commissioner Harless, for supporting this bill.

I present to you a rather unique scenario. In Tom Green County we have --

CHAIRMAN BONNEN: Sir --

RUSS DUERSTINE: -- we have an election --

CHAIRMAN BONNEN: -- sir, would you please state your name.

RUSS DUERSTINE: Russ Duerstine. I'm the County Chair -- Republican County Chairman in Tom Green County, San Angelo, Texas.

I -- I present a rather unique scenario to you. We have a -- an election support administration or an association in Tom Green County
that's comprised of the Democrat Chairman, the Republican Chairman, the Libertarian chairman. And we work in close association with the elections administrator there. And we provide training information for election judges. We help support them. We have an annual celebration where we acknowledge their work as election judges. And we've had a -- a scenario that, as County Chairman, I'm going to define myself as quite a predicament here in two years.

We're -- as we were putting on one of these support in association trainings, we were doing voter registrar training and deputy voter registrar training. We had a spillover from a 2008 election where in the Democrat primary we had an African American candidate against a Mexican American candidate, and there was allegations from the African American candidate that there was voter impersonation going on, that he had a reputation of having in the neighborhood of 300 voter registration cards where he had them from folks that were dead or whatever, had multiple ones, and was having people go and vote in her behalf.

Well, it's impossible to prove that without voter reg -- voter I.D. And so there was a
lot of call from the -- that candidate, who did
eventually lose to the Hispanic candidate, to ask
the election administrator, "Please make them show
voter photo I.D."

And it was part of the education process
when we were doing deputy voter registration to
explain to them that the law does not allow that.

And so in 2010, while we were having this,
that dispute broke out all over again. Now, that
Democrat candidate went on to barely lose to the
Republican candidate in the only precinct in our
county that is a majority Democrat precinct in Tom
Green County.

The situation I find myself in is that
most of the grassroots Democrats that came to that
meeting were upset -- were blaming us as Republicans
for not having voter photo I.D. and they couldn't
understand why they didn't have that and assumed
that we were at fault. What's happened in the
meantime is the Democrat candidate, Hispanic
candidate that barely lost to the Republican, has
now changed parties. He's going to run as a
Republican in 2012 and very well may face this same
Democrat African American candidate. So I may have
the Democrat party in Tom Green County accusing the
Republican party of having a candidate who's using voter I.D. cards without photo I.D and having voter impersonation to win the seat as a Republican. I may be the first County Chairman in Texas to face Democrats accusing us of using voter impersonation to win one of our races.

So my point is is that among grassroots rank and file Democrat voters in Tom Green County, the sentiment for voter photo I.D is very high. The only person who opposes it is the -- is the Democratic Chairman. Thank you.

CHAIRMAN BONNEN: Thank you.
REPRESENTATIVE HARLESS: Thank you.
CHAIRMAN BONNEN: Any questions, Members? Thank you.
RUSS DUERSTINE: Thank you very much.
CHAIRMAN BONNEN: Yes. (Inaudible).
Okay. We're going to see if we can have the Skype work. Make it ten minutes. Have you made contact with --
Justin Levitt, professor, Loyola Law School in Los Angeles. Okay. Can he see us?
UNIDENTIFIED REPRESENTATIVE: He can.
REPRESENTATIVE VEASEY: Can he see all of us?
CHAIRMAN BONNEN: Can you see everybody? We see you quite nicely.

REPRESENTATIVE VEASEY: Do we need to turn on our microphones?

CHAIRMAN BONNEN: Only if you're talking. Yeah, if you're talking.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN BONNEN: Can you begin?

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN BONNEN: Must be delayed.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN BONNEN: I don't know if we'll still be there in two hours.

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN BONNEN: That would be wonderful. And if we are here in two hours, we will try and reach you again.

UNIDENTIFIED SPEAKER: Thank you very much, Mr. Chair. (Inaudible).

CHAIRMAN BONNEN: Apologize for the timing. Thank you.

Okay. So let's hold that.

UNIDENTIFIED REPRESENTATIVE: (Inaudible).

CHAIRMAN BONNEN: I know.
(Inaudible). Hello? Yes. Toby Moore. How are you? Are you still available to give your testimony?

TOBY MOORE: At your convenience.

CHAIRMAN BONNEN: We appreciate that.

We know we're pushing it on the time limit. We apologize.

This is Toby Moore. He is a private individual, who is a researcher, who is testifying neutral on the Committee Substitute Senate Bill 14.

Mr. Moore, are you able to see me and the Committee?

TOBY MOORE: Yes, I am.

CHAIRMAN BONNEN: Very good. You have ten minutes. And -- and if you would, please, state your name and -- for the record and who you're with and begin your testimony. And we appreciate your time.

TOBY MOORE: Thank you.

My name is Toby Moore. I'm a researcher here in Washington. I work for the Department of Justice as a senior researcher from 2000 to 2006 where I worked on photo I.D in similar cases. Since leaving the Department in 2006, I've held a series of jobs at American University with Carter Baker
I'm conducting supervising research on elections and voting. I'm currently advising the Department of Defense on research on (inaudible) voting. And as you said, I'm speaking as a private citizen. I'm neutral on the bill.

I think that my most valuable contribution to make today is to talk a little bit about the Section 5 process that the bill -- that any voter I.D. bill from a covered jurisdiction such as Texas will go through, what parts of the bill I think will come under special scrutiny. And while I will not address it in my testimony, I'll be glad to talk about in (inaudible) Baker proposal from 2005 and the (inaudible) research into voters I.D. generally.

As I said, I'll be brief and -- and leave time to answer any questions you might have.

As you know, any voter I.D. bill passed by the Texas Legislature will need to pass preclearance under Section 5 of the Voting Rights Act previous for that. And so the bill, as you know, will go to the Department of Justice Civil Rights Division or the District Court in D.C.

Early in (inaudible) anticipate a fair but
very thorough hearing. The DOJ may be a more
predictable avenue. It may be somewhat faster and
less burdensome for the State. But either -- in
either case, you will receive a very thorough
investigation of potential impacts of bill and up
there (inaudible).

Remainder of the Section 5 analysis of the
voter I.D. bill would focus on -- in the comparison
of the new law to what's called the benchmark, the
current law. I say this to remind the Committee
that the -- the voter I.D. law as -- if passed would
not be compared to other voter I.D. laws in the
country, not to the Georgia law or Indiana law, but
(inaudible) law, but simply as a before and after
comparison with Texas' own law. Obviously, the
Supreme Court decision upholding the Indiana voter
I.D. law will make it somewhat easier to win
preclearance, but the basic analysis will be before
and after the Texas -- the new Texas voter I.D. law
versus benchmark.

And this is another reminder. The burden
will be on the State and not in Washington, whether
you go to District Court or to Department of Justice
to meet the -- to meet the burden. The State will
have to show that the law does not have the intent
nor the effect of abridging minority voters' rights and equal right to participate in the process and choose candidates of their own preference.

The cost of burden is on the State. The State will need to be specific in its justification information that it provides to Washington. In particular, it would need to be very specific about what Texas knows or understands or thinks about the impact of the law, what it knows or thinks about who does -- who does and does not have the I.D. required and whether that rate of ownership varies across racial and ethnic groups.

In the absence of any information from Texas, the Department of Justice, I would expect, or the District Court would look to other states, other studies and experience in trying to determine what this impact would be.

The State should be very specific about remedial measures, remedial measures being efforts to offset any disparate impact of the law. And these measures, as I'll talk about in a minute, need to be in law and in place and -- and (inaudible) implemented and not promised or planned. And I think the State is going to have to show, particularly with the budget crutches across the
country, that it is making the financial commitment to follow through on any voter education, free I.D. plans, that sort of thing.

So some elements -- particular elements of the bill I think will receive particular attention, and I think it's worth reminding. (Inaudible) this voter I.D. bill over the last five or six years. These are complicated pieces of legislation, and it's very difficult to compare voter I.D.s between -- voter I.D. bills between states. To make -- we should avoid making blanket statements about whether voter I.D. is permissible and will be upheld under Section 5 of the Supreme Court. Particular pieces of legislation have been precleared or been upheld by the Supreme Court, but these are complicated. They have different (inaudible) Supreme Court of the United States even if they have the same basic goal of -- of requiring instead photo I.D.s.

Some similarities that I think are going to receive particular scrutiny from either the Supreme Court or the Department of Justice under Section 5 of the bill of voting rights.

Act analysis, one of the provisions for making I.D. free. I think the Court and Department
of Justice have been wary of poll tax implications, which that is -- even -- an implied burden on the individual for the right to vote. Are there guarantees in the bill that would provide -- to -- that make sure that people can get an I.D. for free for voting without having to declare indigency is -- I think is going to be the first -- is going to be a hurdle to meet.

Second, one of the specific public outreach and education programs the State is committing to. And I think you need both and -- you need both education programs, public awareness programs that inform voters of these changes, but you also need outreach programs that target vulnerable populations. I think we know enough now that we know that the poor or the elderly, members of certain racial and ethnic groups, are less likely to have I.D. than other groups. And I -- I think it goes a long way toward allaying fears of retrogression if the State is committing and has specific outreach programs to try to target those communities for I.D.

Third, what are the fail-safe provisions? What do you do if you don't have your I.D. on election day to cast a provisional ballot and come
out and prove it out by providing -- providing photo I.D? And these can be complicated, you know.
States have traditionally provided for affidavit fail-safes, which I understand is not part of your lobbying occurring in Texas. But there are, as you know, ways for people who don't have their photo I.D. to cast a ballot and come back and make sure that their ballot is counted.

Fourth, what evidence does the State have the impact, both total impact and disparate impact, how many people don't have I.D.? Any information that the State can provide would go a long way toward meeting its burden, whether these are estimates, studies, surveys based on motor vehicle and voter registration data. You know, I would encourage the State to provide the Department of Justice or the District Court with as much information as you can, because otherwise you're going to risk being judged on the findings from other states.

Conversely, what evidence of voter impersonation does this state have? That will be important in justifying the law.

And, finally, particularly in light of the Supreme Court ruling in Georgia versus Ashcroft
(phonetic), the opinion of minority communities will take a special — will add a special voice in Section 5 analysis so that the Department or the Courts will pay close attention to what minority groups or (inaudible) — voting rights groups think of the legislation (inaudible) to which they were consulted in the process.

That's what I have for you today. I'll be glad to answer any questions that the Committee might have.

CHAIRMAN BONNEN: Thank you, Mr. Moore. We appreciate it. Are there questions, Members? Mr. Veasey? Vice Chairman Veasey has had some questions, Mr. Moore.

REPRESENTATIVE VEASEY: Mr. Moore, I wanted you to talk a little bit more about the difference between Indiana and Texas being a Section 5 state and how that may play into the decision. I know that you said that the Texas law is more likely to be upheld. But since the -- I mean, since, the Supreme Court has already ruled that the Indiana law is okay. And so what I was wondering -- I don't believe that Indiana is a Section 5 state. It may be, but I don't believe it is. And so how will that play into what the DOJ's
office looks into and how they reach a final determination?

TOBY MOORE: Thank you for the question.

You're absolutely right. On a technical level, Indiana -- the Supreme Court ruling on the Indiana law will not impact the analysis of the Texas bill, which will be compared to the current Texas law. So that -- that analysis is very different.

But the reality is that the Department of Justice is going to be less likely to object to an I.D. law after the Supreme Court has upheld its constitutionality as it did in the Indiana case. But the -- the root analysis, the basic analysis and the fundamental one is going to be the impact within Texas. And so it would not be unprecedented or difficult at all for the Department of Justice to object to a Texas law despite it passing constitutional muster or being similar to a law that is passed -- been upheld by the Supreme Court. The analysis is totally different.

CHAIRMAN BONNEN: Thank you.

Anything?

REPRESENTATIVE VEASEY: No.
CHAIRMAN BONNEN: Mr. Moore, Representative Aliseda has a question.

REPRESENTATIVE ALISEDA: Can Texas avoid a DOJ review by going directly to a Court, to have that determined by a Court?

TOBY MOORE: Well, Texas certainly has that statutory avenue available to it. It's going to be much less -- yes, it does. I'm sorry.

REPRESENTATIVE ALISEDA: That's fine.

Okay.

CHAIRMAN BONNEN: Now, Mr. Veasey -- let me inter -- follow up on that.

You said it certainly does. But I guess the question is would it be wise?

TOBY MOORE: I think that my advice would be go through the Department of Justice. It's going to be quicker, it's going to be less expensive, and you're going to get a fair hearing from the Department of Justice.

If you go to the District Court, you open yourself up to a court hearing. You don't know what the three judge panel will look like. You may get judges who are very skeptical of voter I.D. It's going to take longer, and you don't know what the process is going -- how the process is going to run.
Texas has routinely sent changes in its election and voting laws to the Department of Justice. There's a relationship between those avenues of communication. You know what the end analysis looks like. The information can flow much faster.

So, I mean, my -- obviously, this is something that Texas will have to consider carefully to make its own decision, but I don't think that you would lose anything by going to the Department of Justice, and I think it would be faster and less expensive.

CHAIRMAN BONNEN: Thank you very much. Representative Veasey now has a question.

REPRESENTATIVE VEASEY: Following up on that real quickly, if the State decided to go to court -- you talked about the process being quicker. How long would it take, though? I mean, if they went to court would they possibly not have it in place in time for the next election? Like how -- how long does the process take, the legal process?

TOBY MOORE: It can really be drawn out. The Court process now -- many times redistricting processes are taken to the District Court and put on what they call the Rocket Docket
and go through fast. But I can't imagine the District Court would see any need to hurry in its analysis of this voter I.D. law. It's not like a district is redistricting where you have malapportionment that needs to be remedied. I would think it would take much longer than the analysis going through the DOJ, many months more.

REPRESENTATIVE VEASEY: Especially with all the --

UNIDENTIFIED SPEAKER: (Inaudible).

REPRESENTATIVE VEASEY: -- yeah, especially with the reapportionment plans. That's a good point with this being a redistricting year.

I wanted to ask you about the likelihood of the bill being passed with certain element added to it or -- or -- or -- or to enhance it and make it more fair.

Like, for instance, we talked a little bit earlier before you were on about same day voter registration or about, you know, fail-safe affidavits to where, you know, people's vote would count and then there would be some burden upon the county registrar to show that there was voter impersonation that was taking place. Can you give me your opinion on that?
TOBY MOORE: Well, I think as I've testified in Texas before, my own personal preference would be to implement fail-safe affidavits at least for an election cycle or two and then investigate what those affidavits look like and see if -- and see who doesn't -- who's signing them. I think that would be a good halfway measure before a really hard and fast I.D. law, because if you -- if you ask for an I.D. and you implement the law as you've written it, but then you have the affidavit fail-safe, after the election you could go back and look at who signed the affidavit and get a sense of how many people don't have I.D., what their race and ethnicity is. And it would -- it would give you a stronger footing and better understanding of the impact of the bill. I understand that that is not -- is often seen as too much of a concession and weakens the bill too much.

Same day election day voter registration, I think, can offset some of the fears that voter I.D. would suppress turnout, would give people another avenue. If you go back to the Georgia -- 2005 Georgia bill, it -- in -- the State of Georgia made a rather big deal about this in 2005. That bill loosens restrictions on absentee voting as a
means of trying to -- to promote turnout or previous avenues of turnout to offset any impact of voter I.D. So I think all those things that -- should be considered, although obviously voter I.D. or same day or -- registration would be a -- it's a big change.

CHAIRMAN BONNEN: Members, any other questions of Mr. Moore?

Mr. Moore, we really appreciate your working with us and doing this through this new technology of Skype, and we appreciate your time and thank you very much on behalf of the Committee.

TOBY MOORE: Thank you very much and good luck.

CHAIRMAN BONNEN: Thank you, sir.

Now, obviously, it takes a moment to transition from one Skype to another, but Tova Wang, a senior fellow, will be testifying against. She's our ex -- one of our experts. She will be provided ten minutes when we get her online. Is that DEMOS, D-E-M-O-S? Is that the group she's speaking on behalf of? Should it be Ns? I'll ask her.

Mrs. Wang?

TOVA WANG: Yes, I'm here. How are you?
CHAIRMAN BONNEN: Oh, outstanding.

Thank you very much, Mrs. Wang. We appreciate your taking the time to join us today.

Just for the record, you are - and I need you to state it again - but Tova Wang, testifying against the Committee Substitute to Senate Bill 14. And you're representing D-E-M-S-S [sic], is that -- what is that?

TOVA WANG: That's DEMOS.

CHAIRMAN BONNEN: DEMOS. That's Greek?

TOVA WANG: That's correct. Most people don't get that.

CHAIRMAN BONNEN: Well --

TOVA WANG: Yes, for the people, democracy.

CHAIRMAN BONNEN: Yes. If you could, please, you have ten minutes. And then after your ten minutes, which we will not interrupt you, you'll have ten minutes uninterrupted to give your testimony, and then the Committee Members may ask you questions. And so -- can you see us? Uh-oh. She seems to have frozen, maybe not herself literally, but...

Yes.
UNIDENTIFIED SPEAKER: She just went completely off.

CHAIRMAN BONNEN: She needs to go get with Mr. Moore. They're not far from each other. That's -- the Skype went out. (Inaudible) do anything special. Where's Hawk Burg (phonetic)?

UNIDENTIFIED SPEAKER: (Inaudible).

CHAIRMAN BONNEN: Well, so the -- Hawk Burg is out there. Let him know we're doing Skype testimony. No.

TOVA WANG: Hello?

CHAIRMAN BONNEN: Yes. Can you hear us? We can't see you, unfortunately, and if --

TOVA WANG: Yeah, I can hear you. I can see you. But it looks like it's working. Now I can see you.

UNIDENTIFIED SPEAKER: We can't see you.

CHAIRMAN BONNEN: But we cannot see you, which is a problem. But give us one moment and see if we can fix that.

TOVA WANG: Sure.

CHAIRMAN BONNEN: (Inaudible). Here in an hour and a half. Are you back?

UNIDENTIFIED REPRESENTATIVE: Yeah.
CHAIRMAN BONNEN: There's (inaudible). I'm sorry.

UNIDENTIFIED SPEAKER: Can you turn your camera off and then on?

TOVA WANG: I'm not sure I know how to. This is my first time doing this. Where would the button be?

UNIDENTIFIED SPEAKER: On the bottom of the screen there's a ribbon and there's "My Video." Do you see that?

TOVA WANG: Yes.

UNIDENTIFIED SPEAKER: Okay. If you would click that.

TOVA WANG: I'm clicking now. Okay.

CHAIRMAN BONNEN: Oh, very good.

TOVA WANG: Hello.

CHAIRMAN BONNEN: See, you do know what you're doing, because believe me, I don't know. We have the luxury of having some audio visual -- I guess that isn't even the right word anymore.

But anyhow -- I don't know. Where did Mr. Veasey disappear to? Okay.

But Mrs. Wang, as I was saying, if you would state your name and who you're with for the record, and then we'll give you ten minutes
uninterrupted. And then the Committee Members will ask you questions. We appreciate your time.

TOVA WANG: Thank you so much.

Thanks for allowing me to testify today. My name is Tova Wang, and I'm a Senior Democracy Fellow at DEMOS, a nonpartisan advocacy project and organization.

I have been working on issues related to voting rights and actually voter I.D. in particular for a decade now.

My comments will focus on the physical costs of implementing voter I.D. voting. These are important situations in Texas.

My understanding is that the State has a 25 billion-dollar budget gap. Many of you serve their constituents.

CHAIRMAN BONNEN: No problem.

TOVA WANG: And honestly, with this voter I.D. bill, the message to the citizens of the Texas is while the State does not have money to fully fund programs they will rely on, it does have money to implement a program that will cost millions of dollars to implement and addresses a problem that essentially does not exist, impersonation of another voter at the polls on election day. And it
threatens to disenfranchise legitimate Texan voters.

The fiscal note that has been produced with this bill is extraordinarily flawed. It measures one aspect of the cost of the constitutional voter identification law, that measure far off the mark. The cost to Texas to implement this measure will be far higher than the estimate in that document as is demonstrated in other states that have implemented these laws like Indiana and states that have (inaudible) pass these laws determine the probable cost.

Let's look at providing identification for people in Texas that don't have it as is required to make the law pass constitutional scrutiny. That is not even including the fiscal (inaudible) of Texas. The note simply says the cost is unknown.

While you may see (inaudible) Indiana has cost last year -- and mind you, that was an off year election and not a Presidential year. Indiana said it cost last year about $3.5 million. Indiana has a population of about 6 million citizens. It has approximately 4.5 million registered voters. Texas has a population of about 22 million citizens and 13 million registered voters. If Texas' cost per person are similar to that of Indiana, Texas -- it
would cost Texas between ten and $13 million to provide free I.D. in a mid-term election year, and this is at a minimum. The Texan citizenry is part of a more diverse -- ethnically and racially, and has a substantially higher poverty rate than Indiana, indicating that many more people (inaudible) photo (inaudible) in Texas versus Indiana. However, that figure does not even include (inaudible) a huge list of other major expenses the State will incur.

Let's talk first about voter education. This is basically the only thing that's in the fiscal note that's out there now. And this is a serious underestimation given what we -- what will be required in order for this bill to be upheld in a court of law. Let me talk about Georgia for a second. Georgia passed this law in 2006. Passed a new law to (inaudible) flawed version of it. Among other things (inaudible) education and publicity campaign regarding the new requirement. Yet the Court, once again, blocked the law, emphasized inadequacy of (inaudible). The Court stated that if the State undertakes sufficient steps to inform voters of law's requirements the statute may go unchallenged.
Well, the Secretary of State has gone to great lengths. It did several mailings and multiple brochures over election sites lacking a driver's license. They did PSAs on the radio, public service announcements, cable television advertising and so on. And then the Court later upheld the law noting the significance of the State voter education effort. So states agree that it's going to cost a significant amount of money to view education necessary for this to be basically legal.

In 2010, Missouri estimated that in order to affect outreach before election that is (inaudible) to draw new voters, it would cost 6.9 million dollars over three years for T.V. announcements and other outreach to the State's 4 million registered voters. This says to me that in Texas voter population and outreach for (inaudible) 13 million registered voters might cost $55 million over the next three years given Texas' much larger population. Given (inaudible) that these numbers seem like, let's say it's half that amount. Can the $2 million estimated for voter education in the Texas bill be deemed credible? I think we agree it will be more than that. There are also implementation costs, most of which are not
addressed in the fiscal notes. Again, what I'm talking about is based on my study of the range of fiscal notes in other states for training. This is a new -- new world that will have to be implemented and implemented fairly without determination. Fairly complex thing to implement. Missouri estimated this would cost over $700,000. Need to hire more poll staff. In 2009, Maryland estimated that just in Montgomery County additional election judges would cost about $110,000 for a primary and general election. The fiscal note puts additional judges at $576,800 per precinct. So you can imagine what that would be in Texas, given the number of precincts.

You also need to create new and supplemental -- supplement existing training material printing additional (inaudible) setting.

You have staffing a help line, adding and training state and local election staff. The Wisconsin fiscal note approximates that full -- new full-time hires will be needed to assist localities in implementing the new law. (Inaudible) Registration database providing training on the changes. Again, Wisconsin, they estimate this will cost $138,000.

Updating the website.
And last but not least, the DMV is currently run on reduced hours at locations. Substantial State funding will be necessary to add additional staff and resources to Department of Motor Vehicles and Transportation. I have seen in news reports that there are some places in Texas where it takes more than two hours to get to a DMV. This is a major issue that arose in the Supreme Court opinions regarding the constitutionality of the Indiana voter I.D. law.

The bill would also add substantially (inaudible) hard-working election officials already (inaudible) who are already stretched thin and by an -- a variety of continuing and complicated rules. One example is -- as I alluded to earlier, was additional poll worker training will be required if you want to make sure it's implemented in a non-discriminatory action and in accordance with the Voting Rights Act. We have seen that discriminatory implementation of voter I.D. laws is a major problem, especially with respect to Latino voters. And -- and, moreover, you're really basically having to train poll workers to perform a law enforcement function by checking the validity of people, like identifying documents. And you'll also have the
So I feel that -- and yet, I have to also point out just for a minute - and I know you've heard this - but even if a voter I.D. will cost the State nothing and require nothing of State elections officials or local election officials to implement and be a wrong policy -- I know that you're familiar with some of these numbers, so I won't go through them in detail. But we know that a large number of people don't have the identification that you would require in this bill, maybe as many or more as a million people in Texas. And this -- this proportionately affects young people, African Americans, Latinos, new American citizens and low income Americans. And I can provide you details on that.

And, moreover, numerous studies, national and state-specific, have found that the rare examples of some voter fraud are almost never the kind that could be prevented by a voter identification law.

Voter I.D. law is (inaudible). Just one exceedingly rare form of voter fraud, impersonation of another registered voter at the polls. Many state legislators and elections officials are
promoting I.D. bills, but they admit that there has
never been a case in some states of -- in most
states of voter impersonation at the polls, yet they
continue to pursue this policy.

For example, the very small number of
irregularities that do occur at the polls, it seems
a lot of them involve people with felony convictions
who vote, not realizing that they are ineligible to
do so. Obviously, this would not be addressed by an
I.D. requirement, because your driver's license
doesn't indicate if you committed a felony in the
past.

Voter I.D. would also do nothing to do --
have -- do nothing to address problems with voter
registration fraud or (inaudible) ballot fraud. So
it's very important not (inaudible) complete
different types of fraud that we may or may not have
problems with in the system and automatically jump
to the conclusion that voter I.D. is our best
answer.

And I would conclude by saying, you know,
here's the bottom line: In this economy, does the
Texas State Legislature really want to pass a bill
that will mean spending millions of dollars chasing
a phantom problem and that might be
unconstitutional?

Thank you very much. And I would be happy
to take any questions.

CHAIRMAN BONNEN: Thank you,
Mrs. Wang. I'm sorry. Thank you, Mrs. Wang. Can
you still see us?

TOVA WANG: I can.

CHAIRMAN BONNEN: Very good. And we
can still see you. Members, are there questions?

Yeah, Representative -- Representative Aliseda will
begin with questions and then Representative Veasey.

REPRESENTATIVE ALISEDA: What state
do you live in?

CHAIRMAN BONNEN: (Inaudible).

REPRESENTATIVE ALISEDA: What state
do you live in, ma'am?

TOVA WANG: Oh, I'm sorry. I live in
Washington, D.C., which is not a state.

REPRESENTATIVE ALISEDA: All right.

Okay. Well, you did not have the benefit of some of
the testimony we've had earlier, but we had
testimony from citizens saying that they believe the
electoral system in Texas is broken, and that they
think that this particular provision will help them
put more faith in the system.
Your testimony has been about the cost in monetary figures. But can you really put a price in what it's going to take the citizens of our state to accept that we are doing the best we can to try to preserve the integrity -- integrity of the ballot?

TOVA WANG: I think it's so important that voters have confidence in the election system, obviously. I mean, the main goal I think for all of us is that the maximum number of people participate in our elections. I think what we really need to do is educate people very, very honestly about what the problems are in the system and what they are not. And I don't think that we can generally pursue public policy based on people's feelings about things that aren't rooted in factual basis. I think we need to deal with the real problems in our election system. And I think that's the root to greater voter confidence in the system, not sort of creating different kind of so-called solutions that don't really solve anything.

REPRESENTATIVE ALISEDA: Well, we've had testimony from individuals saying that they believe illegal aliens are voting in our elections. And Texas does have -- does have an illegal alien population. This might be a solution to that
1 problem if that is the case.

2 TOVA WANG: Well, again, I'd like to
3 see the evidence for that. I mean, the research
4 that I have seen has demonstrated and -- and if you
5 look at prosecutions and activities by the
6 Department of Justice and by local prosecutors, that
7 is an extremely limited problem. There are -- and,
8 again, it's important to distinguish what the issues
9 are.

10 I understand that there have been
11 occasional times when undocumented persons have been
12 on the voter registration list. Let's keep that
13 separate from somebody who's not a documented voter,
14 which is extremely rare. I mean, let's -- let's
15 think about this very logically. I think that it's
16 been made abundantly clear to people who are in this
17 country without papers that they need to be
18 extremely careful or they're going to be deported --
19 thrown in jail and deported. And you have a
20 situation where undocumented are afraid to report
21 crimes that are committed against them, you
22 know, acts of violence, I think it sort of stretches
23 credulity that -- to think they're going to go to a
24 polling place and commit a felony that will get them
25 thrown in jail and deported. So I would want to see
the evidence for people's beliefs that that is a major problem.

REPRESENTATIVE ALISEDA: I don't know how people got that belief, but it's out there. And I think --

TOVA WANG: Well, I think, then, the answer is we need more education of the voters as to what is really going on in the election system and do something that will actually sort of backfire and end up leaving people out of the process and excluding people from the process, which may only weaken voter confidence in the end.

CHAIRMAN BONNEN: Any questions?

Vice Chairman Veasey has some questions.

REPRESENTATIVE VEASEY: Yeah. And on what Representative Aliseda was saying, I'm not -- it -- it really is interesting that people sort of have these beliefs that have been around for a long time about people casting fraudulent and illegal votes. It's not a new phenomenon in the south or in this state or in other parts of the country. It just seems to have persisted long in Texas and in parts of the deep south. And I think that we probably do need to look at that further, because, you know I thought that was interesting
what you said, a lot of the things that are being
discussed here today just simply are not rooted in
the truth. They are things that people have heard.
They are -- they are rumors. They are things that
people have heard on the Internet. And I just
don't -- you know -- you know, just like the
President's birthplace, I don't know where these
sort of things start or where they begin and -- and
what gets them going, but they seem to catch on.
And -- and people want to change laws based on them.
And I just think that that is -- is very dangerous.
And I wanted to ask you just about the legal costs
for the bill.

I don't know if you're aware, but we have
a huge deficit in this state, and so we're being
very cautious about every dime, every penny that we
spend, because we're talking about actually having
to make kindergarten classes larger, consolidate
classrooms, cut teachers' salaries. Med -- nursing
home providers are saying they're going to have to
shut down some of their facilities if the budget
stands the way it is. We have some of our community
colleges, which -- which consider -- I think do a
great job. And I take a lot of classes at community
colleges. We're talking about closing down some of
What -- what sort of unexpected legal costs in a large state like ours could -- could we expect? Obviously, there's going to be a lot that goes into investigating and -- and talking with people around the State, witnesses and what have you. What can we expect as far as legal costs are concerned?

TOVA WANG: Well, first of all, expect (inaudible) Voting Rights Act really (inaudible). Imagine -- so that would be the first step. And I'm not too sure that it will get (inaudible) clearance. So there's that process for -- at the outset.

I -- I am also willing to bet -- bet that the State will be sued by any number of groups and individuals -- individuals, challenging this bill should it be passed. And the cost of defending the bill in a track of litigation process will also be substantial. And let -- let me just take the opportunity to mention that I think there's a real possibility that the Texas law could be struck down. It's actually more restrictive than the Indiana bill that was upheld by the Supreme Court temporarily, at least. Indiana allows voters to present any kind of
government-issued photo I.D. including from a public university or employee card with the photograph. The Texas laws is (inaudible), if I understand it - and correct me if I'm wrong - an I.D. from the Department of Public Safety, a military I.D., citizenship documents, (inaudible), gun license or passport.

This is a much narrower set of documents, which means more people are excluded from this bill. For example, only 30 percent of Americans have passports, so that's not currently helpful. It doesn't even include tribal identification, which I think clearly is a flaw that would be of interest to a Court. John Tanner, the former Chief of the voting section in Department of Justice under President Bush, even recently noted in an article I saw that distances to DMVs in Texas make the Texas law more vulnerable to constitutional attack, because there is such a scarcity of them and there are such limited hours.

So I think there are a lot of things that distinguish this bill from Indiana that make it very vulnerable to a challenge that will then cost the State money to defend.

REPRESENTATIVE VEASEY: And -- and
one -- I know one of the things that I'm concerned about is that the closest DMV to my house or in my district anyway -- and my district is largely African American or Hispanic, at least 70 percent so, and there's no bus to the nearest one. My district is in Fort Worth, Texas, and North Richland Hills would be the closest voters -- or driver's license place. And there's no, you know, bus or any way for some folks to get out there. Now, they could go across town in Fort Worth and over in Wedgewood to go and get one. But the one closest to my district -- and I know it's the same thing in south of Dallas, too, which is a largely African American and Hispanic part of Dallas. I don't know that any of the places where you go to renew your driver's license or get these cards are actually in the community, that people have to go to north Dallas, which is the more affluent section of Dallas where -- where -- where most people have cars, dependable transportation.

I wanted to ask you, also, and just in your research in some of this, why would you think -- why wouldn't Texas -- or -- or why wouldn't other states -- I don't want to just say our state, because I'm sure there are other states that are
studying this, as well. But why would certain states in our union want to -- why wouldn't they just pass the Indiana law or the Georgia law when they know those have been upheld? Do you have any opinions on that? Because I was kind of concerned about the fact that -- you know, that, I guess, the Supreme Court and the Justice Department has already cleared the ones that are on the books right now, but we seem to be sort of moving in another direction.

TOVA WANG: Yeah. I mean, as I said, what you've got in the bill, as I understand, is more restrictive than Indiana and certainly more restrictive than Georgia, which was -- I don't believe Indiana needed clearance, but Georgia's did. And that was extremely controversial, as you know. And perhaps Toby Moore talked about this. I'm not sure the staff at the Department of Justice argued for not preclearing the Georgia bill. They ended up doing so, but it's far more restrictive than Georgia's bill. So I don't know what's going on.

And, actually, Texas is not the only state where the legislators are considering bills that are more restrictive than those two states. Those population of these states are being targeted to
have -- you know, one of the things that's been really striking to me is that, you know, in 2008 we had this voter experience. And no matter what your partisanship is, I think everyone was heartened by the turnout among students, African Americans and Latinos in scores and, overall, the enthusiasm. And it seems like just in the moment those people are coming out those voices are being silenced by laws like these, and I think that's really troubling.

REPRESENTATIVE VEASEY: Would you be able to comment on what sort of unfunded -- unfunded mandate that local municipalities and counties may encounter in trying to implement this law, which is also another concern?

I know that a lot of the counties in the State of Texas and lot of local governments have asked that we not -- and I believe there's a bill that one of the Chairmen here in the House has that have -- and some people have signed onto saying no unfunded mandates. Can you talk about some of the -- the burdens of cost that we placed on local governments?

TOVA WANG: Yeah. Well, I mean, every state's different on how they share the cost of elections. But -- so I'm not sure I can
specifically talk about Texas. But I would really recommend, and I can send to the Committee, testimony that was submitted by the county clerks in Wisconsin as a group, talking about the hardship that this would put on county clerks all over the State and how they would have to end up choosing between providing emergency service and implementing this law. So clearly the people at the local level are extremely concerned about this. And I think that this is at a time when elections officials, especially over the last ten years when we have been changing the rules on these people left and right, are already pretty -- pretty overworked and pretty stretched thin. And so I -- I would definitely recommend looking at that testimony from Wisconsin to get a sense of type of burden that would be expected and also talking to local people and -- and seeing how they feel about it.

REPRESENTATIVE VEASEY: Okay. Thank you.

CHAIRMAN BONNEN: Any other questions, Members? Mrs. Wang, thank you very much for your working with us --

TOVA WANG: Thank you.

CHAIRMAN BONNEN: -- today, and have