issued a birth certificate?

A. Do I know if someone was issued a birth certificate by a midwife?

Q. No, let me ask the question again. Do you know if a person who is born by a midwife receives a birth certificate?

MR. KEISTER: Objection; form. Vague.

Calls for a legal opinion.

A. I know there have been some amended birth certificates by midwives.

Q. (By Mr. Gear) So do midwives issue birth certificates, if you know?

A. They do.

Q. And do you know if midwives issued those certificates in every case of an individual being born by a midwife?

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

A. I doubt that. I doubt that because there are many missing birth certificates back from the days.

Q. (By Mr. Gear) When you say there are many missing birth certificates back from the days, what do you mean?

A. Births of people that were born by midwives that we do not have recorded birth certificates for.
Everything that I get recorded. And we have records back to the 1800s.

Q. And not going quite that far, but do you know what process an individual would have to go through to receive a birth certificate by the county if they were born by a midwife?

A. Well, that's no longer a county issue. That's a state issue. They have to go through Austin to get something issued.

Q. Do you know if that process requires a fee?

A. Requires a what?

Q. If there is a cost to obtain a birth certificate through that process.

MR. KEISTER: Objection; form, vague.

A. I'm pretty sure there is a cost, but I'm not sure what process they have to go through. But at this point, the county cannot issue anything.

Everything that has not been recorded at the county level then has to come through a state level.

Q. (By Mr. Gear) Do you know the percentage of minorities in Jefferson County that lack transportation?

A. No, sir, I don't.

Q. Would you agree that there are minority voters in Jefferson County that lack transportation? And I'm talking about personal vehicles.
MR. KEISTER: Objection; form.

Q. (By Mr. Gear) Motorcycle.

MR. KEISTER: Sorry. Objection; vague, calls for speculation.

A. Yes, sir, I would agree.

Q. (By Mr. Gear) Would you agree if a person prefers to vote at a polling place, that is their right?

MR. KEISTER: Objection; form.

A. Yes, sir, I would agree.

Q. (By Mr. Gear) Regarding the property tax statement, just a point of clarification, would a property tax statement be sent to a renter in Jefferson County?

A. To a who?

Q. A renter. A person that rents an apartment.

A. No, it would not be.

Q. Do you have any knowledge of the percentage of minorities in Jefferson County that do not own homes?

A. No, I don't have a percentage.

Q. Do you have an idea of the rental market in Jefferson County and -- do you have an idea of the rental market in Jefferson County?

MR. KEISTER: Objection; form, vague.

A. No, I don't.

Q. (By Mr. Gear) Do you know if there is a --
1 how would you describe the minority voters as -- in
2 terms of renting in Jefferson County, do you know if
3 that's a significant number? How would you describe
4 that?

MR. KEISTER: Objection; form, vague.

A. I'm sure it's a large number that's registered

voters.

Q. (By Mr. Gear) So if I understood your

testimony, you are sure that there's a large number of

registered minority voters that do not -- that rent in

Jefferson County?

A. That is correct.

Q. And is it fair to say that they would not have

received a property tax statement and the notice that

was sent out by the county?

A. That is correct, sir.

MR. GEAR: I don't think I have any

further questions.

FURTHER EXAMINATION

BY MS. SIMSON:

Q. I have a few quick questions. Is it possible

that if a voter shows up at the polls and is offered a

provisional ballot because they lack identification,

that the voter may decline to cast a provisional ballot

because they don't think they can make it back to the
voter registrar's office in six days?

A. Yes.

Q. So it's possible that a voter would show up without an ID, and there wouldn't be a record of that?

A. That's true.

Q. On voting by mail, how far in advance of an election does a voter have to submit a ballot?

A. An application or a ballot?

Q. The ballot itself.

A. To return it?

Q. Yes.

A. They have until election day.

Q. They can postmark it?

A. No, we have to receive it on the election day. We go to the post office all the way to the post office close time.

Q. They have to put it in the mail at least a few days in?

A. Or send it by carrier and have it delivered to our office at least by 5:00 p.m.

Q. Okay. And does that mean if you vote by mail, you may have to vote before a campaign finishes on election day? I can rephrase that question.

A. Yeah, okay.

Q. If you have to put it in the mail a couple of
1 days in advance, does that mean a voter who votes by
2 mail may not be able to wait until a campaign is done
3 or, you know, until election day to decide who they want
4 to vote for?
5 A. Until election day?
6 Q. Correct.
7 A. Unless they send it by a private carrier, I
8 mean, you can have somebody to -- a carrier to deliver
9 it that same day's delivery.
10 Q. Okay. And are there people over the age of 65
11 that you know prefer to vote in person instead of by
12 mail?
13 A. Absolutely. We have some people that will not
14 vote early, and they insist on going on election day to
15 cast their ballot.
16 Q. And why do you think that is?
17 A. Just the way they have always been. It's just
18 their belief. They want to cast that ballot on election
19 day at their polling location.
20 Q. And does the county clerk's -- I believe your
21 testimony earlier was that the county clerk's office
22 does not have the authority to issue any S.B. 14
23 approved IDs; is that correct?
24 A. No, we do not.
25 Q. And so would you expect a person to contact
your office if they needed a driver's license, a personal ID, or an EIC?

A. No, I would not.

Q. Okay. Earlier, you talked with Mr. Keister about individuals who had shown up to the polls to vote, but they cast their ballots by mail earlier.

A. Right.

Q. Would S.B. 14 have prevented any of those individuals from casting an illegal ballot?

A. No. I mean, that happens all the time.

Q. And it was your system that looked them up and found that they had cast earlier ballots that stopped them from voting?

A. Right.

Q. Did you -- you mentioned two individuals who cast provisional ballots in March 2014 because of expired IDs. Did either of those individuals contact your office to complain?

A. No, they did not.

Q. Before S.B. 14, what were generally the ID requirements to vote?

A. Your voter registration, any form of an ID issued from DPS, your student ID. You could have used a utility bill, you know. We had about nine or ten different forms of ID that you could have used.
Q. And based on your experience as a county clerk administering elections, did you think those requirements were sufficient to secure the voting requirements?
A. They were sufficient.

MS. SIMSON: And I think that's all my questions. Thanks again.

FURTHER EXAMINATION

BY MR. KEISTER:

Q. Ms. Guidry, did any of your poll workers report to you that there were voters showing up and turning down those provisional ballots because they didn't have an ID?
A. No.

Q. Okay. During any of the five elections that's occurred, have any of your poll workers reported to you during any of those elections people were showing up and refusing a provisional ballot when they did not have an ID?
A. No.

Q. Okay. With respect to voting by mail and having to -- or possibly having to complete your vote before the campaigns had ended, isn't that scenario also true with early voting, if people chose to vote early, they vote prior to the end of the campaign?
A. Yes.

Q. And isn't it true that it's simply a matter of convenience for some people to make that choice to vote early?

A. Yes.

Q. Or to have the everybody can vote early; correct?

A. Right.

Q. But only a limited number of people can vote by mail; correct?

A. Right.

Q. But those people who vote by mail also can make that have the opportunity to make that determination if they want to do it by mail, or get the ID and vote in person; correct?

A. Right.

Q. Okay. With respect to tracking persons who do not go to the polls to vote because they do not have an acceptable form of S.B. 14 ID, is there any possible way the county or anyone else could track information like that? And I'm referring to the question Mr. Gear asked you a few minutes ago.

A. No, not other than making a list if they were there.

Q. Right. And, I mean, wouldn't that be the same
as saying does the county track the number of people who
don't go to the polls and vote because they decided they
wanted to go fishing? Wouldn't that be about the same
type of analysis?
A. I guess so.
Q. Okay. If people don't vote, or don't go to
the poll, you can't -- or anybody else can't say why
they didn't go; correct?
A. Right.
Q. Other than asking that person specifically,
"Why didn't you go vote"; correct?
A. Right.

MS. SIMSON: Okay. Thank you.

(Guidry Deposition Exhibit No. 2 was
marked and is made a part of this deposition.)
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I, CAROLYN GUIDRY, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above.

______________________________
CAROLYN GUIDRY

THE STATE OF _____________ )
COUNTY OF _______________ )

Before me, _______________________, on this day personally appeared CAROLYN GUIDRY, known to me or proved to me under oath or through ____________________ (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of ________________, 2014.

______________________________
NOTARY PUBLIC IN AND FOR THE STATE OF _______________
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, JANE HAMILTON, )
SERGIO DELEON, FLOYD J. CARRIER,)
ANNA BURNS, MICHAEL MONTEZ, )
PENNY POPE, OSCAR ORTIZ, KOBY )
OZIAS, JOHN MELLOR-CRUMMEY, )
JANE DOE, JOHN DOE, LEAGUE OF ) CIVIL ACTION NO.
UNITED LATIN AMERICAN CITIZENS ) 2:13-CV-193 (NGR)
(TULAC), AND DALLAS COUNTY, ) (lead case)
TEXAS )

VS. )

RICK PERRY, Governor of Texas, )
and JOHN STEEN, Texas Secretary )
of State)

UNITED STATES OF AMERICA, )

V. )

STATE OF TEXAS, JOHN STEEN, in ) CIVIL ACTION NO.
his official capacity as Texas ) 2:13-CV-263 (NGR)
Secretary of State, and STEVE ) (consolidated case)
MCCRAW, in his official capacity)
as Director of the Texas )
Department of Public Safety, )

TEXAS STATE CONFERENCE OF NACCP )
BRANCHES, AND THE MEXICAN )
AMERICAN LEGISLATIVE CAUCUS OF )
THE TEXAS HOUSE OF )
REPRESENTATIVES, )

V. ) CIVIL ACTION NO.

JOHN STEEN, in his official ) (consolidated case)
capacity as Texas Secretary of )
State, and STEVE MCCRAW, in his )
official capacity as Director of)
the Texas Department of Public )
Safety )
REPORTER'S CERTIFICATION
DEPOSITION OF CAROLYN GUIDRY
JULY 24, 2014

I, Cynthia C. Miller, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that the facts as stated by me in the caption hereto are true, that the above and foregoing answers of the witness, CAROLYN GUIDRY, to the questions as indicated were made before me by the said witness after being first duly sworn to testify to the truth, and same were reduced to writing under my direction; that the above and foregoing deposition as set forth in writing is a full, true and correct transcript of the proceedings had at the time of taking said deposition; that as requested the deposition was made available for the witness to read and sign.

I further certify that I am not, in any capacity, a regular employee of the party in whose behalf this deposition is taken, nor in the regular employ of their attorney, and that I am not interested in the cause, nor of kin or counsel to either of the parties.
GIVEN under my hand and seal of office on this,

the 8th day of August, A. D. 2014.

CYNTHIA C. MILLER, Texas CSR 8065
Certification Expiration 12/31/2014
Firm Registration No. 378
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Tomball, Texas 77377
281.376.9303