fill out. And I say that, I probably need to go through
the whole kit. I can look through here and see. There
may be a form in here. I can look.

Q. Are these documents, if we followed up with
your attorney, that we could get copies of?
A. Oh, yeah, absolutely.

Q. Excellent. So a person comes in, they have
got a substantially-similar name, but not an exact
match, they fill out a form.

If a person comes in and the election
clerk says, "You know what, this doesn't look
substantially similar," what happens?
A. Then they are allowed to vote a provisional
ballot.

Q. And does that get checked by anyone? Does the
election judge -- before somebody votes a provisional
ballot because of a substantially-similar name issue,
does the election judge check that work?
A. The election judge?
Q. In other words, if an election clerk looks at
someone's ID and says, "I don't think this is
substantially similar" --
A. Right.
Q. -- before they tell the voter that they have
to vote a provisional ballot, would the election judge
1. verify that that person is not eligible to cast a
2. regular ballot?
3. 
4. A. Yeah, the election judge should sign on the
5. provisional ballot.
6. 
7. Q. So the election judge has to sign on all the
8. provisional ballots?
9. A. Right, absolutely.
10. 
11. Q. Okay. Did you give any guidance, perhaps, on
12. nicknames? Like did you give a list of nicknames that
13. people go by for various names?
14. A. Yeah. I think in here they even have samples
15. of stuff like that.
16. 
17. Q. When you say "they have examples," is that the
18. Secretary of State's training?
19. A. Well, the Secretary of State's training.
20. 
21. Q. But did the county produce a list of
22. nicknames, for instance, for Spanish names?
23. A. No, not necessarily.
24. 
25. Q. For common Hispanic names?
26. A. Because in here, they talk about like instead
27. of William B. Clements, it may be Bill Clements, you
29. Because we know, you know, basically you would know that
30. that's the same person.
31. 
32. Q. But aside from the examples of nicknames that
the Secretary of State's office included in their training, the county didn't provide any additional lists of nicknames that people may go by for Hispanic names, for instance?

A. No.

Q. Okay. Do you know if any other counties provided lists of nicknames to their election workers to help with their substantially-similar name analysis?

A. No, I'm not aware of it.

Q. Okay. If we can go ahead and mark this as Exhibit 1. This is going to be marked as Exhibit 1. It's a substantially-similar name analysis.

(Guidry Deposition Exhibit No. 1 was marked and is made a part of this deposition.)

Q. (By Ms. Simson) So if you look at Example 1 on the first page, you'll see that there's a place where it includes information from the poll book, and then some information from the driver's license.

And in Example 1, there's a slightly different -- or there's a different first name, a different last name, same date of birth, and different addresses.

So if you were looking at a voter who appeared with this driver's license, would you consider this to be substantially similar or not?
MR. KEISTER: Objection; form.

A. Without looking at a picture, it would be hard to say.

Q. (By Ms. Simson) So you think it's important to look at the picture before determining?

A. Absolutely.

Q. And is there -- okay. So even with the different last name, different first name, and different address, this person could still be considered substantially similar?

MR. KEISTER: Object to form.

A. Well, if she got married, and she could have moved, but without seeing that person, it's hard to say.

Q. (By Ms. Simson) Okay. If you could turn to the second example. Actually, let's push it up to Example 3. We can move a little faster.

So here you have information on the poll book, Christine Barrow, date of birth April 8th, 1965.

You have an address. Then the information on the U.S. passport, there's only a name and a date of birth because U.S. passports don't include addresses. Would that person be substantially similar or not?

MR. KEISTER: Objection; form.

A. I'd have to see her, I'd have to see her ID, I'd have to see her picture.
Q. (By Ms. Simson) Okay. So if somebody came in with a different last name, different address, but their picture looked the same, would you be able to admit them to vote a regular ballot?

A. I would have her sign an affidavit, and then I would allow her to vote.

Q. Okay.

A. If I was making that call.

Q. Okay. Can we turn to Example 5, on Page 5 of Exhibit 1. And here you've got information on the poll book, name, date of birth, address. And then on the military ID card, all you have is a name.

Would you be able to determine whether somebody had the proper ID based on this information?

MR. KEISTER: Object to form.

A. On his military ID? There's no date of birth or nothing on it?

Q. (By Ms. Simson) No.

A. That's the complete military ID?

Q. Yes.

A. I'd have to look at the individual, determine whether or not that's him.

Q. If somebody comes in with an ID and the picture looks like the person, but the information doesn't match the information on the poll book, they
have a different name, different date of birth,
different address, could they still be admitted for
voting a regular ballot?

MR. KEISTER: Object to form.

A. If everything is different?

Q. (By Ms. Simson) Yes.

A. And the name and everything is different?

Q. Yes.

A. And it's a male?

Q. In terms of the gender, yes, we can say the
picture matches the person.

A. Well, I would, yes.

Q. And their gender matches.

A. I wouldn't think so. We would need to have
something that matches.

Q. So the picture alone is also not sufficient --

A. No, not the picture alone.

Q. Okay.

A. Something has to match.

Q. Okay. And then if you turn to Example 7 on
the last page -- actually, one second. Actually, can we
turn to Example 4 on Page 4?

And do you see that the name on the poll
book is Christopher Johnson, and the name on the
driver's license is Chris Johnson?
A. Uh-huh.

Q. And do you see that the date of birth on the poll book is November 11th, 1911, and the date of birth on the driver's license is August 22nd, 1994?

A. Uh-huh.

Q. And then do you see that the addresses on the two match?

A. Uh-huh.

Q. Without seeing a picture, would you think it likely that someone would find this substantially similar?

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

Q. (By Ms. Simson) Would you find this to be substantially similar?

MR. KEISTER: Same objection.

A. I would find it to be -- no, because that's a big difference in the age.

Q. (By Ms. Simson) So it would be the age, the date of birth difference that would make this potentially not substantially similar?

MR. KEISTER: Object to form.

A. You should be able to look at him and tell. I mean, that's a big difference in age, 1911 to 1994.

Q. (By Ms. Simson) Let's say the poll book says

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he was born in 1911 but he appears with his driver's license saying he was born in 1994, and he looks about 30. Is that something that you could -- could you let him vote a regular ballot?

MR. KEISTER: Objection; form. Calls for speculation.

A. I would probably let him vote a provisional ballot. That's confusing there.

Q. (By Ms. Simson) That's because there's a significant age difference?

A. Significant.

Q. All right. So we can put those to the side, I think we can go through the rest of this pretty quick.

So you mentioned that there was a complaint about photo ID. What was that complaint about?

A. Okay. That was on the election workers, just made an observation.

Q. Who made the observation?

A. One of my election judges, she was a new judge. She made an observation. Let me give it to you.

MR. KEISTER: Let the record reflect that the witness is looking at her personal computer. If you just let us know if you actually have a document that
matches the computer, that's what I'm concerned about.

THE WITNESS: Oh, I do.

MS. KENNEDY: All the documents here is what she's looking at.

THE WITNESS: This is what the judge said.

MS. SIMSON: We'll make copies of this.

Q. (By Ms. Simson) Do you recall the circumstances of the complaint?

A. It was just an observation that she made while she was working at the polling location, that she --

Q. And the observation was about an election worker?

A. Yes. She said, "An elderly gentleman came to vote early and brought his wife on election day. He stood with his wife when he checked in. He then pulled me aside and told me that he was never asked for ID because he had his voter registration card."

"And he questioned it, but they never took his ID. He heard me explain to another person in line that ID was now required to vote and that was acceptable form."

So the voter was concerned because he was not asked for his ID. And he asked her, you know, whether or not he was supposed to have ID or not. So he
just brought it to her attention because he knew she was
a judge.

Q. Okay.
A. And so she reported it to us, which was the
proper thing for her to do.

Q. So the complaint was that one of the election
workers was not implementing the law as it was intended?
A. Right.

Q. Were there any other complaints from voters in
Jefferson County about the photo ID law?
A. None other than the one that I got from her.

And she had another one on there as well. Basically the
same thing.

Q. That somebody was not asking for ID when they
should have been?
A. Right, right, right.

Q. Do you know whether the election worker didn't
ask for an ID because they knew the person who was
voting, or was it that they just didn't ask for an ID
from some random person that they didn't know?
A. I don't know which it was, but all we did was
we covered with the people at that polling location that
you are required to ask for a voter ID from everyone.

Q. Regardless of whether you know the person?
A. Regardless.
Q. So if the sheriff for Jefferson County --
A. I don't care. If I come up there to vote, I show voter ID, you know, so...
Q. And so you have not received any other complaints from constituents about this photo ID law?
A. Have I received any complaints?
Q. Yes.
A. No. You mean as far as going to the polling locations?
Q. The voters, yeah.
A. No.
Q. And do you know -- did you receive any feedback from election workers about the implementation of S.B. 14?
A. No, I have not.
Q. Did you request any feedback from election workers about how it went, implementing the photo ID law?
A. No, I have not.
Q. Did the Secretary of State's office contact you at all about how the implementation of S.B. 14 went in any of the elections?
A. No, they have not.
Q. And you have not contacted the Secretary of State's office about how the implementation of S.B. 14
went in any of the elections?

A. No, I have not.

Q. Did the Secretary of State's office collect any information from you about how the implementation of S.B. 14 went?

A. No, they have not.

Q. Before you mentioned that the voters who were found to be substantially similar had to fill out forms. Do you have any sense for how many forms were filled out for voters who were substantially similar?

A. Oh, my. We turn those in to voter registration. And, initially, we had a stack about that big (indicating), and that was because the election workers did not understand about the "substantially similar." So they were challenging everything that was not exact in the voter registration database.

But I think since the first election, which was the constitutional amendment election, we have straightened that out.

Q. So that was probably a couple hundred in that forms filled out?

A. Yeah, I think so. And the voter registrar has all of those.

Q. And when you say that initially they were challenging everyone who wasn't an exact match, what do
you mean by they were challenging them?

A. I mean, if they weren't exact -- if they weren't exactly the same on the voter ID as they were on the voter registration database, they made them fill out a form, if they weren't exactly the same.

Q. Now, if they are not an exact match, what does the voter have to do?

A. They let them vote. They don't have to be an exact match.

Q. Do they have to sign any kind of affidavit on the poll book?

A. No.

Q. So as county clerk, does your office issue certified copies of marriage licenses?

A. Yes, we do.

Q. And do you know if those are issued -- sorry. Are those issued only in person, or can a person ask for a certified copy of a marriage license by mail or on-line?

A. They can ask by mail or on-line.

Q. And is there only one office location where a person could request a certified copy of a marriage license, or multiple offices in the county?

A. Multiple.

Q. And do you know, how many offices is that?
A. I have two offices.

Q. And what are the costs to get a certified copy of a marriage license in Jefferson County?

A. A marriage license is around $6.

Q. Around $6. And is there any sort of waiver if a person says, "I need a certified copy of my marriage license, but I can't afford $6"?

A. No, there's not.

Q. Okay. The county also has the ability to issue certified copies of birth certificates; is that correct?

A. That's correct.

Q. And I imagine those are offered at both of those locations you mentioned before?

A. That's correct.

Q. Okay. And can you -- can a person request that on-line or by mail from the county?

A. They can, with proper ID.

Q. With proper ID.

A. Because those are not public forms for everyone.

Q. And what is the cost of getting a certified copy of a birth certificate?

A. I think it's $23.

Q. $23. Are you aware that fees are being waived
for birth certificates if they're needed to get an EIC?

A. I know the fees have been lowered for birth certificates to get an EIC card.

Q. And what are they lowered to?

A. I think they are $3, if I'm not mistaken.

Q. $3. Has anybody come in and requested one of these reduced-fee birth certificates to get an EIC?

A. No, but I did publish it that they were available for $3.

Q. And how did you publish that?

A. We had published them on a Web site, and also made it known -- we did the publication about the DPS coming, that if they needed a birth certificate, that the fee was only $3, if you needed it only for an EIC card, though.

Q. And does a person have to request one of these reduced-fee birth certificates in person?

A. Well, you have to show an ID to get a birth certificate, because that's not just public records.

Q. If a person showed up at a mobile EIC unit without a birth certificate and said they didn't have one, would they have had to come to this office to get a copy of the birth certificate, or could they have gotten it at the mobile EIC unit?

A. They would come to the office.