Q. They would come to the office. Did the office advertise the reduced-fee birth certificates in any other way?
A. Not that I'm aware of.
Q. So it was just in the advertisements about the mobile EIC units and on the Web site?
A. That's correct.
Q. If a person comes into the office and says, "I need a certified copy of my birth certificate," does the clerk know to ask whether they are looking for one of these to get an EIC?
A. No, they're not going to ask.
Q. So typically, if I walked into the office and said, "I need a certified copy of my birth certificate," the person sitting at the desk would say, "That's going to be $22"; is that correct?
A. $23, that's correct.
Q. $23. If a person shows up at the polls and the information on their ID doesn't exactly match the information on the poll book, can they show other documents to show the election clerk that they are who they say they are?
A. They have to have a -- one of their approved forms of photo ID.
Q. Could they, for instance, show a credit card
to show that their name has changed?

A. No.

Q. Okay. So it's just based on the information on their ID?

A. Right.

Q. What about if a person comes back to cure their ballot, could they show additional documentation then?

A. There are forms of additional documentation they can show to the voter registrar.

Q. Okay. And what are those additional documents they can show?

A. I'm not familiar with that.

Q. And who is the person who would process the cure ballots?

A. The voter registrar.

Q. And who is that?

A. Right now, that's Terry.

Q. Okay. Are you aware that S.B. 14 provides an exemption for people who have a religious exemption to being photographed?

A. I am aware of that.

Q. Do you know -- I know that you said it's the voter registrar that handles the cure process, but do you know if anybody came in and tried to cure because of
a religious exemption?

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

Q. Okay. Are you aware that S.B. 14 provides a disability exemption for voters with certain types of disabilities?

A. I am aware of that.

Q. And do you know whether anybody in the county has applied for a disability exemption?

A. I'm not aware of that.

Q. Do you know if the county has done any outreach about the existence of the disability exemption?

A. We talked to the people at Rise, which is a disability group. I'm not aware of any of them that have applied for any disability exemption.

Q. And when did you tell Rise about the disability exemption?

A. We've been out to talk to them several times. They're always calling us. They are very involved in elections and voting, but I'm not aware that they have applied for anything.

MS. SIMSON: Okay. Can we go off the record?

(REcess from 12:16 p.m. to 12:23 p.m.)

Q. (By Ms. Simson) Just to go back over a few
things that we talked about previously, we talked about
the substantially-similar name provision.

Based on your experience as county clerk
and administering elections, do you think that the
substantially-similar name provision is one that all
poll workers will interpret the same way?

A. No.

Q. And why is that?

A. Well, because, I mean, you have 400 people
thinking 400 different ways. There is no way they are
going to think the same way.

Q. And there is a regulation from the Secretary
of State's office that offers some guidance on
substantially-similar names; is that correct?

A. That's correct.

Q. And do you feel that that provides enough
guidance to poll workers?

A. I mean, it provides the basic, but people just
don't always think the same.

Q. So what might be substantially similar to one
poll worker might not be substantially similar to
another poll worker?

A. Right.

Q. Before, you also mentioned that the
Commissioners Court allocated $20,000 to do some voter
outreach and education, and that was for fiscal year 2013 to 2014; is that correct?

A. That's correct.

Q. Did you request more than $20,000, or did you request $20,000?

A. That's what I requested at that time.

Q. Okay. So they approved all of the money that you requested?

A. Yes.

Q. And how did you come up with that $20,000 number?

A. Well, I just requested 20,000. I didn't really come up with a great number, but knowing the budget and how it is, I was lucky to get $20,000, put it that way.

Q. So if you could have had more money than $20,000, you would --

A. It would be great to have more than $20,000.

Q. And how much of that $20,000 have you already used?

A. Oh, I've used all of it, probably, except maybe a couple thousand dollars left in it.

Q. Okay. And is that something -- are you going to put in another budget request for money from the Commissioners Court to do voter outreach and education?
A. I've requested additional monies this year for advertisement and for -- for advertisement for this year.

I have my budget hearing Monday, and I have requested for additional monies, but I won't know if it's granted until sometime in September, probably.

Q. And how much have you requested?

A. I think I requested 15,000, I think.

Q. And is that for voter education, specifically about photo ID?

A. Well, no, it's really just for advertisement, period, just for the election department.

Q. When you requested $20,000 from the Commissioners Court before, was that to focus on voter ID?

A. Right, that was to focus just on photo ID.

Q. Okay. Do you know roughly how many people there are in Jefferson County?

A. About 252,000.

Q. And do you know about how many registered voters there are?

A. About -- I don't know, 140-some-thousand, I think.

MR. KEISTER: I'm sorry, I couldn't hear you.
A. About 140,000-some, I think.

Q. (By Ms. Simson) Registered voters?

A. Yeah. I'm not sure.

Q. And just for the record, what is your age-ish and race?


Q. Off the record, Counsel had a conversation about how to handle the documents that you've brought here today.

First question: Have you produced all of the responsive documents here today?

A. Have I produced them all?

Q. Yes. Have you brought with you all of the documents that were responsive to the deposition notice?

A. Yeah, I have. But obviously, I'm missing some because I don't have that similar name affidavit, so there are some things I probably need to add to it.

Q. Okay.

A. And I can.

Q. And are all of the training materials in here?

A. Yeah, all the training materials are in there.

Q. And I think you mentioned there may have also been a binder that people get on election day that may not have been included.

A. Yeah, there is an election-day binder. If you
want that too, I can add that, too.

Q. That would be great. We will include this in an e-mail to your attorney so she can follow up.

A. Okay.

Q. So we're going to attach the documents as an exhibit to the deposition, and then all the counsel will receive a copy. Other than that, I have no further questions. Thank you so much for taking the time. I know that you're busy.

MS. SIMSON: And with that, I will pass the witness. Bruce, do you have any questions?

MR. GEAR: I do have a few questions, yes. Would it be -- is it the time for me to ask those questions?

MS. SIMSON: Yes, you can go ahead.

EXAMINATION

BY MR. GEAR:

Q. Let me start by asking you: Do you have any universities in Jefferson County?

A. Yes, we do. We have Lamar University.

Q. Lamar University. And are you aware of any situations during any of the elections since the implementation of S.B. 14 where a student has attempted to vote with a student ID?

A. I'm thinking. I'm trying to think. Not here,
not here at this early voting location. I can't tell you about what happened on campus, but I'm not aware of it.

Q. Have you had any outreach efforts to the university to educate students at Lamar University?
A. Yes, we have. We've done a voter outreach at Lamar University. Dr. Bruce Drury is one of our advocates for the university. He used to teach there. And we've done a lot of outreach at Lamar University.

In fact, Lamar University is one of our -- will be one of our early voting locations. We will have early voting there three days out of the early voting period.

And what we're trying to do for the students is to be able to catch them early, early enough that if they don't have the proper photo ID, if we get them during the early voting period, they have options. They can either come to the courthouse during the early voting period, which would allow them to do a limited ballot with the proper photo ID, or they can do a mail ballot from their registered county because they would still have time to do that.

But I know they do have several campaigns going on right now to educate them and to make sure that they do have the proper photo ID.
When the mobile DPS unit came here, that was one of the things that they tried to target on, and that's why it was over at the Alice Keith Center, which is right by Lamar University, was to try to get the students the proper ID. Because not everybody wants to change their driver's license from the state where they live, and, you know, they could have gotten the EIC cards instead of changing their driver's license.

Q. Are you aware of any situation during any of the elections covered by S.B. 14 where a student presented an out-of-state driver's license?

A. I'm not aware of it.

Q. We talked about two -- or you testified to two DPS locations. And I believe you said Highland, and what was the other location?

A. Port Arthur library.

Q. That's Port Arthur library?

A. That was two mobile.

Q. As far as those locations are concerned, is there public access to those locations from everywhere in the county?

A. Yes.

Q. So if I lived in a rural area in Jefferson County, do the rural areas have public transportation?
Let me strike that. Let me ask this a different way.

Can you describe for me public transportation and the availability of public transportation in Jefferson County?

A. Oh, boy. I never been on the bus. I'm serious. I mean, we have bus service. I can't tell you anything about the bus rides. I'm serious, I've never been on a bus.

But Alice Keith is located right off of Martin Luther King, which is right by Lamar University. I know buses run that way. I can't tell you anything about the bus route.

The Port Arthur library is right off of 69 and 9th Street, which is two of the main roads in the Port Arthur area. But as far as getting there on public transportation, I would have no clue, sir.

Q. Do you know whether there is the availability of public transportation from every area to those locations in the county?

MR. KEISTER: Object to form.

A. I would think not.

Q. (By Mr. Gear) And when you say you would think not, what areas come to mind?

A. Well, I can't think of any area where there is transportation that you can get to from everywhere in
the county. I can't think of an area where you can get from the rural areas to everywhere. I mean, inside the county. I wouldn't know.

Q. And I'm specifically talking about to the DPS offices, would that be the same testimony?

A. Well, where the DPS offices -- where those two locations that I told you were just the mobile units for the DPS offices, when the Secretary of State came down. That's not where the DPS offices are located.

Q. So just so I'm clear, and I'm sorry, I'm not actually in the room, I'm doing this by phone. Where are the DPS offices located in Jefferson County?

A. Oh, the DPS office, you cannot get there. They're not accessible, I can tell you that right now. And that's part of the problem. That has been part of the problem.

And that's been part of the complaint is because I know the one in Beaumont is far out of the way, and there are no buses that run out there. Now, the one --

Q. You say that's been part of the complaint?

A. That's been part of the complaint that I've heard from people about the DPS office being one of the only places that you can go and pick up your EIC card, or even going to get any type of identification, for
anyone, whether it's EIC or just an identification, period. Because it's not that accessible.

And I don't know where the one in Port Arthur is at all. I know there's one out there, but I don't know where it is. But, no, it's not accessible.

Q. Okay. Let me ask you: Are you aware of any examples in Jefferson County of a registered voter who has had difficulty obtaining an EIC?

A. I'm not aware.

Q. Have you communicated at all with DPS regarding that issue?

A. I have not communicated with DPS.

Q. Has DPS shared any information with you regarding any registered voter that may have had difficulty obtaining an EIC?

A. I have not communicated with DPS at all. When the voter registrar was here, prior to his resignation, he was in contact with the DPS office because they were trying to work out some arrangements to make it accessible.

But I was not part of that -- I was not a part of those conversations, so I'm not sure what arrangements were made.

Q. And as you sit here today, are you -- is it your testimony that you just don't know if there were
any arrangements made to make DPS more accessible to county residents?

A. That is correct.

Q. And if -- if there were arrangements that were made, who would know that in the county at this point? What county official would know that information?

A. No one.

Q. And why is that?

A. Because he has left the county.

Q. And I believe the person that has filled that position is an interim person with the first name Terry?

A. That's correct.

Q. And have you had any discussions with Terry regarding any arrangements that have been made to make DPS offices more accessible in the county?

A. No, I have not.

Q. I'm turning your attention now to the mobile EIC stations. You indicated that -- I believe you testified to the offer by the Secretary of State's office to make EIC stations available prior to the November 5th, 2013 election; is that correct?

A. Yes, that's correct.

Q. You declined that offer?

A. I did.

Q. And I wasn't clear on specifically why you