O'Connor.

MR. WEBBER: Thank you.

Q. I believe you've asked -- been asked this and answered it, but do you know of anyone in the State of Indiana who has ever been accused of serving -- going to the polls and misrepresenting their identity for the purpose of voting?

A. Not aware. And specifically asked that question during the debate from one of the proponents were they aware, and their response was "no."

Q. And are you aware what the penalties are for a person who would have the audacity to attempt to vote using someone else's identity?

A. I don't know the specific penalties, but I know that there are penalties and that they are severe enough to be a constraint against anyone doing that.

Q. Do you know whether the penalties are in the form of a misdemeanor or a felony?

A. I think it can be both, depending upon the severity of the offense and the discretion of the prosecuting authorities.

Q. Now, I know you weren't involved in the -- in the inner sanctums where this bill was apparently first discussed and originated, because, as you've indicated, it was a measure that originated in the Republican party; is that correct?

A. That is correct.

Q. But let me ask what your understanding is. If a voter goes to the polls without an acceptable form of photo identification and is challenged by a challenger for a reason, that person cannot vote by a regular ballot; is that your understanding?

A. That's my understanding.

Q. And that that person would then be given --

A. Well, let me clarify. My understanding is that if you go to the polls -- and it's not necessarily a challenger that you must produce -- if this law is in effect, you must produce a recognized photo identification to be allowed to vote. And so, you don't have to be challenged without the production of that.

You would simply not be allowed to vote, and then be subject to a provisional ballot until such time as you produce.

Q. And then, that provisional ballot would be voted and placed in a special envelope; is that your understanding?

A. That's my understanding.

Q. And then, the voter would have a certain period of time to make a trip to the board of -- the photo registration board in order to produce the required form of identification?

A. Correct.

Q. And how long is that period of time that the voter would have, if you know?

A. About two weeks. I believe, two weeks.

Q. Now -- okay. I -- that's the procedure, as I understand it, that is used if a voter does not have a required form of photo identification at the poll.

What is your understanding of what would happen if a voter comes to the polls, produces a photo identification, but because the voter has aged, changed his or her appearance, grown a beard, shaved a mustache, someone working at the polls, including a challenger, challenges that voter as not being the person depicted on that photographic identification?

What is the procedure that would ensue at that point, if you know?

A. My assumption is that they're going to go through the same process of being able to cast a provisional ballot until such time as they can get some clarity either at the polling place or through the -- the clerk's office.

That issue arose during the debate. You know, even someone that loses weight and looks thinner than they did, or had a haircut, you know, that that occurred. But my understanding is the same thing. It's possible that mistakes will be made, even with the prerequisite identification.

The voter would then be inconvenienced to try to go through showing who -- that they are who they say they are and are eligible to vote.

Q. You say this issue was discussed.
Q. So, it all depends on whether the provisional ballot counted, if you know?
A. The same as before. You have to go down to the clerk's office within the allotted time frame to resolve the issue and --
Q. But if you've still got that same ID and that ID doesn't look like you, do you know how that issue would be resolved even at the clerk's office?
A. If -- if your vote is not counted, Judge Wampner says, don't take the law into your own hand, you take them to court.
Ultimately, the inconvenience would be taking someone to court to get your right -- your vote counted. But, again, it's -- ultimately, that's -- and there's a lot of subjectivity in that.
Q. Uh-huh. There's still subjectivity in even that process; is there not?
A. Absolutely.
Q. And are you -- as a legislator, have you ever had occasion to deal with issues involving use of photo IDs for illicit purposes, like, to -- like, I understand happens on college campuses from time to time, is that -- have those kinds of issues ever come before you, the notion of stolen identities or borrowed identities?
A. Not directly. I mean, I'm aware of it, and not -- the only -- at one point I was arrested and spent a night in jail. And I was in my 30s, but because I did not have a driver's license, nor any proof of identification, I was charged with violating a 1935 beverage act and spent the night in jail.
When I went to court, I was able to prove that I was over 30. I happened to look young at that point, but I was one of those inner-city guys that did not have a driver's license and did not have any kind of state-issued ID.
Q. Do you recall any discussions during the process, the legislative process, leading up to the enactment of this measure about what the meaning of the word "indigency" was as it's used in a statute?
A. No. And there was some -- I can recall some debate about that. You know, how do you attest to indigency and who makes
DEPOSITION OF WILLIAM A. CRAWFORD – SEPTEMBER 8, 2005

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1 that determination.
2 But a lot of these issues were raised
3 and not really responded to effectively,
4 which led a lot of us to say, we are going
5 to vote against it.
6 The same thing with the religious
7 exception. You know, I object to having my
8 photo taken, you know. What is the process
9 for? That exception's in the law, but who
10 and what, how that plays out is --
11 Q. In other words, who decides
12 whether --
13 A. Yeah.
14 Q. -- you were, really, raising a valid
15 religious --
16 A. Right.
17 Q. -- objection?
18 A. Right. Correct.
19 Q. I believe that Mr. Webber asked you
20 about security measures that are used at
21 polls currently, or at least under
22 preexisting law.
23 One of those, as you mentioned, was
24 signature comparison; is that correct?
25 A. (Nod.)

Q. Isn't the act of --

MR. FALK: I'm sorry, did you say
"yes"?

THE WITNESS: Yes.

Q. Isn't the fact of registering to vote
part of that security mechanism, as well?

A. Yes, it is.

Q. You do require voters in Indiana to
register to vote?

A. Yes.

Q. Are you familiar with or aware of
some states that don't have registration
requirements for voters?

A. I've heard of those states. I know
some states allow you to register on election
day.

Q. But we don't -- in Indiana, we don't
allow that, do we?

A. We do not do that. No, we do not.

Q. Are you familiar with all with Lake
County in terms of where the BMV licenses
are -- or, license bureaus are?

A. Yes, I am.

Q. And are you familiar with where the
voter registration offices are in Lake

second-class cities.

Q. So, you don't know where -- for
example, a voter in Gary who shows up at the
poll without a voter ID is challenged, votes
provisionally, you don't know where that
voter would have to travel to in order to
display the --

A. No, I do not.

Q. You're not aware of any election
board satellite office in Gary --

A. No, I'm not.

Q. -- or voter registration office in
Gary?

A. No, I am not.

Q. Are you aware of any other bills that
were passed by this session, this -- this
year's session of the General Assembly that
had provisions dealing with the issue of
photo identification?

A. Not -- I sort of had tunnel vision on
this issue, so I'm not -- I'm not -- no.

Q. Was the -- was there originally a
provision that excluded all absentee voting
from the photo ID requirement?

A. Yes. I believe that all absentee
voting is excluded, along with some nursing home facilities.

Q. All right. Are you aware of whether a voter who votes early down at the -- at least in Marion County, down at the court, at the City-County Building, do you know whether those voters are going to be required to produce voter identification?

A. Initially, I thought that they were not, but it's a part of discussion, I think, that they now are. I thought the law does now require that if I go down there I would have to produce it, that the only exceptions are absentee and the people living in the nursing facilities, I think.

Q. Do you know whether that -- that requirement that people who vote in person absentee have to produce photo ID, do you know whether that was part of SEA 483 or whether it was part of another bill?

A. I thought it was part of 483. Now, it could -- but I'm not -- when we get those conference committees, a lot of things are rolled in and done, and you have -- that led to one of our lengthy caucuses which they called the walk-out, where the Democrats were protesting the voter ID. But when you get over a hundred and some bills and you have a short period of time to act on them, that -- read and digest them, so a lot of things getting bumped in.

Q. You mentioned some -- subject to voter suppression, some experience -- personal experience you've had with that in Marion County. You mentioned the stationing of police cars at polling places.

A. That has been a while. That would have been in the Lugar and Hudnut administrations. And then, that was stopped. And the use of uniformed officers was in the '90s. And then, there was a state statute passed that prohibited that.

Q. Have you experienced any other types of tactics that you would consider to be in the nature of voter suppression?

A. Well, again, the example that I gave where, you know, I walked in the polling place and there was a sign that said, all voters check in at the challenge table, and I was not aware that there was any such thing as a challenge table.

And all voters -- you know, you go to the -- go through the regular process, and but that could be conceived as a nice -- I'd never ran across that before. It only took a few vehement protests to get that sign removed.

Q. In the precinct that you vote in, have you ever had Republican party challengers present?

A. Yes.

Q. And were those -- were those voters from within the county, or were they from somewhere else?

A. Generally, from outside the county.

Q. And were they --

A. Generally, attorneys.

Q. Were they generally Caucasian or African-American?

A. Always Caucasian.

Q. And were they people who were acquainted personally with any of the voters in the precinct?

A. Absolutely not.

Q. When was the last time you recall having a Caucasian Republican party challenger at your precinct?

A. The last election that was held, in November of 2004.

Q. And did you introduce yourself to the gentleman or lady?

A. No, I generally don't speak to them.

We have strong precinct committee people that don't tolerate any nonsense and protect the right of voters.

Q. Did the challenger challenge any voters?

A. Yes.

Q. How many during the course of the day?

A. It was a few, and I believe that all of them were resolved by -- the challenges, some were legitimate in terms of people being at the wrong polling place and -- and working it out where they were sent -- I believe there was at least two that had to go down to the City-County Building to resolve an issue.

Q. Now, you were a candidate for office.
In 2004, the last election?
A. Yes, I was.
Q. So, I assume you traveled around your district --
A. Yes, I did.
Q. -- to other polling places?
A. Did you observe the presence of Caucasian Republican party challenges at any of those other precincts?
A. No, because --
MR. WEBBER: Just for the record, I'll make an objection as to the relevance of any material issue in this case. I just want to throw that out. I'm not sure that --
MR. GROTH: I'm -- I'm almost finished.
A. Because I'm a candidate, I'm precluded from going into anyplace other than where I vote. And so, directly, you know, I did not receive any complaints, and I was not able to say who was inside in -- in -- in a number of those precincts. As a matter of fact, I was asked out of one precinct.
Q. Are you familiar, at least -- at least in terms of word of mouth, as to whether the Republican party engaged in aggressive challenge tactics in the City of Louisville in the -- during the 2003 gubernatorial election?
A. No, I'm not directly aware of that.
MR. GROTH: See if I have anything else.
I think that's all I have. Thank you.
CROSS-EXAMINATION
QUESTIONS BY MR. FALK:
Q. Way back when we began this deposition, you were asked a question about your desire to have as many people vote as possible.
A. Yes.
Q. Isn't it also true that your experience is that the larger the turnout in your district the more people vote for you?
A. Correct.
Q. You talked briefly about the fact during the last election there was some sort of snafu where people who were actually alive were listed as being deceased.
A. That is correct.
Q. And those people tried to vote?
A. That is correct.
Q. And what did they have to do to be able to vote?
A. Ultimately, they had -- I believe they had to go down to the City-County Building --
Q. Okay.
A. -- to resolve the issue.
Q. And did some people just say that it's not worth it?
A. Absolutely.
Q. And that was just one trip? They had to make one trip to the City-County Building --
A. Yes.
Q. -- is that right?
A. You were asked some questions about the challenge system today, and by "today," I mean before the first election that this challenge law goes into effect.
Q. My understanding is, under the system today, when you are challenged, you fill out your provisional ballot and that's the end of it; is that correct?
A. Well, there is another step, and I -- I've utilized it in the past, that if you're challenged and someone -- the precinct committee person and another person is willing to sign a challenge affidavit, a lot of times you can resolve it at that point. And I know that that has happened in -- in -- over the years.
Q. But if it can't be resolved, if there's a challenge and a challenge affidavit, the voter has to do nothing more; is that correct?
A. That is correct.
Q. It's not like the system under the new law that we're challenging, where the voter has to actually physically go to various places in order to be able to vote?
A. That is correct, that's a change.
Q. And you were asked a question by Mr. Groth about whether poverty is currently a major obstacle to voting, and you gave a response. I -- and we're using the word
<table>
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<th>Page 131</th>
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<tr>
<td>&quot;currently.&quot; I assume you meant by</td>
<td>party has a matching program; is that</td>
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<td>&quot;currently&quot; under the existing system prior</td>
<td>correct?</td>
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<td>to the new law; is that correct?</td>
<td>1. I have never known a Democrat to</td>
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<td>A. That is correct.</td>
<td>challenge a voter in my district.</td>
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<td>Q. Do you feel that Senate Enrollment</td>
<td>2. Well, okay, I agree with that.</td>
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<td>Act 483 will be an obstacle for poor people</td>
<td>That's not my question.</td>
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<td>voting?</td>
<td>A. So, I don't know.</td>
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<td>A. Yes, I do.</td>
<td>Q. You are familiar with --</td>
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<td>Q. For the reasons you've indicated?</td>
<td>A. I'm only referring to my district.</td>
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<td>A. For the reasons that I've indicated.</td>
<td>Q. You are familiar with the fact that</td>
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<td>MR. FALK: I have no further</td>
<td>Democrats send out lawyers, too? Precincts</td>
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<td>questions.</td>
<td>can do the same --</td>
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<td>MR. OSBORN: I have nothing.</td>
<td>A. I don't know. Pervasively, across</td>
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<td>MR. WEBBER: Just a few follow-ups</td>
<td>inner-city Indianapolis, in predominantly</td>
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<td>Mr. Groth makes me have to defend, Mr.</td>
<td>black precincts, there's always the</td>
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<td>Crawford, so if I can do this very</td>
<td>Republican ballot security initiative.</td>
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<td>quickly ...</td>
<td>Q. All right.</td>
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<td>RECROSS EXAMINATION,</td>
<td>A. My district and contiguous districts.</td>
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<td>QUESTIONS BY MR. WEBBER:</td>
<td>Q. But the Democratic lawyers would go</td>
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<td>Q. This police car issue that was</td>
<td>to the -- outside the more heavily Republican</td>
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<td>discussed, you said that -- I'm not going</td>
<td>areas; isn't that true?</td>
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<td>to agree that it, in fact, was true, but if you</td>
<td>A. I have no idea that they do.</td>
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<td>did say that it would have ended in the</td>
<td>Q. Well, is that --</td>
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<td>Lugar-Hudnut time, Hudnut left in '92; isn't</td>
<td>A. Yeah. No, really, I mean, I object</td>
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<td>that right?</td>
<td>to anyone going out and challenging someone's</td>
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<td>A. Yes.</td>
<td>right to vote, Democrat or Republican.</td>
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<td>Q. And Lugar --</td>
<td>Q. Why?</td>
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<td>A. And I don't know what it was --</td>
<td>A. Because I just don't think that it's</td>
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<td>Q. And Lugar before him.</td>
<td>necessary. I think we've got a process, and</td>
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<td>You remember when they were mayors;</td>
<td>to -- a concentrated program to suppress</td>
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<td>isn't that correct?</td>
<td>votes doesn't make sense to me.</td>
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<td>A. Yes.</td>
<td>Q. But that is -- the challenge system</td>
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<td>Q. Okay.</td>
<td>is the system that you say works fine.</td>
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<td>A. And primary -- I would say that it</td>
<td>A. Not in a coordinated fashion where</td>
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<td>ended in the '80s.</td>
<td>you go out to abuse the system. Like, in</td>
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<td>Q. All right. Thank you.</td>
<td>Ohio, where you create backlogs, where you</td>
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<td>A. Yeah.</td>
<td>challenge people unnecessarily to keep people</td>
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<td>Q. And the challenge table sign that you</td>
<td>-- people waiting in line in Ohio six hours</td>
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<td>referred to, was that in one precinct?</td>
<td>in 2004 unnecessarily to cast their vote,</td>
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<td>A. Yes, that was in one precinct. Scott</td>
<td>that is what I object to.</td>
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<td>United Methodist Church.</td>
<td>Q. Okay.</td>
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<td>Q. And this concept of these lawyers</td>
<td>A. And that's what I see happening here.</td>
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<td>coming in -- Caucasian lawyers coming in,</td>
<td>And I've got a hard copy of the</td>
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<td>challenging their -- or, used to -- what do</td>
<td>Assault on Democracy and what happened in</td>
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<td>they call them? Security issues --</td>
<td>Ohio.</td>
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<td>A. Ballot security issues.</td>
<td>Q. Operation Big Foot (sic) -- pardon</td>
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<td>Q. -- issue challenges.</td>
<td>me?</td>
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<td>A. Yeah.</td>
<td>A. I'm sorry. I said, I've got a hard</td>
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<td>Q. Now, my understanding is the Democrat</td>
<td>copy of the Assault on Democracy and what happened in Ohio.</td>
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DEPOSITION OF WILLIAM A. CRAWFORD - SEPTEMBER 8, 2005

Q. The Assault on Democracy?
A. Assault on Democracy. That is exactly what it is. I'll send it to you.
Q. And have Mr. Falk give you the Court of Appeals decision that said they were allowed to do that. I'm sorry. That's -- that's -- we're getting afield here.
Is -- just want to wrap this up.
Operation Big Foot (sic), you made --
A. Big Vote.
Q. Operation Big Foot. Big Vote.
A. Operation Big Vote, is that a political operation?
A. No, it is not. It is a nonpartisan coalition. They have their own -- they have volunteers that come in. They generally have an office. It generally operates in presidential years, but it's a coordinated -- it's a national effort to just encourage people to get out and vote.
Q. And so, it is not aligned with either party?
A. No, that's correct.
Q. And do they -- how do they help people vote?
A. They have drivers that take people to and from the polling place. They have information. They do radio public service announcements. They have phone banks where people experience difficulty in voting. They can call the phone bank. They have volunteers that work with them to resolve issues that deny people the opportunity to vote.
Q. Do they have equal amounts of workers? For example, throughout Marion County, in each township, would the amounts of Operation Big Vote workers be the same?
A. Probably not. They have a concentration on areas where there has been demonstrated impediments to people voting.
Q. You mean, like, being able to get to the polls; is that what you're saying?
A. Being able to get to the polls, facing unnecessary barriers once they get to the polls, working through those issues.
Q. Is it -- is it fair to say, then, that Operation Big Vote, which is, you said, bipartisan, more utilized by the --
A. I said, nonpartisan.

Q. -- nonpartisan more utilized by the Democrat party?
A. No, I would say it's more utilized by the nonpartisan volunteers that work for Operation Big Vote.
Q. Do you use Operation Big Vote in any of your campaigns?
A. No, I do not. I -- I run my own -- as a matter of fact, I don't use the Democratic party apparatus. I use my own. And I'm peripherally exposed to Operation Big Vote. I know the people that work there. But I had my own volunteers that I raise money for and pay and put out in my district to further my campaign.
Q. Operation Big Vote, then, the real purpose is to get people to the polls; is that the idea?
A. Yes. Get people registered. They have an effective registration. It is faith-based, it's union-based, it's community-based. It's the number of people that volunteer. Volunteer drivers. They have the vans with the sound equipment that go through the community encouraging people to get out and vote.

Q. And then, the people come out to that van and get in and go vote?
A. No, they don't get in the vans.
Q. Oh, okay.
A. They get in cars. If they call the number, then they dispatch cars to pick people up and take them to vote.
Q. Okay. Does Operation Big Vote do any screening on election day as to whether or not a person is eligible to vote?
A. Eligible to vote. No. And they're not equipped to make that determination.
Q. Okay. And the last question I think I have for you -- oh, no, I've got two more questions. What was the Marion County Clerk -- I've got to defend her -- trying to do when she was purging these -- this snafu over whether these people were alive or dead?
A. Why -- why was she trying to take dead people off of the voter registration list, if you know?

MR. FALK: Well, just for the record, I think the testimony was that it was the State that
Q. Why was the State doing that, then?
A. The Secretary of State, as I understand it, only from news reports, because I haven't had any direct conversation with any official about that, the Secretary of State said that they were looking at the names of dead people and people on the voter rolls, and they sent out an advisory to counties. Most counties did not use that as a purge list. In Marion County, we used it as a purge process, and that was the local decision, according to the Secretary of State, who tried to distance himself from the Marion County Clerk. And that's public record Indianapolis Star and Recorder had.

Q. Right. Did -- are you familiar --
A. Isn't it a fact, let's start it that way, that the whole purpose of both the Secretary of State's actions and the Marion County Clerk's action was to try to remove what had become woefully swollen registration lists that still contained dead people and people that have long since moved out? Wasn't that what they were trying to do, I think?

Q. You just said --
A. I don't know what their intent was. And again, I don't subscribe to -- that you have to demonstrate intent as to result. If the result is that you take people whose names are similar to someone who dies and you just unilaterally and arbitrarily take them off the rolls and they go there and someone -- had it happened in this community, more than one person was told that you were dead, then no matter what your intent is, the result was to hinder a voter's right to exercise the most sacred of constitutional rights, the right to consent to who governs the --

Q. Do you know how many voters are currently, approximately, registered in Marion County?
A. I have no idea. No, I have no idea of who's registered in Marion County.

Q. Do you think that there is a point that is reached when the voter registration list swells to "X" number of names past those that are actually registered to vote that it should, in fact, be purged?

Q. And do you want to share who that is in the Indiana legislature that you believe would have suggested that there is a -- well, the political purpose was to hold down and suppress African-American voters?

A. The agenda flowing from an organization -- and I know it was discussed at their annual convention called ALEC, the American Legislative Exchange Counsel -- was -- whether it was stated or not, the result was racial motivation. So, you know, that's -- and you --

Q. I understand that on a national seminar, but I'm -- I'm -- what concerns me would be what we have here, what happened here in Indiana.

Do you want to ascribe those motives to any of our State legislature?

A. No, not at this time.

MR. WEBBER: I have no further questions.

STATE OF INDIANA

COUNTY OF MARION

I, Linda Mayo Baynes, a Notary Public in and for said county and state, do hereby certify that the deponent herein was by me first duly sworn to tell the truth, the whole truth and nothing but the truth in the aforementioned matter;

That the foregoing deposition was taken on behalf of the Marion County Election Board, that said deposition was taken at the time and place heretofore mentioned;

That said deposition was taken down in Stenograph notes and afterwards reduced to typewriting under my direction; and that the typewritten transcript is a true and accurate record of the testimony given by said deponent;

And that the deposition upon oral examination was taken down in Stenograph notes and afterwards reduced to typewriting under my direction and thereafter presented to said witness for signature;

I do further certify that I am a
disinterested person in this cause of action;
that I am not a relative or attorney of any
of the parties, or otherwise interested in
the event of this cause of action, and am
not in the employ of the attorneys for any
of the parties.

IN WITNESS WHEREFORE, I have hereunto
set my hand and affixed my notarial seal
this 10th day of September, 2005.

Linda Mayo Baynes, Notary Public,
Residing in Marion County, Indiana
My Commission Expires:
December 31, 2007

CERTIFICATE
WILLIAM A. CRAWFORD, states that the
foregoing transcript of his/her Deposition,
taken in the matter, on the date, and at the
time and place set out on the title page
hereof, constitutes a true and accurate
transcript of said deposition.

WILLIAM A. CRAWFORD

CAPTION
The Deposition of WILLIAM A. CRAWFORD,
taken in the matter, on the date, and at the
time and place set out on the title page
hereof.
It was requested that the deposition
be taken by the reporter and that same be
reduced to typewritten form.
It was agreed by and between counsel
and the parties that the Deponent will read
and sign the transcript of said deposition.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

INDIANA DEMOCRATIC PARTY, et al.,

Plaintiffs,

v.

TODD ROKITA, et al.,

Defendants,

__________________________________________

WILLIAM CRAWFORD, et al.,

Plaintiffs,

v.

MARION COUNTY ELECTION BOARD,

Defendant,

and

STATE OF INDIANA,

Intervenor.

No. 1:05-CV-00634 SEB-VSS

Plaintiff William R. Crawford's Response to Interrogatories and Request for
Production of Documents

Comes now Representative William R. Crawford, being duly sworn upon his
oath, and files his response to the Interrogatories served upon him by the State of Indiana,
Intervenor. And, comes now Representative William R. Crawford, by his counsel, and
files his response to the Request for Production of Documents served by State of Indiana,
Intervenor.
INTERROGATORY 1:

Please identify the persons in House District 98 who have voted in the past who do not have the picture identification required by Senate Enrolled Act (SEA) No. 483 of whom you have personal knowledge as alleged of in paragraph No. 29 of your Complaint.

ANSWER:

I do not have the specific names of my constituents. However, as the challenged statute was being debated in the General Assembly, and being discussed in the media, I was approached by numerous persons at community meetings and churches who specifically indicated that they had voted for years and they did not have the identification required by the new law. Constituents who stated that they had older relatives who did not have the required identification issued by the Bureau of Motor Vehicles, even though they had voted regularly, also approached me.

INTERROGATORY 2:

Please identify what particular process you utilized that supports your conclusion in paragraph No. 31 of your Complaint that voters in your district will not vote or will be discouraged from voting because of the identification requirement contained in SEA No. 483.

ANSWER:

I have been watching the polls in Indianapolis for more than 40 years. It is apparent to me that voters are easily discouraged and if obstacles are placed in their way, either through challenges by persons at the polls or through additional requirements to vote,
they simply will not vote. Therefore, the process I used to draw the above conclusion is my life experience.

INTERROGATORY 3:

If any particular process or survey was used please identify:

A. Who conducted the process;

B. The sampling used; and

C. The name and addresses of voters who indicated they will not vote or be discouraged from voting by operations of SEA No. 483.

ANSWER:

As I indicated above, I did not use any particular process other than a lifetime of experience with elections and voting.

INTERROGATORY 4:

Are you claiming associational standing for voters and potential voters who reside in the district you represent (House District 98) or anyone else? If so, for what injuries are you claiming associational standing?

ANSWER:

I am not claiming associational standing as I am not an association. However, my attorney has indicated to me that a candidate clearly has standing to raise legal claims on behalf of voters and I therefore am raising the right of voters to be able to vote without unreasonable, unlawful and unconstitutional restrictions.
INTERROGATORY 5:
Has any state or federal agency issued a valid and current photo identification to you? If so, please identify.

ANSWER:
I currently have a driver's license issued by the State of Indiana. I also have identification issued by the Indiana House of Representatives. However, it does not have an expiration date and, therefore, I do not believe it would be valid identification for purposes of the law challenged in this case.

INTERROGATORY 6:
Are you claiming a direct injury to yourself? If so please state that injury with specificity.

ANSWER:
I am claiming direct injury to myself. To the extent that the challenged statute makes it more difficult for persons to vote it means that there are less persons available to vote for me. To the extent that it discourages persons from voting it will diminish citizen's interest in the electoral process, which will injure me in my efforts to be re-elected. Additionally, I am personally offended about having to show identification to people who know me and in a polling place where I have voted for years. Being required to show the identification is direct injury. Furthermore, I have spent my entire adult life working for civil rights. I have a personal interest in insuring that the most precious of rights, the right to vote, is maximized and not reduced.
INTERROGATORY 7:

Please identify any records that are kept by you that identify:

1. The financial status of voters and potential voters in House District 98.
2. Voters and potential voters in House District 98 who possess driver’s licenses.
3. Voters and potential voters in House District 98 who possess photo identification.
4. Aggregate voting records in House District 98.

ANSWER:

I do not have any such records.

INTERROGATORY 8:

Is voter security, as defined herein, inconsistent with any of your beliefs or principles?

ANSWER:

Insuring that elections are fair and that there is not fraud is, of course, consistent with my beliefs and principles. However, it is difficult to take seriously any claim that the challenged statute is designed to further voter security when there was absolutely no evidence presented to the General Assembly as we considered this law that there had been attempts by persons to vote in-person while using false identification. Indeed, I publicly called for the Marion County Prosecutor and the United States Prosecutor to identify any case in Marion County of voter fraud and have yet to be informed of any. The only voting fraud that I am aware of in the State of Indiana occurred in absentee ballots. Persons mailing in absentee ballots are not subject to the challenged statute.
Therefore, I fail to see how the statute furthers voter security. The system that was in existence prior to the challenged law protected voter security.

**INTERROGATORY 9:**

What is the basis for your allegation in paragraph No. 26 of your Complaint that it may be difficult, time consuming, and expensive for applicants to collect the information necessary to obtain an identification card from the Bureau of Motor Vehicles? Please identify the expenses to which you are referring. Also please identify any documents that support your allegations in paragraph No. 26 of your Complaint.

**ANSWER:**

I am aware that in order to obtain identification or a driver’s license, prospective voters will have to provide secondary documents as well as proof of residency documents. I am aware that in Marion County it costs $10 to obtain a birth certificate. This amount may be greater for those who need to procure an out of state birth certificate. Moreover, the Board of Health requires that an individual have identification in order to obtain their birth certificate. It may therefore take multiple trips to the Board of Health even for someone who was born in Marion County. Then the person will have to go to the Bureau of Motor Vehicles. This could be quite time consuming. Based on United States Census data, my district is one of the poorest in the State of Indiana and many of my constituents rely on public transportation; getting back and forth could be quite expensive.

The documents to which I refer are attached in response to the production request.
INTERROGATORY 10:

What is the basis for your allegations in paragraph No. 85 of your Complaint “that there has not been any widespread identity fraud in Indiana among voters personally appearing to vote and the proponents of Senate Enrolled Act 483 did not produce evidence of any such fraud.” Please identify any documents that support these allegations and any other documents or information regarding voter fraud in Plaintiff’s possession.

ANSWER:

As I indicated above, there simply was no evidence submitted in the General Assembly to support any claim that there was voter fraud in Indiana occasioned by persons using false identities. I am aware of no arrest, charges or convictions for any crimes arising out of the use of false identities for in-person voting. In my more than 40 years of watching the polls, I have never witnessed anyone attempting to vote while using a false identity. I am aware that there are tapes of the discussions and debates of this law as it made its way through the Indiana House. My attorney has these tapes.

INTERROGATORY 11:

Please identify any and all documents and evidence that support your allegation in paragraph No. 86 of your Complaint that “Senate Enrolled Act No. 483 will impede the ability of persons to vote.”

ANSWER:

See Interrogatory 9. However, it is clear that persons will be discouraged from voting. There are some people who simply won’t be able to obtain the items necessary to receive
an identification card, even if the cost is waived. For example, a homeless person has the right to vote, but may not have the primary, secondary, or proof of residency documents required by the BMV. Moreover, I have repeatedly watched persons over the years who are challenged at the polls and turn away, not fighting the challenge. This is not because the challenge is meritorious; it usually is not. It is because frequently people are voting before work or on their way home to assume family obligations and they simply don’t have the time. Additionally, people do not want to face any sort of harassment or hassle and will avoid voting rather than face a challenge. Finally, it would be the rare voter who, when challenged and forced to vote on a provisional ballot will nevertheless take all the steps required to count his or her vote when the voter will know that the earliest the vote will be tabulated is two weeks after the election. Most people will not bother. This statute sets up artificial barriers that will prevent persons from voting.

INTERROGATORY 12:

Please identify all the costs attendant to obtaining a state identification card from the Bureau of Motor Vehicles that you allege constitute a “de facto poll tax” in paragraph No. 92 of your Complaint.

ANSWER:

In order to vote, a person who does not currently have identification or a license issued by the BMV will have to obtain an original of a birth certificate. Most people do not have an original birth certificate. This will have to be purchased from the appropriate government entity. There may also be costs attendant to accumulating the other information required by the BMV as a pre-condition to issuing a license or identification.
There are also costs in getting back and forth to: the government office which supplies birth certificates, the BMV and the Clerk's office.

INTERROGATORY 13:

Please identify all of the "unreasonable and irrational burdens and requirements on the fundamental right to vote" imposed by Senate Enrolled Act 483 that you allege in paragraph No. 93 in your Complaint.

ANSWER:

As indicated above, there is absolutely no evidence to support the burdens imposed by the challenged statute. It is irrational and unreasonable to impose this heightened identification requirement for persons who vote in-person but to not impose such requirements on persons who mail absentee ballots. The irrationality of the statute is illustrated by the fact that it exempts from the identification requirement persons who vote in the state license facility where they live, but requires the same persons to have the required identification if they vote next door to the facility.

REQUEST FOR PRODUCTION

REQUEST NO. 1:

Please provide any and all documents identified in your answer to interrogatory No. 3.

RESPONSE:

I have no such documents.
REQUEST NO. 2:
Please provide any and all documents identified in your answer to interrogatory No. 7.

RESPONSE:
I have no such documents.

REQUEST NO. 3:
Please provide any and all documents identified in your answer to interrogatory No. 9.

RESPONSE:
Please see attached documents.

REQUEST NO. 4:
Please provide any and all documents identified in your answer to interrogatory No. 10.

RESPONSE:
The videotape recordings are in the possession of my attorney. He should be contacted to review them.

REQUEST NO. 5:
Please provide any and all documents identified in your answer to interrogatory No. 11.

RESPONSE:
All documents have been produced with the exception of the statute itself.
REQUEST NO. 6:

Please provide any and all documents identified in, consulted in connection with, or containing information relied upon in your Complaint in this case, excluding items covered by any legitimate privilege or work-product exception.

RESPONSE:

I have attached the requirements for obtaining identification of a license from the Bureau of Motor Vehicles as specified on its website as well as the requirements for obtaining a birth certificate from the Marion County Board of Health and the Indiana Department of Health.

VERIFICATION

I verify, under the penalty of perjury, that the foregoing is true and correct.

Executed on: 9/6/05

Representative William R. Crawford

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Certificate of Service

I hereby certify that a copy of the foregoing was served on the below named person(s) by first class U.S. Postage, pre-paid, on this __ day of September, 2005.

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