Q. So for the March election, you said you had two mobile units before those. And how far in advance was that arranged? Can you recall, was it a few days or a few weeks before the election that you had those units?

A. Well, I think they actually came in February. They actually came in February, because what they had told me in November when I declined, they said, "Well, if you don't want us to come now, when do you want us to come?" I said, "Maybe in January some time."

They said, "Okay. Contact us in January." So I started contacting them in January. So then when I tried to set them up in January -- and I had set up some dates.

And then when I contacted them they said, "No, we can't do it then," after I had set everything up. And then they turned around and gave me some more dates. And then we set up on those dates, which ended up being in February.

Q. And did they say why they couldn't do the dates in January?

A. Well, they said that I did not give them enough time. So we went -- just went back and forth for a while. So they ended up coming before the early voting period started in February.
Q. And how much time, approximately, did you have to advertise that those units were going to be here?

A. I have to look at these dates. I think about a week maybe.

Q. So only about a week?

A. Yeah, I think so. I think about a week, because I remember we did fliers at the church, at different churches and stuff. We had fliers as soon as we could. And I sent it to the radio stations.

Q. And this is when you said, I believe, from before, you said this is when you did the election identification campaign, the EIC campaign.

A. Right.

Q. And so you mentioned fliers, you contacted the radio stations, or did you again pay for radio advertisements?

A. No, we just e-mailed -- well, it's like a public service, so I didn't have to pay for that.

Q. Do you know if they ended up airing those advertisements?

A. They did. They would announce it.

Q. And do you have any sense for how many times they aired that announcement?

A. No, I don't.

Q. Do you know if those announcements were both
in English and in Spanish?

A. That, I don't know either.

Q. Okay. So when you did this campaign in February to advertise the mobile EIC units, you think you had about a week, did you feel that that was enough time to advertise the mobile units?

A. Well, it was better than a couple days. It was better than a couple of days.

Q. Did the county provide any staff for those mobile units?

A. No, it was their staff, DPS staff.

Q. DPS staff. And did any -- did the county actually provide any resources?

A. No. The only thing we did, my elections manager went out there to meet them to make sure that they had what they needed, make sure that the building was opened, and they had whatever electrical outlets and stuff that they needed. That's all that we did.

Q. And you mentioned two locations were used. What were those two locations?

A. One location was the Alice Keith Community Center on Highland. That's here in Beaumont. And the other one was the Port Arthur Public Library. Of course, that's in Port Arthur. And the dates were February 26th and February 27th.
Q. And you're looking at an e-mail exchange?
A. I'm looking at the two sites here, yeah, that we had.
Q. How were these two locations chosen? Did the Secretary of State's office choose them, did the DPS chose them, or did the county choose them?
A. No, the county chose them, we chose them. We talked to the commissioners, what was neutral to the communities, what would be a good site, what was available, what was public buildings, and where would we get the most people in the community to go. And that's what we decided to do.
Q. So it sounds like two of the factors were where places that a lot of people in the community would go?
A. Right.
Q. What was a neutral territory?
A. Yeah.
Q. Were there any other considerations?
A. There were a couple other considerations, but we looked at the areas and, you know, the buildings, the parking, the community, where was it needed most. I mean, when you talk about needing photo ID, what community really needs photo ID.
I mean, if you look at the area, you
would think that most people in the west end of Beaumont would not need photo ID. So why would you want to put it out in the west end? That would be a waste.

So that's some of the things we took into consideration, where we wanted to put it.

Q. So I don't know Beaumont very well.
A. Okay.
Q. So what is the west end?
A. It's like a ritzier part of Beaumont.
Q. So a wealthier area?
A. Wealthier area, yeah.
Q. So the areas that you chose, one of the considerations was the income of the area?
A. Right.
Q. Did you also look at all at the racial characteristics of the area?
A. Absolutely.
Q. And why was that?
A. Well, because -- because you want to look at what would the need be.
Q. And so you had a sense that there might be a greater need for ID among low income?
A. Right, among minorities.
Q. And minorities groups?
A. Right.
Q. So it sounds like you looked at the racial characteristics of the areas, the income characteristics of the areas, where there was space, where was a neutral area, where the public goes. Were there any other considerations that were important?

A. That covered it. What was available, of course.

Q. And you said the Commissioners Court was involved in making some of those decisions.

A. Well, I talked to the commissioners, individually, you know, because I can't gather more than three. Then you have a quorum, so --

Q. So were the mobile units ever sent to special events, like fairs?

A. No. That was the only time that they were down here.

Q. Was there ever any discussion about sending mobile units to senior citizen centers?

A. No. This was the only time that they were going to come down here. This is the only time offered to us, period.

Q. Did you ever request to have more units sent down here?

A. No. Like independent, this is the only two days they were willing to give us, so we took what they
were willing to give us.

Q. And did they say, "We can't do more than two"?

A. Well, this is what they offered, and this is what we took, so --

Q. Okay. So you didn't have to pay any money for the mobile EIC units?

A. No.

Q. Do you have any -- do you know how many IDs were issued at the mobile EIC units?

A. No, I don't.

Q. Do you know if any were issued?

A. No, I don't.

Q. You don't know?

A. They didn't give me a report.

Q. Do you know if there have been any EICs issued by DPS within Jefferson County?

A. No, I don't.

Q. And is that because you were not given a report about that?

A. Yeah, I don't have any contact with DPS.

Q. And no one from DPS or the Secretary of State's office has ever contacted you about how many EICs have been issued?

A. No.

Q. Now, you also mentioned the county has a
Web site. Did information about the EIC units go up on the Web site?

A. Yes, it did.

Q. And that would be about a week in advance?

A. Right. It was posted -- as soon as we confirmed the dates with them, it was posted on the Web site.

Q. Were there any locations that you wanted to send EIC units that the Secretary of State's office, or the Department of Public Safety said they could not use?

A. No.

Q. So they left it up to you pretty much to choose?

A. Right.

Q. Okay. Now, you mentioned -- so you brought up before that there may be one allegation of voter fraud. Is there -- if you think that there's voter fraud going on in the county, what happens? Do you refer that to someone?

A. Yes, I refer it to the district attorney's office.

Q. Anyone else?

A. No, I leave it up to them where it goes from there.

Q. Okay. And have you referred any cases to the
district attorney's office?

A. Yes, just this one.

Q. And what were the circumstances of that one?

A. It was a mail ballot, a request for a mail ballot that we received. And then we got a report from the voter registrar saying this person was deceased, so I sent that up.

Q. So you mentioned that you've been county clerk since October of 2004. Are there any other instances of alleged voter fraud that you can recall from your time as county clerk?

A. No, I can't.

Q. So the only instance of voter fraud that you can recall is this one potential fraud related to a request for a mail ballot?

A. Right.

Q. And have you referred this case to the district attorney's office?

A. I have.

Q. Have they -- do you know whether there's been any prosecution for that?

A. Not at this time. I think it's still in review at this time.

Q. So are you aware of any instances in Jefferson County that S.B. 14 could have prevented -- let me
Are you aware of any instances of voter fraud in Jefferson County that S.B. 14 could have prevented?

MR. KEISTER: Object to form. Calls for speculation.

A. No.

Q. (By Ms. Simson) So the only instance of voter fraud that you're aware of is a mail-in ballot?

A. That's correct.

Q. Okay. Now, to turn to the substantially-similar names provision that we've talked about, who makes the decision -- when a voter walks in, who do they hand their ID to?

A. The clerk at the desk, whoever is processing the voter at that time.

Q. And so the election clerk processes the voter. And what happens, the voter hands their ID over?

A. Right.

Q. And then the election clerk, what does the election clerk do with the ID?

A. We have voter administration tablets and we have all the voters listed. So their names should match what their voter registration says.

And in the voter registration database,
they also have their former names as well. For instance, for a female, you may have a former name, which will help with your identification.

Q. So the election clerk takes the ID, looks it up in this tablet. Do they swipe the ID in a machine?

A. No.

Q. Okay. So they just type in the last name or the first name?

A. Right.

Q. And look the person up?

A. Uh-huh.

Q. And so the election clerk has the ID. Are they the ones who decide whether the ID is substantially similar to the voter list?

A. Right.

Q. And did the county give any guidance beyond what the Secretary of State's office gave out about what substantially similar means?

A. Yeah, that's part of our training.

Q. And what kind of additional guidance did you give?

A. Well, it was part of the training that came from the Secretary of State's office about similar names. And it's part of the training that we have, you know.
Just basically, you have to -- you have to look at the names, and some things are just kind of like common sense stuff.

Q. We went over this a little bit before, but you did not do any sort of pre-match before the election where you said, "Here's what this person's name is on the voter list, here is a person in the driver's license database, so we think their ID is a match"? You didn't give any guidance in advance to the clerks about the voter ID?

MR. KEISTER: Object to form.

A. No, they wouldn't know until they get there.

Q. (By Ms. Simson) So there was no information in advance to tell the election clerk to tell this person might be a match or not a match?

MR. KEISTER: Object to form.

A. No, we have some samples here. When we talk about slightly different, customary variations, and different fields.

So we talk about that, like spelling, could be slightly -- could be different. Some people might spell Doris D-O-R-R-I-S, versus D-O-R-I-S.

Q. (By Ms. Simson) And what document are you looking at right now?

A. I'm looking at part of our training.
Q. And is this the training that the Secretary of State's office gave --

A. Right.

Q. -- or is this stuff that the county developed?

A. The training the Secretary of State gave that we implemented.

Q. Okay. So did you use the same examples from the Secretary of State's office?

A. Right.

Q. And did you provide any additional examples that the county developed?

A. I did, which is kind of funny. I provided, like even -- what I provided also was on there, like when you're talking about transposing numbers, like for their birth date, sometimes, you know, even on their driver's license, they will transpose numbers. They need to get it corrected.

Look at birth dates, like, it may be 1-27-52, they may have 1-17-52. Or they may misspell the name and stuff.

Even looking at a picture, sometimes on their driver's license it may not look exactly like them. They may have changed their hairstyle, something, but you've got to really look and use some common sense sometimes, is that really that person.
And that's what I expect them to do. And then when all else fails, I tell them that's why they have the judges and their alternate judges there to help them to make those decisions. And if all else fails, before you turn down a voter, that's what we're here for. Many days I jump in a car, drive to a polling location to make a decision.

Q. So did that happen at all in any of the elections where you got a call and they said, "We have an issue," and you had to go to a polling place?
A. Not for similar names. I've not had to do that, you know.

Q. Okay. And so if the election clerk thinks that someone's name is substantially similar, but not an exact match, what happens?
A. If they think it's substantially similar?
Q. Uh-huh.
A. And not a match? Then they should let them vote.
Q. And does the voter have to do anything in order to vote?
A. They need to fill out a form.
Q. Okay. And what form is that?
A. It's just a form saying, "Yes, that's me."
And we have forms for that, and it's in their kit, and they fill it out.

Q. And is that a little box on the poll book, or do they have to fill out a longer form?
A. No, it's an actual form.

Q. And so if a person is found to have a substantially-similar name but not an exact match, they have to fill out a form?
A. It's just an affidavit saying, you know, this is -- "this is me, this is my name."

Q. And does the voter fill that out?
A. Right. It's something that the voter fills out, because it's like an affidavit.

Q. And is that included in the documents you have today?
A. I don't have a sample of that form in the documents today, but it is in their -- it is in their training material, in their kit.

Q. Are all of the training materials included in the documents you've brought with you today?
A. No, not all of it. Well, the training material -- but the training material does not include everything that's in their binders that go to the polling location.

Because there are forms that they have to