

In The Matter Of:
One Wisconsin Institute, Inc., et al. vs.
Gerald C. Nichol, et al.

Deposition of ANDREA KAMINSKI
April 11, 2016

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2 East Mifflin Street, Suite 102

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www.Verbatim-Madison.com

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IN THE DISTRICT COURT OF THE UNITED STATES
 FOR THE WESTERN DISTRICT OF WISCONSIN

=====

ONE WISCONSIN INSTITUTE, INC.,
 et al.,

Plaintiffs,

-vs- Case No. 15-CV-324

GERALD C. NICHOL, et al.,

Defendants.

=====

Deposition of:

ANDREA KAMINSKI

Madison, Wisconsin
 April 11, 2016

Reported by: Taunia Northouse, RDR, CRR, CCP

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1 DEPOSITION of ANDREA KAMINSKI, a witness of
 2 lawful age, taken on behalf of the Defendants,
 3 wherein One Wisconsin Institute, Inc., et al., are
 4 Plaintiffs, and Gerald C. Nichol, et al., are
 5 Defendants, pending in the United States District
 6 Court for the Western District of Wisconsin, pursuant
 7 to notice, before Taunia Northouse, a Registered
 8 Diplomate Reporter and Notary Public in and for the
 9 State of Wisconsin, at the offices of Perkins Coie,
 10 LLP, Attorneys at Law, One East Main Street,
 11 Suite 201, in the City of Madison, County of Dane,
 12 and State of Wisconsin, on the 11th day of April
 13 2016, commencing at 8:56 in the forenoon.
 14

15 A P P E A R A N C E S

16
 17 JOSHUA L. KAUL, Attorney
 PERKINS COIE, LLP
 One East Main Street, Suite 201, Madison, Wisconsin
 18 53703, appearing on behalf of the Plaintiffs.
 jkaul@perkinscoie.com 608-294-4007
 19
 20 BRIAN P. KEENAN, Assistant Attorney General
 STATE OF WISCONSIN DEPARTMENT OF JUSTICE
 17 West Main Street, Madison, Wisconsin, appearing
 21 on behalf of the Defendants.
 keenanbp@doj.state.wi.us 608-266-0020
 22
 23
 24
 25

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1 ANDREA KAMINSKI,
 2 called as a witness, being first duly sworn,
 3 testified on oath as follows:
 4 **EXAMINATION**
 5 By Mr. Keenan:
 6 **Q Good morning, Ms. Kaminski.**
 7 **A Good morning.**
 8 **Q My name is Brian Keenan. I'm an assistant**
 9 **attorney general, and we met before, but I'm**
 10 **representing the defendants in this case. We're**
 11 **here for your deposition. Do you understand that**
 12 **you're under oath?**
 13 **A Yes.**
 14 **Q And do you understand that means you're swearing**
 15 **that the testimony you give is true and correct to**
 16 **the best of your abilities?**
 17 **A Yes.**
 18 **Q Is there any reason why you can't give truthful**
 19 **testimony today?**
 20 **A No.**
 21 **Q Okay. Have you had your deposition taken before?**
 22 **A No.**
 23 **Q Okay. Well, I'll give you a few ground rules. I**
 24 **think the first would be to make sure that you**
 25 **understand my question. So if something is**

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1 unclear in my question or you didn't understand
 2 it, just let me know and I can try to rephrase it
 3 or the court reporter can repeat it back for you.
 4 **Does that sound good?**
 5 A Sure.
 6 Q And then try to make sure to let me complete my
 7 question and then you can start your answer, and
 8 then I'll try to let you finish your answer before
 9 I ask another question. We have a court reporter
 10 here who needs to take down all the testimony, and
 11 so we try to talk one at a time.
 12 **Mr. Kaul is here. He may interpose an**
 13 **objection to a question, but you may still have to**
 14 **answer the question. So even if he's objecting,**
 15 **please try to keep the question in mind.**
 16 **Do you understand?**
 17 A Okay.
 18 Q It might get a little confusing. If you lose
 19 track of the question, just ask the court reporter
 20 to read it back --
 21 A Okay.
 22 Q -- and she can.
 23 A Okay.
 24 Q What did you do to prepare for this deposition?
 25 A Well, I read through the declaration again, and I

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1 read through all of the attachments again
 2 yesterday, and I talked with Mr. Kaul on Friday.
 3 Q How long did you talk with Mr. Kaul for?
 4 A I don't know, 15 minutes or so.
 5 Q Okay. And what did Mr. Kaul tell you about the
 6 deposition?
 7 A He told me a lot of what you just told me, to be
 8 honest and truthful and to answer the questions.
 9 Q What is your position with the League of Women
 10 Voters?
 11 A I'm executive director of the state League of
 12 Women Voters. It's League of Women Voters of
 13 Wisconsin, Inc.
 14 Q What is the League of Women Voters of Wisconsin?
 15 A It's a nonpartisan organization that advocates for
 16 active and informed participation in government.
 17 Q And as the executive director, what are your
 18 duties?
 19 A And it is a three-level organization with
 20 national, state, and local. I'm with the state.
 21 My duties are member service. Part of my duty is
 22 to be the state lobbyist. I'm a registered
 23 lobbyist with the state legislature, fund
 24 development, media relations, board relations.
 25 It's -- with a two-person staff, it's a little of

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1 everything.
 2 Q Two-person staff. Are you one of the two people?
 3 A Actually, we've now -- we are now two full-time
 4 plus a part-time. That is just this year. And I
 5 am one of those, yes. Is that the question?
 6 Q Yes.
 7 A Okay.
 8 Q You say member service. Who are the members of
 9 the League of Women Voters of Wisconsin?
 10 A They are citizens who are concerned about
 11 government and active volunteers in their
 12 communities.
 13 Q So they're individuals who are members of the
 14 league?
 15 A Yeah, uh-huh, yes.
 16 Q And you mentioned you were a registered lobbyist
 17 with the state. What kind of things do you lobby
 18 for on behalf of the League of Women Voters?
 19 A The League -- members of the League have been
 20 studying public policy issues since its inception
 21 in 1920, and they've come to consensus on
 22 positions, everything from the good government
 23 issues, such as elections and administration of
 24 justice, to natural resources and social policy.
 25 And so I represent their positions with the state

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1 legislature.
 2 Q Have you done lobbying on behalf of positions in
 3 favor or against election law legislation?
 4 A Yes.
 5 Q And do you understand that the case that you're
 6 testifying today relates to challenging various
 7 Wisconsin election laws?
 8 A Yes.
 9 Q Do the League of Women Voters take positions on,
 10 for example, the photo ID law?
 11 A Yes.
 12 Q And what was the position of the League?
 13 A We opposed it. And we -- yeah, and we challenged
 14 it in court.
 15 Q And was that -- there's been quite a few
 16 challenges to the voter ID law. Do you recall
 17 which court that was in?
 18 A That was in state court.
 19 Q That's one that went to the Wisconsin
 20 Supreme Court eventually?
 21 A Supreme Court, uh-huh.
 22 MR. KAUL: One thing for the
 23 record, it's difficult for the court reporter
 24 to take down uh-huh or uh-uh.
 25 THE WITNESS: Okay.

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1 **MR. KAUL:** So to the best of your
 2 ability -- it's not natural, I know. So to
 3 the best of your ability, if you could say
 4 "yes" or "no," that would make it easier.
 5 **THE WITNESS:** I will do that.
 6 **Q That's good advice. I forgot to mention it in my**
 7 **intro.**
 8 **Are there any other election laws in the**
 9 **past, say, five years that the League of Women**
 10 **Voters has lobbied against that you know of?**
 11 A Yes.
 12 **Q And what are those?**
 13 A Well, let me think. Restriction of early voting
 14 hours, restrictions on voter registration.
 15 Those are the ones I can think of right off.
 16 **Q And when you say "restriction on voter**
 17 **registration," do you have particular specifics in**
 18 **mind?**
 19 A In 2011, we opposed the elimination of
 20 corroboration as a form of proof of residence and
 21 election day registration. We also in 2014
 22 opposed the documentary proof of residence law.
 23 And this past year -- well, 2015 and '16 -- we
 24 opposed the SB-295, which has put restriction --
 25 it's introduced online registration which we

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1 support, but it has put restrictions on other
 2 forms of voter registration which we oppose.
 3 **Q And that's the bill that was just passed in the**
 4 **recent months?**
 5 A Yes, yeah.
 6 **Q Has the League taken a position on -- sorry, I had**
 7 **the law in my mind and now it slipped my mind.**
 8 **I'll come back to it.**
 9 **How long have you been the executive director**
 10 **of the League of Women Voters?**
 11 A Since August of 2004.
 12 **Q And then, you mentioned that part of your job was**
 13 **board relations. Who's on the board of the League**
 14 **of Women Voters of Wisconsin?**
 15 A The board is made up of members from around the
 16 state, League members, individuals.
 17 **Q And are there elections for the board amongst the**
 18 **members?**
 19 A We bring a board slate to each annual meeting, and
 20 there's elections of part of the board each year.
 21 **Q Staggered board functions?**
 22 A Yes, thank you.
 23 **Q And then, for example, if the League wants to take**
 24 **a position on a particular voter bill that's**
 25 **before the legislature, does the board vote on**

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1 **that, or is that not something that you would do?**
 2 A The membership -- let's see. The membership
 3 studies issues. It's a very complex process or
 4 drawn out. At one annual meeting they will adopt
 5 a program, which is -- that's where they determine
 6 what they will study. We study it. We usually
 7 have a state committee of members, volunteers who
 8 lead the study. Local leagues hold meetings.
 9 They do readings. They do public forums, so they
 10 educate the public while they educate themselves.
 11 Toward the end of -- it's sometimes one year
 12 but more often two-year period -- this
 13 committee -- that central committee will ask
 14 questions that all the local leagues take and
 15 discuss. We try to figure out this way on what
 16 areas the membership generally agrees. That
 17 becomes a broad position. And we do that kind of
 18 continually updating our positions.
 19 Then when something like a piece of
 20 legislation comes up, we have a statewide
 21 committee, our legislative committee, that holds
 22 the legislation up against our position that our
 23 members have concensed on -- if that's a verb --
 24 and then determines whether we can take a position
 25 or not. So it's kind of -- the legislative

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1 committee is a committee of the board.
 2 **Q And who's on the legislative committee?**
 3 A Members from a number of locations around the
 4 state.
 5 **Q Is it like a subcommittee of the board?**
 6 A It's a committee authorized by the board.
 7 **Q But the members might not be on the full board?**
 8 A That's correct. In fact, most of them are not.
 9 **Q And is there, like, a vote of the legislative**
 10 **committee about the position the League should**
 11 **take on particular pieces of legislation?**
 12 A There's often a vote. Other times it's just
 13 general consensus.
 14 **Q I remembered the law I was going to ask you about.**
 15 **There was a law that ended statewide registration**
 16 **deputies.**
 17 A Oh, yes.
 18 **Q Did the League take a position on that?**
 19 A Yes. I forgot that.
 20 **Q What was the position?**
 21 A We opposed that.
 22 **Q When the legislative committee takes an action to**
 23 **take a position on a piece of legislation, is**
 24 **there some sort of document or report that's**
 25 **generated to memorialize that?**

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1 A Well, there are the minutes of the meeting and
2 then -- which we send out to local leagues, you
3 know, local presidents and the board and so forth.
4 There's -- then if we decide to act on the
5 position, we write a statement. Usually one of
6 the legislative committee members will draft it,
7 and then I finish it up, and that goes to the
8 legislature.
9 **Q Those are public documents, right, that would be**
10 **available?**
11 A Yes. And those are available, yeah. They're on
12 our website for the most part unless we forget to
13 put them up. But they're also in the legislature,
14 so they're publicly available.
15 **Q And in addition to that document that's sent to**
16 **the legislature, do you and the lobbyist for the**
17 **League submit any other sort of documentation to**
18 **the legislature on these pieces of legislation?**
19 A I go and testify sometimes, but my testimony is
20 usually a matter of reading our position and then
21 answering questions.
22 **Q Prior to you becoming the executive director in**
23 **2004, what did you do?**
24 A I was working for Meriter Foundation raising money
25 for community health projects for two years.

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1 **Q Were you a member of the League of Women Voters**
2 **prior to working for the League?**
3 A No, I was not.
4 **Q Maybe we should just mark this. You mentioned a**
5 **declaration that you submitted in support of the**
6 **plaintiffs, and we'll mark that as Kaminski**
7 **Exhibit 1.**
8 **(Exhibit No. 1 marked for**
9 **identification)**
10 **Q First just tell me if you recognize this document**
11 **that's been marked as Exhibit 1.**
12 A Yes, I do.
13 **Q And what is this document?**
14 A This is the declaration submitted in my name in
15 support of plaintiffs in this case.
16 **Q I just wanted to focus on paragraph 3 here to**
17 **start out with.**
18 A Uh-huh.
19 **Q You mention that you served on the Madison**
20 **Election Advisory Committee. What is the Madison**
21 **Election Advisory Committee?**
22 A That is a committee under the mayor's office.
23 Actually, it no longer exists as I understand it,
24 but it was a committee under the mayor's office
25 convened to look at election issues and offer

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1 advice and so forth to the city clerk.
2 **Q Do you recall any advice that the committee gave**
3 **to the city clerk to approve election**
4 **administration in Madison?**
5 A Oh, things that we talked about were what to do
6 about the fact that -- let's see -- that many
7 absentee balance lots would come back and the
8 person hadn't signed the outside or gotten it
9 witnessed or something like that, so putting
10 instructions in with the absentee ballot when it's
11 mailed from the clerk's office to the individual
12 to help them with a reminder saying "X percent are
13 not counted." So it was that kind of thing to
14 improve election service, talking about siting
15 of -- some of the questions about siting polling
16 places. It was very much an advisory committee.
17 **Q And it's your understanding that election**
18 **administration in Wisconsin occurs on the local**
19 **level like at the city of Madison?**
20 A Yes, I understand that.
21 **Q And you also say that you served on the Wisconsin**
22 **Election Administration Council since 2008.**
23 **What's the Wisconsin Election Administration**
24 **Council?**
25 A That was -- it was convened by the GAB, the

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1 Government Accountability Board, again as an
2 advisory committee or council of some sort that
3 included local clerks, advocates like me. I
4 believe that was pretty much it. It was clerks
5 and advocates and representatives, also advocates,
6 representatives of disabilities groups.
7 **Q And do you recall any particular advice that that**
8 **committee provided to the GAB?**
9 A Advice? There was an election plan that the
10 committee contributed to. And that was -- it
11 offered general advice about election
12 administration.
13 **Q The affidavit -- or is it a declaration --**
14 **declaration also talks about some election reports**
15 **that the League has generated --**
16 A Yes.
17 **Q -- over the past few years. Could you describe**
18 **the League's process for generating those election**
19 **reports?**
20 A Yes. The election reports that were attached to
21 the declaration were reports from our Election
22 Observer Corps or Election Observer Program. That
23 was something that we started in 2010. And then
24 we continued it in -- we have continued it in
25 larger elections right through this past week,

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1 last week. And we recruit League members and
2 others to be citizen observers, lay observers, go
3 to the polls. And we train them through webinar.
4 We train them on the rules for election observers
5 and new things that -- new things -- procedures at
6 the polls and issues that we'd like them to
7 follow. And they go and then they generate lots
8 of -- they generate a written report from each
9 poll, which we then process and tally when we get
10 them in. They have some numbers, also anecdotes.
11 And then we -- from that, we write a report
12 which we share with election officials. We have
13 also shared them with the legislature at times.
14 We've testified based on those reports.
15 **Q And I believe you said it started in 2010?**
16 A Yes.
17 **Q Was the first election for which a report was**
18 **generated the November 2010 elections?**
19 A I would have to check. It was not attached here.
20 That was kind of a pilot program in 2010, and then
21 we ramped it up in 2011.
22 **Q The first report I see that was attached was from**
23 **2011.**
24 A Yeah. And I don't know if we had a final report
25 from 2010. We were finding our way.

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1 **Q And you mentioned that you recruit League members**
2 **and others. What does someone have to do to**
3 **become one of the League's poll observers?**
4 A They need to sign up. They need to commit to the
5 training. And we tell them that while they are in
6 the polls they have to follow the rules for
7 election observers and no electioneering in the
8 polling place and no disrupting the polling, the
9 voting process and so forth. And then we also ask
10 them to submit a report.
11 **Q You mentioned the training a couple times and you**
12 **mentioned a webinar training?**
13 A Uh-huh.
14 **Q What specific training do the individuals undergo?**
15 A They participant in a webinar, and it's -- and as
16 I said, it goes through the rules for election
17 observers, and we take some time at that, and also
18 informs them that they are there to be observers
19 first, to document. If they see something that is
20 of concern, they have phone numbers they can call,
21 and those would be to either us or -- us being
22 either me in the state office or a volunteer in
23 Milwaukee, or they can call the Election
24 Protection Hotline.
25 And the Election Protection numbers, which

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1 is -- Election Protection, as you may know, is a
2 coalition of groups that we work with that have
3 lawyers trained in Wisconsin election law.
4 **Q How long is the webinar that the trainees have to**
5 **watch?**
6 A It runs an hour and a quarter to -- roughly an
7 hour and a quarter.
8 **Q And then what type of events are the observers**
9 **supposed to document in the reports?**
10 A They document lines if there are lines, if it ever
11 gets longer than ten people, and what does the
12 chief inspector do about it when that happens.
13 They document what the -- the professionalism of
14 the election officials. Are they there -- are
15 they helpful? Are they not joking amongst
16 themselves while administering an election? They
17 document whether -- if there's anybody who is
18 turned away from registration, voter registration,
19 or from voting, they document what the reason is.
20 They are instructed to speak first if there's a
21 concern -- to speak first to the chief inspector.
22 And if that does not resolve the issue, then they
23 either call somebody with the League or the
24 lawyers.
25 **Q And by the lawyers you mean the Wisconsin**

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1 **Election Protection --**
2 A Yes, yes.
3 **Q And then, I notice in the reports that there were**
4 **some observers who would stay in one location and**
5 **others seemed to move around. Could you explain**
6 **what location observers go to?**
7 A It's -- there's not a simple formula for
8 determining where they go. If there has been any
9 issue that we've heard about, we will send them to
10 a particular location where we've heard about an
11 issue. We tend to send them to student locations
12 because there's a lot of new voters at student
13 locations, and we want to know what happens there.
14 That's the main thing.
15 Sometimes people will ask us. They're
16 volunteers, and sometimes they will ask us, you
17 know, if they can go to a particular location.
18 Otherwise, if they're what we call rovers, the
19 ones who go to more than one location, we try to
20 do it so they don't have to waste too many miles
21 in their car.
22 **Q If someone is at just one location throughout the**
23 **day, how long -- would they be there for the whole**
24 **day or just part of the day?**
25 A We ask them to be there for half of the election

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1 day. And the election day is what, 13 hours. So
 2 we ask them to be there for that. But again,
 3 they're volunteers, and we're grateful for
 4 whatever period of time they can give it.

5 **Q And you mentioned if there have been reports of**
 6 **issues, you sent an observer to that location. Is**
 7 **that reports from prior elections that there are**
 8 **locations and then an observer will be sent in**
 9 **that election?**

10 A Yes, yeah.

11 **Q Do the observers also respond the same day that**
 12 **there's issues at a particular location?**

13 A Yes. And we will sometimes -- if we hear about
 14 something at a particular location, we'll call one
 15 of our roving observers and ask them to go take a
 16 look and see what's up.

17 **Q You mentioned rovers. So can you just explain**
 18 **what the rovers are?**

19 A Those are roving observers. We call them roving
 20 observers or rovers, and then we have the site
 21 observers.

22 **Q And the roving observers, how many different**
 23 **polling locations would they be responsible for**
 24 **going to in a day?**

25 A Yeah, in the elections -- reports that were

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1 attached here, we would ask them to go to five or
 2 six.

3 **Q And then how long would they spend at each site?**

4 A In those locations we ask them to spend at least
 5 15 minutes and then maybe circle back, or to spend
 6 a half hour, 45 minutes. Sometimes if what they
 7 saw was -- if they saw any problems at the place,
 8 they'll stay there for a while longer.

9 **Q And you mentioned that the inspectors are supposed**
 10 **to speak with the -- was it the chief inspector;**
 11 **is that correct?**

12 A First, yes, yes.

13 **Q And what's your understanding of who the chief**
 14 **inspector is?**

15 A The chief inspector is the poll worker who is
 16 managing the site, has been authorized by the
 17 clerk -- by the municipal clerk to manage the site
 18 or supervise it. I think that's a better word.

19 **Q Sure. Why do you train your observers to go to**
 20 **the chief inspector first?**

21 A Well, the observer rules from the GAB -- which the
 22 League took part in helping advise as they were
 23 drafting those -- they instruct observers to speak
 24 only to the chief inspector, not to other poll
 25 workers, not to the voters. And this is to

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1 maintain order and an orderly voting process.

2 **Q And is it your understanding that the chief**
 3 **inspector might be able to resolve situations that**
 4 **might arise at the polling place?**

5 A Yes. And in many cases they do. When the
 6 observer will point something out, the chief
 7 inspector sometimes will go and look it up and,
 8 "Oh, that's right." And they will correct the
 9 problem.

10 **Q I believe you mentioned at the end of the day the**
 11 **observer is supposed to submit a written report to**
 12 **the League; is that correct?**

13 A Yes.

14 **Q And then what is contained in those reports?**

15 A In those reports we ask them questions about the
 16 polling place setup. Actually, I didn't mention
 17 that earlier, that that's one of the things we ask
 18 them to look for, polling place setup. Is it set
 19 up with clear signage that people can actually see
 20 rather than in front of a table where there might
 21 be a line that would obscure it? Do they -- is
 22 there enough room for the voters? Are people
 23 basically comfortable in the site? Are the
 24 observers where they're supposed to be?
 25 Generally they're supposed to be -- now it's

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1 three -- there's another law that we oppose,
 2 having the observers three feet away from election
 3 workers. But they're supposed to be three to
 4 eight feet from election workers. And so we ask,
 5 "Is that done?" And I think that's a law that
 6 says if practicable, depending on the site.

7 So we ask them, "Are the touch screen
 8 machines set up and are they set up in such a way
 9 that voters can vote privately?" That was one
 10 that we saw a lot of problem with in 2012.

11 We ask them, "Are the poll workers helpful
 12 and professional?" And we ask them then to
 13 document -- well, we ask them to document the
 14 lines, if the lines ever exceed a certain length
 15 and what is done about it, how it's handled by the
 16 chief inspector.

17 And we ask them also to document any voter
 18 who is turned away either from voter registration
 19 or voting what the reason was and -- yeah.

20 **Q So each and every voter that was turned away from**
 21 **either voting or registering should be included in**
 22 **the report the observer sends to the League?**

23 A Not necessarily the name and address or anything
 24 like that, but the -- what was the reason somebody
 25 was turned away.

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1 If they are turned away and the observer
 2 thinks that they shouldn't have been, then we ask
 3 them to follow them outside and provide their name
 4 and number if they're comfortable with that.
 5 **Q The three- to seven-foot law that you mentioned --**
 6 **A Three to eight, yeah.**
 7 **Q -- three to eight, what's your understanding as to**
 8 **how -- as to where observers can stand at a**
 9 **polling location?**
 10 **A They are supposed to be given an area that is**
 11 **three to eight feet away from the workers.**
 12 **Q Is it your understanding that the chief inspector**
 13 **in each polling location would determine where**
 14 **that location is?**
 15 **A Yes.**
 16 **Q So it wouldn't necessarily be three feet at every**
 17 **location?**
 18 **A That's correct. That's right. It could be eight**
 19 **feet.**
 20 **Q After the individual observers submit all their**
 21 **reports to the League, what does the League do in**
 22 **terms of compiling all those individual reports**
 23 **into the main report?**
 24 **A They are written reports. And some people write a**
 25 **lot, and the -- we have somebody go through, and**

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1 we have either a temp do it or one of our people,
 2 and enter it into a -- into a big spreadsheet
 3 basically. And then we have individuals -- a
 4 couple of individuals, a volunteer and I go
 5 through -- usually we look at every written
 6 report. In addition, we look at that spreadsheet.
 7 And then we make our report from there.
 8 **Q And are you one of the people that looks at that**
 9 **spreadsheet and then writes the report?**
 10 **A I have not been yet. I've been -- I have looked**
 11 **at every report as it comes in generally, but I**
 12 **don't take the first pass at writing the report,**
 13 **no.**
 14 **Q Who specifically does it -- has done that?**
 15 **A That so far has been Carolyn Castore from**
 16 **Milwaukee, a volunteer. Well, she's been a**
 17 **volunteer. She's also been a consultant for us.**
 18 **Q You say consultant. What does that mean?**
 19 **A That we've paid her.**
 20 **Q But just on a temporary basis?**
 21 **A Yeah. Do you need spelling of that name?**
 22 **Q Yeah, sure.**
 23 **A All right. It's Carolyn with a Y-N and Castore**
 24 **with an E at the end, C-A-S-T-O-R-E.**
 25 **Q Hopefully I can read my notes.**

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1 **MR. KAUL:** We'll have a transcript.
 2 **Q Have you personally served as one of the election**
 3 **observers for the League?**
 4 **A I have not.**
 5 **MR. KEENAN:** Let's mark as
 6 Exhibit 2 --
 7 (Exhibit No. 2 marked for
 8 identification)
 9 **Q I show you what's been marked as Exhibit 2 --**
 10 **A Yes.**
 11 **Q -- which also was marked as Exhibit A to your**
 12 **declaration. We'll call it Exhibit 2 for here.**
 13 **A Sure.**
 14 **Q Could you identify what this document is.**
 15 **A This is a report from our Election Observer**
 16 **Program, and it must have been in the August --**
 17 **yeah, August 2011 recall elections. They were**
 18 **Senate -- State Senate recall elections.**
 19 **Q And I see the first paragraph it says that this**
 20 **was submitted by volunteers from 94 polling**
 21 **locations; is that correct?**
 22 **A Yes.**
 23 **Q And is this the first Election Observer Program**
 24 **report that the League compiled?**
 25 **A To my knowledge, yes.**

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1 **Q If we can go to the second page and there's a**
 2 **heading in the middle that's titled "Findings"**
 3 **--**
 4 **A Yes.**
 5 **Q -- and a subheading that says "Voter**
 6 **Registration." I just wanted to ask you about**
 7 **this first sentence. It says, "At nearly half of**
 8 **the locations people were turned away when**
 9 **attempting to register to vote, due to lack of**
 10 **residency documentation."**
 11 **A Uh-huh.**
 12 **Q Would that be nearly half of the 94 polling**
 13 **locations?**
 14 **A Yes.**
 15 **Q And would a polling location count towards that**
 16 **number if they had just one voter turned away due**
 17 **to lack of residency documentation?**
 18 **A Yes.**
 19 **Q And then would someone be counted who showed up**
 20 **without documentation, was turned away but**
 21 **actually did have a document that would qualify at**
 22 **home?**
 23 **A Yes.**
 24 **Q So this number includes people who showed up at**
 25 **the polling place and then were denied**

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1 registration because they didn't have a document?
 2 A That's correct.
 3 Q So we don't know for sure whether they could
 4 obtain such a document or had one and just forgot
 5 to bring it to the location?
 6 A That's right.
 7 Q And then further on a couple sentences it says,
 8 "In 17 percent of the locations, at least one
 9 person was turned away due to not meeting the new
 10 28-day residence requirement."
 11 A Correct.
 12 Q Reminds me -- is that -- there was a change from
 13 10-day residency to 28-day residency. Did the
 14 League take a position on that?
 15 A Yes. We opposed that one too.
 16 Q And again, so that 17 percent would be 17 percent
 17 of the 94?
 18 A Yes.
 19 Q And then continuing on it says, "16 percent of
 20 locations had at least one individual registering
 21 without a state-issued ID."
 22 Would you explain what that means.
 23 A Well, in order to register you have to provide the
 24 number from a state driver's license or state ID
 25 card if you have one. If you don't have one, you

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1 can still register using the last four digits of
 2 your Social Security number, or even without that
 3 if you have none of the above. So this would be
 4 in 16 percent of the locations at least somebody
 5 didn't have that driver's license or state ID.
 6 Q At this point in time, the voter ID law was not in
 7 effect; is that correct?
 8 A It was -- I believe the soft implementation -- is
 9 that what --
 10 Q Yes, down in the fourth paragraph.
 11 A Yes, okay. That was the soft implementation. It
 12 was not required to have a photo ID, but it was --
 13 but election officials were asking to see it.
 14 Q And so what this means is that 16 percent of those
 15 94 locations there was at least one person who
 16 registered but didn't have that DOT license or ID
 17 number?
 18 A That's what this means, yes.
 19 Q And just from looking at pages 2 and then on to 3
 20 about showing IDs, there's a subheading. Just to
 21 be clear, this was a soft roll-out where poll
 22 workers were asking to see the ID but it wasn't
 23 actually required to vote?
 24 A That's correct, uh-huh.
 25 Q Sorry, I'm just rereading through the report.

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1 A That's fine.
 2 Q There's some things I'm going to ask, some things
 3 I'm going to just skip over.
 4 There's a section -- so it starts on page 3
 5 and continues on to page 4 about Long Lines?
 6 A Yes.
 7 Q Then on page 4 there's a number of bullets about
 8 ways to cope with long lines?
 9 A Yes.
 10 Q And one is splitting the books. Can you just
 11 explain what that means.
 12 A The poll book, when you first walk in to vote,
 13 your name is in -- if you're registered in that
 14 location, your name is in the poll book, so that's
 15 the book that you see when you first walk in. To
 16 split the poll books means to have one line with
 17 last names that begin A through M and the other in
 18 another line N through Z. And that just moves
 19 things along.
 20 Q So it would be like when I just went to vote, if
 21 there was a line for G through M or something like
 22 that that I had to go in?
 23 A That's right, yes.
 24 Q And then who decides whether to split the books
 25 and how to do that?

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1 A That would be the chief inspector who has that
 2 authority, uh-huh.
 3 Q And going to page 5, these are the recommendations
 4 that the League made, and there's one subtitle
 5 that says "Reducing length of lines."
 6 A Yes.
 7 Q Would those bullet points be something that the
 8 local officials would need to do in order to
 9 reduce the lines?
 10 A The first one is. The second one is to my
 11 knowledge. I'm sure there is something in the
 12 law -- speaking to the second bullet point, I'm
 13 sure there's something in the law that addresses
 14 signage in the polling place, but it is the local
 15 clerks who make the decision about exactly what
 16 those signs will look like and where they will be
 17 posted.
 18 And the third one also is a local clerk
 19 decision. I'm not sure if that's a clerk or --
 20 actually a clerk or a chief inspector decision,
 21 but it's made at the local level.
 22 Q Put Exhibit 2 to the side. We'll mark as the next
 23 document Exhibit 3.
 24 (Exhibit No. 3 marked for
 25 identification)

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1 Q I put before you what's been marked as Exhibit 3,
2 but it has a title page of Exhibit B on it.
3 A All right.
4 Q Could you identify this document for me?
5 A This is an Election Observer Report, a final
6 report, from the June 5th, 2012, recall --
7 statewide recall election.
8 Q And this was the recall of Governor Walker; is
9 that correct?
10 A Yes.
11 Q I take it that you attached to your declaration
12 all of the election reports that were in existence
13 at the time you filed the declaration? I guess
14 what I'm getting at, was there an election report
15 that was between the August 2011 and then this
16 June 2012 report?
17 A Well, let's see. We had a lot of elections during
18 that period, but there would have been no fall
19 election in 2011. I believe this would have been
20 the next one because we were not doing it in the
21 spring at that time.
22 Q And if -- looking at the first page, it's like the
23 second paragraph, it says -- I'll just say "the
24 League" instead of that acronym there -- "The
25 League recruited and trained two groups of

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1 election observers, for a total of 152 observers."
2 So is it your understanding there was 152
3 observers under the League for this June 2012
4 election?
5 A That's right.
6 Q And then, we had talked previously but it says
7 here there are site observers and then roving
8 observers?
9 A Correct.
10 Q So what you testified previously would apply to
11 the site observers and the roving observers?
12 A Yes.
13 Q And it says you received reports about 421 polling
14 sites. So is it your understanding there were 421
15 polling sites covered by the observers in this
16 election?
17 A Yes.
18 Q And it says you did see some improvements since --
19 from the April election, I guess it's the April of
20 2012 election? I'm looking at the Overview
21 section, first paragraph.
22 A That's right. In the last one we talked about,
23 that was August of 2011, the requirement to sign
24 the poll books was new, and there was some
25 confusion about what to do for people who weren't

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1 able to sign it. And the poll workers themselves
2 were not sure what to do in that case. And that
3 seemed to have been cleared up.
4 Q Has it been the League's experience with the new
5 laws that are passed and that are in place for the
6 first time in an election, that there were some
7 problems in that first election, but eventually
8 they worked themselves out as people become more
9 familiar with the law?
10 A It helps to have very good training of election
11 officials. And some -- some issues such as
12 signing the poll book, that has been worked out at
13 least to the extent that the poll workers now know
14 that if somebody can't physically sign it, they're
15 exempt and the poll worker doesn't have to take
16 their hand, as in some cases they did, and try to
17 get them to sign it.
18 However, there are other laws that have
19 changed that have not been "worked out" in that
20 way where, for instance, eliminating corroboration
21 as a proof of residence, that simply has made it
22 harder for voters to prove residence and to
23 register to vote.
24 Q Going down to the next paragraph, it talks about
25 some wards in Milwaukee that have problems with

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1 parking.
2 A Yes.
3 Q What's your understanding as to who picks where
4 the wards are going to be in the city of
5 Milwaukee?
6 A In the city of Milwaukee, I think it's the
7 Milwaukee Election Commission. It's generally a
8 local -- it's generally the local clerk. For
9 instance, here in Madison it's the local clerk.
10 Q So if there's a problem that a ward doesn't have
11 enough parking space, that's something that the
12 City of Milwaukee Election Commission would have
13 to take into account and possibly change that
14 location?
15 A That's correct.
16 Q All right. Going to page 2, Voter Registration
17 Issues is the heading, and it's correct that a
18 number of your observers noted that polling
19 locations were setting records for election day
20 registrations in this election?
21 A Okay.
22 Q Is that true, that statement there?
23 A Where is that?
24 Q The second sentence in the first paragraph.
25 A I'm sorry. Yes.

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1 **Q Going on to the first bold subheading, I guess,**
2 **about "registrars were not clear about what**
3 **constituted an acceptable documentation for proof**
4 **of residency," are these just issues of local**
5 **election officials not being clear as to what's**
6 **required by state law?**
7 A This was a combination of new requirements by
8 state law that made it more difficult to prove
9 residency, and at the same time the local election
10 officials had not been trained well enough to know
11 what was acceptable and what was not.
12 **Q When you say "hadn't been trained," by whom?**
13 A Well, the local election -- the people who you see
14 in the polling place are trained by the local
15 clerk. The clerks receive guidance from the
16 Government Accountability Board. And that is a
17 critical step.
18 **Q The critical step is the clerks receiving guidance**
19 **from the GAB?**
20 A That is one critical step, and the other is the
21 other critical step.
22 **Q They're both critical steps?**
23 A For clerks they only -- elections are part of
24 their duties, and they need a strong central state
25 agency to train them.

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1 **Q Just looking at some of these examples, it says --**
2 **the second sentence, "At another site, in**
3 **Dane County, a registrar would not accept a**
4 **current Wisconsin driver's license with a correct**
5 **address and required an additional proof of**
6 **residency." Is this incident noted in the report**
7 **because the Wisconsin driver's license with the**
8 **correct address should have been accepted as**
9 **adequate proof of residency?**
10 A That's right, yes.
11 **Q So in this instance, the local registrar was**
12 **improperly applying the state law?**
13 A The local registrar thought that they needed the
14 driver's license and something else as additional
15 proof of residency.
16 **Q Going down to the next -- it's the third paragraph**
17 **in this subheading.**
18 A Okay.
19 **Q It says, "In another instance in a suburb of**
20 **Milwaukee, a person left the polls before**
21 **registering, having been told that if he used his**
22 **bank account as proof of residency, the account**
23 **number would be made public."**
24 **Is it your understanding that that was an**
25 **incorrect statement of the law, that the account**

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1 **number should not be made public if it's used to**
2 **register?**
3 A The account number -- let's see. Under law, the
4 account number would not be made public, and so
5 that would be an incorrect statement.
6 **Q Correct. And so the poll worker in this suburb**
7 **was incorrectly stating the law to this potential**
8 **voter?**
9 A That's right.
10 **Q And continuing on in that next sentence talking**
11 **about a registrar in Outagamie County "insisted on**
12 **looking at a photo ID to verify the identity of**
13 **each person registering," is it your understanding**
14 **that this was also an incorrect application of the**
15 **law, that registrars were not supposed to be**
16 **looking at those IDs?**
17 A That's right.
18 **Q Moving down to the next paragraph, it talks about**
19 **polling sites being particularly vigilant about**
20 **college students. Previously you had talked about**
21 **how you sent observers to student locations. I**
22 **just want to be clear. Does that mean the college**
23 **student locations?**
24 A Yes, that's correct. It would be college areas.
25 **Q It would be wards that are located around**

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1 **universities?**
2 A Either on campus or near, uh-huh.
3 **Q And it says, "At some sites in La Crosse,**
4 **Milwaukee, and Racine, there were a number of**
5 **challenges to young people being able to**
6 **register."**
7 **What do you mean by challenges to young**
8 **people being able to register?**
9 A That was -- the challenges would have come from
10 observers in the polling place. And the observer
11 was challenging whether the student -- whether the
12 young person was qualified.
13 **Q And that's whether they meet the qualifications of**
14 **a Wisconsin voter?**
15 A That's correct.
16 **Q And do you know, like, what proportion of these**
17 **challenges were successful, I guess, in the sense**
18 **of blocking someone from being able to vote?**
19 A That, I don't know.
20 **Q You said the League did not see those problems in**
21 **Madison or Green Bay though?**
22 A Correct.
23 **Q The subheading that's titled "Fourth," look at**
24 **that one talking about election observers who**
25 **intimidate voters. What's your understanding of a**

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1 **chief inspector's authority to police, so to**
 2 **speak, observers who might be trying to intimidate**
 3 **voters?**
 4 A It is the duty of the chief inspector to maintain
 5 order and to be sure that voters are not being
 6 intimidated or the voting process disrupted. The
 7 chief has the authority to speak to the observer,
 8 give them a notice, also has the authority just to
 9 eject them. And if they don't leave, the chief
 10 has the authority to call law enforcement.
 11 Q **And then -- and in this -- the first sentence here**
 12 **it says, "Particularly if a site had a new or**
 13 **uncertain chief inspector, observers were allowed**
 14 **to exert a great deal of influence on the**
 15 **process."**
 16 **What was the connection between being a new**
 17 **or uncertain chief inspector and intimidation?**
 18 A Well, it seemed that the chief's managerial skills
 19 made a difference, that if they were uncertain
 20 what to do with this individual who was disrupting
 21 the process, they would let it go a little bit
 22 longer than it should have. If they knew that
 23 they had the authority to eject the person, they
 24 would do so or they would call the police.
 25 Q **And then in the last sentence it says, "In Racine,**

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1 **Milwaukee, and La Crosse, some people left the**
 2 **polling place without voting."**
 3 **Do you know how many people left those**
 4 **polling places without voting due to the**
 5 **intimidation?**
 6 A We don't.
 7 Q **Do you have an estimate of that?**
 8 A I don't at this point.
 9 Q **Going into the fifth topic here about using**
 10 **corroboration as proof of residence, I believe you**
 11 **testified that every instance in which a voter was**
 12 **denied registration should be included on the**
 13 **observer's report; is that correct?**
 14 A It should be -- yeah. We ask them to capture
 15 that, yes.
 16 Q **So all of the reports that each observer submitted**
 17 **should include every instance that a person was**
 18 **denied the right to register because they couldn't**
 19 **use corroboration?**
 20 A For whatever reason, yes. In that case, they
 21 would have -- the way we ask them to document this
 22 is using little cross-hatch sorts of things, you
 23 know. And so they count how many people are
 24 turned away. And then we ask them -- we ask them
 25 to put it in a column or in a row that has the

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1 reason.
 2 In this case, the reason would have been that
 3 they didn't have proof of residence. However, the
 4 observer in this case must have documented that
 5 corroboration would have made a difference.
 6 In some cases, it was clear that people in
 7 the polling place knew the individual or it was an
 8 18-year-old who came in with his mother. She
 9 could have in the past corroborated his residence
 10 but couldn't.
 11 Q **And then, do you know how many people the League**
 12 **observers noted that couldn't register because**
 13 **they didn't have a documentary proof of residence?**
 14 A In this case, I don't. I don't know and I don't
 15 recall.
 16 Q **And it says in the last sentence in the first**
 17 **paragraph there, it says, "There were a number of**
 18 **reports from around the state about individuals**
 19 **who did not have adequate documentation."**
 20 **So you don't know the actual numbers?**
 21 A Numbers, no, we don't. I don't now at any rate.
 22 Q **Put that one aside.**
 23 **MR. KEENAN:** Maybe we could just
 24 take a break then.
 25 (Recess)

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1 (Exhibit No. 4 marked for
 2 identification)
 3 **MR. KEENAN:** We can go back on the
 4 record.
 5 By Mr. Keenan: (Continuing)
 6 Q **Back on the record, and I'll put before you what's**
 7 **been marked as Exhibit 4.**
 8 A Thank you.
 9 Q **Could you identify this document.**
 10 A This is the -- it's actually the Wisconsin
 11 Election Protection final report from the 2012
 12 presidential election in November 2012. The
 13 League was -- we've always worked side-by-side
 14 with Wisconsin Election Protection. In this
 15 particular election, they took the lead on the
 16 report.
 17 Q **And I believe this was actually Exhibit, maybe, D**
 18 **to your declaration?**
 19 A Okay.
 20 Q **But I'm taking it out of order to go in**
 21 **chronological order here.**
 22 A Okay.
 23 Q **So we last looked at a report in Exhibit 3 that**
 24 **was from the June 2012 recall election.**
 25 A Yes.

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1 Q Now we're at the November 2012 general election.
 2 Were there any reports of the League issued about
 3 elections between these two documents?
 4 A No, there were not.
 5 Q Could you explain how the generation of this
 6 report, given that it was done in conjunction with
 7 the Wisconsin Election Protection, differed from
 8 the process we talked about earlier for the League
 9 reports?
 10 A Yes. The folks with Wisconsin Election Protection
 11 who are named at the end -- I think, yes -- took
 12 the lead on writing this report. We did write up
 13 our own findings and submit them to these folks,
 14 the Election Protection folks. And then we took
 15 the lead on writing this document.
 16 Q Did you personally have any role in drafting this
 17 report?
 18 A Only in that -- let's see, in that I helped write
 19 our report which we submitted to them. And then I
 20 did have -- I did have some approval ability, at
 21 least approving what related to the League.
 22 Q And now broadening that question a little more
 23 generally, did anyone else from the League have a
 24 role in this report?
 25 A Carolyn Castore had a role similar to mine.

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1 Q And was she the only other person from the League
 2 other than yourself?
 3 A I believe so, yeah -- yes.
 4 Q And just going to the fourth page, I believe,
 5 page 4 on the bottom, General Findings --
 6 A Okay.
 7 Q -- the first sentence says, "The key take-away
 8 from the 2012 presidential election is that most
 9 polling sites across the state correctly and
 10 efficiently administered a high turnout election."
 11 Do you consider that to be a true statement?
 12 A Yes. We are very impressed with local and state
 13 election officials and their ability.
 14 Q And you would consider that the 2012
 15 November election was a high turnout election?
 16 A Yes.
 17 Q And then the last sentence of that paragraph says,
 18 "Where problems were seen they appeared to be site
 19 specific rather than a result of a generalized
 20 inability of the system to handle massive
 21 turnout."
 22 Do you also agree that's a true statement?
 23 A Yes. And that was with regard to election
 24 administration, actually administering the
 25 election.

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1 Q If you go to page 14, there's a page that's titled
 2 "Access to Voting," and there's a subheading
 3 "Registration Issues." Looking at the second
 4 paragraph, it says, "It is absolutely clear that
 5 registration went far more smoothly in this
 6 election than it did in the June recall elections,
 7 and in many prior elections."
 8 Do you consider that to be a true statement?
 9 A Administration of the registration at the polls
 10 did go more smoothly, yes.
 11 Q And do you agree that some of the reasons for that
 12 was that the additional time for training updates
 13 from the GAB, voter education, combined to make
 14 same-day registration relatively smooth statewide?
 15 A Yes. Between the June election and the
 16 November election, the GAB engaged in a -- or led
 17 a back-to-basics training program for local
 18 election officials, and that made a huge
 19 difference on those matters where election
 20 official training was the key.
 21 Q And then going to the next subheading it says
 22 "Issues Relating to Residency Documentation,"
 23 there's a mention here about the GAB decision to
 24 permit the use of electronic proof of residence.
 25 And it's your understanding that it is acceptable

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1 for a voter to show a proof-of-residence document
 2 in electronic form?
 3 A Yes, that's correct, uh-huh.
 4 Q And that would be something that the League of
 5 Women Voters supports; correct?
 6 A Yes.
 7 Q And then it says there's -- starting on page 14
 8 and continuing on to page 15, there's a bullet
 9 point list of some people who were prevented from
 10 voting based on the documentary proof of
 11 residence. Do you see that?
 12 A Yes.
 13 Q And, for example, the first bullet point says, "At
 14 Hayward City Hall, a woman could not vote because
 15 all of her correspondence, including that with
 16 government agencies, goes to a Post Office box
 17 and her ID, though current, continues to show her
 18 old address." And then there's several other
 19 bullet points.
 20 Do you know how many people across the state
 21 were prevented from voting based on the
 22 elimination of corroboration?
 23 A I don't know a number, and -- I don't know a total
 24 number. Our observers were only in a portion of
 25 the polling places and only for part of the time.

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1 So I don't know the number.
 2 I do know that our members up north
 3 especially say that they are being encouraged by
 4 government officials -- local government officials
 5 to use post office boxes because of the difficulty
 6 of delivering mail in the winter. And so that is
 7 a problem.
 8 **Q And there's six bullet points here of voters who**
 9 **were prevented from voting based on the**
 10 **documentary proof of residence requirement. Do**
 11 **you know, were there other voters who observers**
 12 **saw were denied the right to vote based on the**
 13 **documentary proof of residence that aren't**
 14 **included among these six bullet points?**
 15 A Yes.
 16 **Q And do you know how many?**
 17 A I don't know how many. We pulled some examples
 18 out.
 19 **Q Continuing on to the next kind of subheading on**
 20 **page 15 there, which is followed by some bullet**
 21 **points, it talks about "reports of improper**
 22 **rejection of proper residency documentation." Do**
 23 **you see that?**
 24 A Yes.
 25 **Q So if I understand correctly, the voters that are**

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1 **referenced in the bullet points on page 15 and**
 2 **then continuing on through most of page 16, are**
 3 **individuals who did have proper residency**
 4 **documentation under the law but were incorrectly**
 5 **rejected by the local poll worker; is that**
 6 **correct?**
 7 A Yes.
 8 **Q So is that something that the League believes**
 9 **could be fixed with better training of those poll**
 10 **workers?**
 11 A If they -- if they had something that was -- that
 12 could have been counted or that should have been
 13 acceptable, then yes, that would have helped to
 14 have better training. In cases where they did not
 15 have something that was acceptable, a
 16 documentation that was acceptable, then in the
 17 past corroboration might have helped.
 18 **Q And then if an observer sees a documentary proof**
 19 **of residence being rejected that they think is**
 20 **actually appropriate, what are they supposed to**
 21 **do?**
 22 A They are supposed to speak first to the chief
 23 inspector, and if that does not resolve the
 24 issue -- and often it does -- the chief inspector
 25 is able to just tell the registrar. But if that

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1 does not resolve the issue, then they step outside
 2 the polling place and contact the lawyers, the
 3 Election Protection lawyers.
 4 **Q Sure. And does the observer then try to see if**
 5 **that voter does have a document that might satisfy**
 6 **the state law back at home that they could bring**
 7 **back with them?**
 8 A If the individual leaves -- once the individual
 9 leaves and they haven't voted, then the poll
 10 worker -- I mean the observer, if they're able to,
 11 can follow behind and offer assistance or get
 12 their name and number.
 13 **Q And then the Election Protection lawyers, are they**
 14 **also trained to work with a voter to come up with**
 15 **a proper form of documentation?**
 16 A I believe so.
 17 **Q And I see on page 16 going onto 17, there's a**
 18 **bullet point that shows an example of a man who**
 19 **came to the polls without proof of residence. The**
 20 **poll worker discussed options with him and then**
 21 **the man went home and returned later with an**
 22 **appropriate document. Do you see that?**
 23 A Yes.
 24 **Q And so does the League know of instances where a**
 25 **voter is able to go back home, retrieve the proper**

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1 **documentation, come back and be able to vote?**
 2 A Yes. We're aware of that. And in this case,
 3 there was an election official who really worked
 4 with them, and that could be part of the training.
 5 **Q Properly train the workers to work with voters to**
 6 **try to find an acceptable document?**
 7 A Yes, to do a little brainstorming with the
 8 individual.
 9 **Q And then moving on to "Electronic Proof of**
 10 **Residence," I see it says the "implementation was**
 11 **surprisingly smooth," and it says, "Nearly**
 12 **uniformly, poll workers did not demonstrate**
 13 **problems accepting those proofs."**
 14 **And do you believe that was a true statement?**
 15 A Yes.
 16 **Q It says, "Some poll workers even brought their own**
 17 **electronic devices like iPads and laptops to**
 18 **assist voters in finding their electronic**
 19 **documents."**
 20 **And obviously, do you think that was a true**
 21 **statement as well?**
 22 A Yes.
 23 **Q And then the report says, "Permitting electronic**
 24 **proof of residence was of tremendous assistance in**
 25 **the voting process and actually made the process**

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1 **faster for many registrants."**
2 **Do you also think that was a true statement?**
3 A Yes.
4 **Q I believe the next section deals with "Specific**
5 **Difficulties For Student Voters." I'll go over a**
6 **few of the things here. It says, "Another**
7 **legislative change in 2011 made it more difficult**
8 **for students to register to vote."**
9 **What's that change that's being referenced**
10 **there, if you know?**
11 A It refers to the dorm lists and -- let's see --
12 that the colleges and universities could provide
13 dorm lists to the polling places, to the clerk who
14 would get it out to the polling places, and that
15 offered proof of residence for the students. That
16 was eliminated. I'm not sure if that was
17 eliminated as part of the voter ID law, Act 23. I
18 believe it actually was.
19 **Q And then it says -- continuing on it says,**
20 **"Students are permitted to use the same kinds of**
21 **documents as other voters -- such as utility bills**
22 **or bank statements. However, many students,**
23 **especially those living in university housing,**
24 **lack such documents or the documents do not**
25 **include their campus addresses."**

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1 **Does the League or you, yourself, have an**
2 **estimate of how many students are in that**
3 **situation that they lack the documents necessary**
4 **to register?**
5 A I don't have an estimate of the number. I know
6 that students, you know, double up, triple up and
7 more in housing around campus and if -- they don't
8 all have their names on the lease or the utility
9 bill or whatever.
10 **Q Is it your understanding that a document sent from**
11 **a public university to a student's address would**
12 **be able to be used as proof of residence for**
13 **registering to vote?**
14 A It would be able to be used if it is to the
15 address at which the student would like to
16 register to vote.
17 **Q Correct. That's what I was asking.**
18 A Yeah.
19 **Q Is it your understanding that would work under the**
20 **law?**
21 A It would have to be to that address, yes.
22 **Q And then continuing on to the third paragraph**
23 **here, it talks about "a fee receipt combined with**
24 **a college ID card could be used to register."**
25 **What's your understanding of what's required to**

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1 **use this fee receipt and college ID card to**
2 **register?**
3 A Honestly, I don't know.
4 **Q Okay. So do you know the burden that it would be**
5 **for a college student to obtain a fee receipt and**
6 **an ID that would satisfy the voter registration**
7 **requirement?**
8 A So for voter registration, we're talking about
9 proof of residence, and it would have to be a fee
10 receipt that is made out to the student at the
11 location where the student wishes to vote, not at
12 their parents' address somewhere.
13 Could you repeat, what is the question?
14 **Q Sure. Do you know what kind of burdens a student**
15 **faces in obtaining a fee receipt and an ID card**
16 **that would satisfy the registration requirements?**
17 **MR. KAUL:** And I'll just object to
18 the extent it calls for a legal conclusion.
19 But to the extent that the witness is
20 providing her lay understanding of the term
21 burden, that's fine.
22 A Yeah, and I don't really -- I don't know the
23 particulars of that.
24 **Q Continuing down to -- it's the paragraph that**
25 **starts on page 17 but then continues on to 18, it**

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1 **talks about the UW system implementing an online**
2 **system which allows students to access acceptable**
3 **proof of residence documents online, which they**
4 **could then show electronically via the electronic**
5 **document process we went over earlier.**
6 **Do you know whether -- where it says the UW**
7 **System, does that apply to just UW-Madison, or is**
8 **it UW anything in the state?**
9 A It's UW System, and I have heard about it on at
10 least one other campus.
11 **Q And then moving on to the next paragraph, you talk**
12 **about private colleges, where the private college**
13 **students would have to use fee receipts along with**
14 **their college ID cards. And it talks about**
15 **college bursar records having the student's or**
16 **parents' home address rather than the campus**
17 **address. And then it talks about how some**
18 **colleges, both private and public, took steps to**
19 **ensure that the bursar records, and thus fee**
20 **receipts, also included the campus address and**
21 **would allow students to use the receipts to**
22 **register and vote.**
23 **Do you know which private colleges took those**
24 **types of steps?**
25 A I don't.

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1 **Q It does say that, Students at Viterbo college --**
 2 **or university in La Crosse ran into problems with**
 3 **this, and apparently Viterbo was not one of those**
 4 **universities --**
 5 A Or at least it wasn't then.
 6 **Q Do you know any other universities where there was**
 7 **problems of this sort?**
 8 A I don't.
 9 **Q Moving on to page 25 which has a heading that says**
 10 **"Voter Intimidation Concerns," just looking at**
 11 **the -- and just to be clear, if a League observer**
 12 **noted an instance of voter intimidation -- that**
 13 **they thought was voter intimidation, would that be**
 14 **something they were supposed to put on their**
 15 **report?**
 16 A Yes. They were asked to let us know about
 17 anything that could be disruptive.
 18 **Q And looking at the first bullet point, it talks**
 19 **about State Rep Pridemore being ejected from a**
 20 **site for repeatedly interfering with the voting**
 21 **process and refusing to obey the chief's multiple**
 22 **requests to stop this disruptive behavior.**
 23 **My question is, is it your understanding that**
 24 **that's an appropriate action for a chief inspector**
 25 **to take, to eject an observer who's being**

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1 **disruptive?**
 2 A Yes.
 3 **Q There's some mention in here about observers**
 4 **registering as "concerned citizens" or "concerned**
 5 **observers."**
 6 **What's your understanding as to whether**
 7 **observers are supposed to sign in with an actual**
 8 **name, or is it allowed to sign in as a concerned**
 9 **citizen?**
 10 A They have to give their actual name and, I
 11 believe, address. Then if they are representing a
 12 particular organization, they're asked to identify
 13 that. And a lot of them did not.
 14 **Q But that would be something that they should be**
 15 **doing under the law?**
 16 A I don't know if it's law or if it's election
 17 observer rules, administrative rules. I'm not
 18 sure.
 19 **Q Of League observers, though, you would tell them**
 20 **to put their name down and that they're observing**
 21 **for the League of Women Voters?**
 22 A Yes.
 23 **Q And going on to page 26, there's a paragraph in**
 24 **between the two bullet points.**
 25 A 27?

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1 **Q 26.**
 2 A Okay.
 3 **Q And there's a paragraph there in between the two**
 4 **sets of bullet points. And it says,**
 5 **"Wisconsin Election Protection and the League**
 6 **strongly believe such problems would have been**
 7 **much more extensive had the GAB not issued**
 8 **instructions restricting the ability of observers**
 9 **to interact with voters and interfere with the**
 10 **voting process, and empowering chiefs who chose to**
 11 **do so to maintain control of polling sites."**
 12 **Is that a true statement?**
 13 A Yes.
 14 **Q And do you know specifically what guidance from**
 15 **the GAB that's referring to?**
 16 A It gets to the -- it's addressed in the election
 17 observer rules. There's a Rules-At-A-Glance
 18 brochure that we give to all of our observers and
 19 then -- but it was rules. It has administrative
 20 rules. I don't know that that authorization or
 21 empowerment of the chiefs to actually eject
 22 someone, I'm not sure if that's legislation or --
 23 I mean, if that's statutes or rules.
 24 **Q Going to page 28, there's a heading titled "Fraud**
 25 **Not an Issue." That's a general point of this**

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1 **section. Could you just explain why it's the**
 2 **League's position that fraud is not an issue?**
 3 A Well, this was the Wisconsin Election Protection's
 4 report, but we also believe that there has not
 5 been evidence of voter impersonation at the polls.
 6 **Q And is that based on the lack of -- or maybe I**
 7 **should just ask more open-ended. What's the basis**
 8 **for saying that there hasn't been voter**
 9 **impersonation?**
 10 A Well, there has been no evidence of voter
 11 impersonation at the polls.
 12 **Q So is that like no convictions for voter fraud?**
 13 A Correct.
 14 **Q This mentions statements made by two legislators,**
 15 **State Senators Alberta Darling and**
 16 **Glenn Grothmann, talking about widespread fraud.**
 17 **Do you see that in the first paragraph here?**
 18 A Yes, I do.
 19 **Q Do you know specifically what statements this**
 20 **report is referencing there?**
 21 A There was something they said after the election,
 22 and I don't recall it exactly.
 23 **Q After the November 2012 election?**
 24 A After the November but before this came out.
 25 **Q And do you believe that -- sorry. Strike that**

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1 **question.**
 2 A I remember it had something to do with they
 3 thought that the election results would have been
 4 different had voter ID been in place.
 5 Q **And you recall seeing, like, news stories on those**
 6 **quotes?**
 7 A Yes.
 8 Q **Then moving down to the -- it's the second to the**
 9 **last paragraph about, "Had voter ID been in effect**
 10 **during the election" and some opinions about that.**
 11 **And you say that -- or the report says that it**
 12 **"would have significantly increased waiting times,**
 13 **complicated the voting process and disenfranchised**
 14 **many voters."**
 15 **Did the League have a position on, like, how**
 16 **much wait time would have increased if photo ID**
 17 **had been in effect?**
 18 A I don't know one, you know, specifically in terms
 19 of seconds per voter, no.
 20 Q **You mentioned that the League had observers in**
 21 **this past April election?**
 22 A Yes.
 23 Q **Is the League in the process of compiling a report**
 24 **related to that election?**
 25 A Yes.

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1 Q **And when do you expect that would be issued?**
 2 A We hope early May is what we're aiming for.
 3 Q **Would that report be public such that there would**
 4 **be a news release or something upon its release?**
 5 A Yes.
 6 Q **Do you know -- now, photo ID was in effect for**
 7 **that April election this last week, I believe?**
 8 A Yeah.
 9 Q **Do you know what the reports of the observers are**
 10 **and how that affected the election that we just**
 11 **saw?**
 12 A The reports were just starting to come in on
 13 Thursday. I did not look at them. Then I was out
 14 of the office on Friday. So I haven't really seen
 15 them.
 16 I do know that, oh, one member, who is also
 17 an election official, talked about that it was
 18 much slower moving the lines because of people
 19 taking out their ID, signing the poll book. Older
 20 people sign very slowly, and then they felt they
 21 had to put the ID back in before moving to the
 22 rest. So she felt that it was definitely slowing
 23 the line.
 24 Q **And do you know where that member is an election**
 25 **official?**

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1 A Janesville.
 2 Q **And is she a poll worker at one particular**
 3 **election location?**
 4 A Yes. But I don't know which one.
 5 Q **Do you know -- you say you haven't really read the**
 6 **reports. Do you know anything else about the**
 7 **reports, if it affected the vote with the voter ID**
 8 **law?**
 9 A Well, we know what we were hearing on election
 10 day, and that was that there were lines to get an
 11 ID at Marquette University, also here at
 12 UW-Madison. So those never made it to the -- I
 13 mean, I hope they made it to the polling place.
 14 But the problem -- the backup was really before
 15 they were able to go and vote. It was at -- on
 16 campus to get an ID.
 17 We did hear about lines in a number of
 18 locations, Racine, Milwaukee, Green Bay, were
 19 places that we heard about.
 20 Q **And that was the -- you just heard about the**
 21 **presence of lines. Do you know specifically**
 22 **whether those were caused by voter ID or there had**
 23 **been reports in other elections too?**
 24 A Yeah. I can't tell you right now. Sometimes the
 25 line was for registration, sometimes for check-in.

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1 Q **And at this point, does the League have any sort**
 2 **of, like, reports on how many people were turned**
 3 **away from voting based on not having an ID?**
 4 A We don't have -- we have anecdotal reports. We
 5 don't have numbers.
 6 Q **And those would be in the final report, though,**
 7 **you expect that will be issued in early May?**
 8 A I think so, yes.
 9 Q **Let's move on to the next election report. We'll**
 10 **mark as Exhibit 5.**
 11 **(Exhibit No. 5 marked for**
 12 **identification)**
 13 Q **I put before you what's been marked as Exhibit 5,**
 14 **and it also has a cover page that says Exhibit C.**
 15 **Could you identify this document?**
 16 A This would be the final report from the
 17 Election Observer Program for the November 2014
 18 election.
 19 Q **And I know the League is in the process of**
 20 **preparing one for April of 2016. Was there any**
 21 **report of any elections between November 2014 and**
 22 **then the one that you're doing now?**
 23 A No.
 24 Q **Just to confirm, the first page says that there**
 25 **were 250 election observers in the polls in the**

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1 **November 2014 election. Is that correct?**
 2 A Yes.
 3 **Q And then these election observers covered 493**
 4 **polling places; is that correct?**
 5 A That's right.
 6 **Q On page 2 down at the bottom, there's a section**
 7 **that says "Voter Registration." Do you see that?**
 8 A Uh-huh, yes.
 9 **Q The bottom paragraph which ends up continuing on**
 10 **to the next page says, "A striking number of**
 11 **observers throughout the state noted the long**
 12 **lines for voter registration."**
 13 **Do you know how many sites had long lines for**
 14 **voter registration?**
 15 A Off the top of my head, I do not.
 16 **Q And then what -- when the report refers to a long**
 17 **line, what type of line counts as long?**
 18 A We define it as being 10 to 15 voters or more. If
 19 it's ten voters and moving quickly, it's not so
 20 much of a concern, but --
 21 **Q And that says "many people were unable to register**
 22 **due to a lack of documentation."**
 23 **Do you know how many people the League**
 24 **observers documented were not able to register due**
 25 **to lack of documentation?**

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1 A No, I don't.
 2 **Q Going on to the next page, there's five bullet**
 3 **points I see that describe certain instances of**
 4 **individuals who couldn't register due to lack of**
 5 **documentation. Do those bullet points constitute**
 6 **all the people that couldn't register due to lack**
 7 **of documentation or just examples?**
 8 A These are just examples.
 9 **Q And then people who are unable to register due to**
 10 **lack of documentation, do observers count someone**
 11 **just because they showed up and didn't have a**
 12 **document with them? Does that person count as**
 13 **unable to register due to lack of documentation?**
 14 A If they are not allowed to register because of
 15 lack of documentation, then that's how we count
 16 them.
 17 **Q And so do the observers then try to determine**
 18 **whether that individual does have documentation**
 19 **but just forgot to bring it to the polls?**
 20 A Oh, I see. If they hear that -- they're there as
 21 observers. And if they hear that, then they note
 22 that.
 23 **Q The third bullet point says, "Several sites noted**
 24 **that students had difficulty providing proof of**
 25 **residence, particularly those at Wisconsin**

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1 **Technical College."**
 2 **What's your understanding of why sites at**
 3 **Wisconsin Technical Colleges had students unable**
 4 **to prove their residency?**
 5 A You're asking why?
 6 **Q Yes, if you know why.**
 7 A I don't know why, but that was something that was
 8 notable, you know, in the returns.
 9 **Q Going down to the second subject here about the**
 10 **proof of residence for election day registration,**
 11 **there's a paragraph that starts, "However." We're**
 12 **on page 3 still. And then the third sentence**
 13 **says, "A new law enacted in 2014 requires that**
 14 **everyone must provide POR" -- which stands for**
 15 **proof of residence -- "documentation regardless of**
 16 **when they register to vote. This is burdensome**
 17 **for many Wisconsin voters, especially those who**
 18 **are less likely to have a Wisconsin driver's**
 19 **license with their current address on it."**
 20 **Do you know how many Wisconsin voters it is**
 21 **burdensome to have to provide a proof of residence**
 22 **documentation?**
 23 A We don't know a full number. There was evidence
 24 presented in the federal lawsuits -- I'm sorry --
 25 the state challenge to the voter ID law that found

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1 that an estimated 300,000 currently registered
 2 voters at that time did not have -- they had
 3 registered without a Wisconsin driver's license or
 4 state ID.
 5 **Q But it's your understanding, correct, that the**
 6 **proof of residence documentation extends beyond**
 7 **just driver's licenses?**
 8 A That's correct, yes.
 9 **Q So that would also include like bank statements**
 10 **and government documents and things like that?**
 11 A Yeah.
 12 **Q So do you have an estimate of the number of people**
 13 **of those 300,000 who also don't have a bank**
 14 **statement or a government document or one of these**
 15 **other forms of --**
 16 A No, I don't.
 17 **Q -- utility bill and things like that?**
 18 **Going down to page 5, and then there's a**
 19 **subsection that says "Voter Registration" towards**
 20 **the bottom.**
 21 A All right.
 22 **Q It says, "The new voter registration law passed in**
 23 **2014 has made it more difficult for people to**
 24 **register to vote prior to an election, and it**
 25 **amounts to a de facto end of voter registration**

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1 **drives."**
2 **Why does the new legislation amount to a**
3 **de facto end of registration drives?**
4 A The new law required special registration
5 deputies, which is the program under which our
6 members conduct voter registration. It requires
7 them to check documentary proof of residence when
8 they're registering an individual and document
9 what type of document it is and also some kind of
10 identifying number if there is one.
11 Prior to that, that 2014 law, if people
12 registered early before an election, before 21
13 days when our SRDs -- they're special registration
14 deputies -- if they register during that time when
15 our SRDs could register them, they did not have to
16 show proof of residence. The SRD would complete
17 the form, sign it after the voter has signed it,
18 and provide it to the local clerk who would check
19 the residence.
20 This was particularly helpful for people who
21 don't have the utility bill or the driver's
22 license, you know, the lease in their own name.
23 And so this made it very difficult.
24 After this time, we saw -- we had two leagues
25 that were tracking their registration events, and

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1 they were turning away nearly as many people as
2 they managed to register after that.
3 Q **And is that because the individuals who showed up**
4 **to register just didn't have a document to be**
5 **proof of residence?**
6 A With them, that's correct.
7 Q **They may have had such a document; they just**
8 **didn't have it to register at that time?**
9 A That's correct. But it made it more difficult for
10 our people to do those registration drives and to
11 actually register people. We don't know what
12 happened to the voter after that.
13 Q **I was just going to go back to your declaration**
14 **which is the first document we mentioned -- we**
15 **marked today.**
16 A Okay. This is it.
17 Q **You had just testified about some of your local**
18 **leagues that were documenting their registration**
19 **efforts.**
20 A Yes.
21 Q **And I believe that's addressed in your declaration**
22 **at paragraph 13; is that correct?**
23 A All right.
24 Q **It talks about registration efforts by the**
25 **Whitewater League and the Dane County League. Do**

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1 **you see that?**
2 A Yes, yes.
3 Q **Are those the two local leagues that you were**
4 **referring to in your prior testimony?**
5 A Yes.
6 Q **And these numbers here about the Whitewater 17**
7 **were able to vote and 23 were unable to vote,**
8 **those are the specific numbers of what you**
9 **testified to generally just now?**
10 A Yes.
11 Q **And also in Dane County it said they registered 23**
12 **individuals but had to turn 12 others away; is**
13 **that correct?**
14 A Yes.
15 Q **And similarly, Madison Area Technical College**
16 **there was registration of 34 individuals and 25**
17 **turned away; is that right?**
18 A That's right.
19 Q **And the people that were turned away, that was**
20 **because they didn't have the documents with them**
21 **at the time?**
22 A Right. And had they had that documentation with
23 them at the time -- or better yet, had they
24 registered before this law went into effect, our
25 registrars would have been able to register them

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1 and subject to that proof of residence check that
2 the clerk would do.
3 Q **And then now under the current law the**
4 **registration deputy has to also see the proof of**
5 **residence document; that's correct?**
6 A That's correct. And so that's why they had to be
7 turned away -- our registrars had to turn them
8 away.
9 Q **On paragraph 14 in your declaration, it talks**
10 **about statewide special registration deputies**
11 **versus -- or registration deputies registered with**
12 **their local municipality. Why was the League in**
13 **favor of statewide registration deputies?**
14 A Well, our Milwaukee League conducts -- used to
15 conduct -- well, voter registration as people
16 emerged from the naturalization ceremonies. And
17 you get people from all over the state who go to
18 Milwaukee to be naturalized. And the Milwaukee
19 League wanted to be able to register them as they
20 emerged. And we lobbied for the statewide program
21 and had it for a short time, and that was great.
22 Here in Madison on the Square, the
23 Dane County League registers people from all --
24 you know, a pretty wide area who come to the
25 Farmers' Market here in Dane County.

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1 Our Northwoods League is in a geographically
2 large but, you know, not high population area,
3 where at the high schools they would like to go
4 and register voters, 18-year-olds at the high
5 schools, but the high schools draw students from
6 many municipalities. Once the law changed, we no
7 longer had that statewide ability.
8 And an SRD has to be deputized individually
9 by the clerk of the person you want to register,
10 so that makes it very difficult.
11 For instance, here at the Dane County
12 Farmers' Market they have to be individually
13 deputized by Madison, Fitchburg, Waunakee, and so
14 on. There are dozens of communities that send
15 people -- that have people who come here.
16 So that has made it more difficult for us to
17 register voters.
18 **Q Does the Dane County League still do voter**
19 **registration at the Farmers' Market?**
20 A It does, but it's only able to register people
21 from -- it's at great expense, expense of
22 volunteer time first of all, because the
23 Dane County League has to get their people
24 deputized by many clerks. And then if somebody
25 comes from a community where they are not

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1 deputized, they can't register them.
2 **Q Does one individual get deputized by multiple**
3 **different municipalities?**
4 A Yes. That's what happens.
5 **Q And then, so there's not -- does each of the**
6 **Dane County volunteers get deputized by the same**
7 **group of municipalities?**
8 A Well, I'm not sure exactly. I think probably they
9 turn to one another sometimes and say, "Oh, do you
10 have Sun Prairie?"
11 **Q Do you know how many people the Milwaukee League**
12 **registered outside of the naturalization**
13 **ceremonies during the time --**
14 A I don't.
15 **Q Do you know how many people the Dane County League**
16 **registers at the Farmers' Market in a year?**
17 A I don't. I believe it's in the thousands, but I
18 don't know.
19 **Q And the people that are -- voters also can still**
20 **register with their local clerk, correct, not**
21 **going through a special registration deputy?**
22 A That's correct.
23 **Q And they can also register on election day at the**
24 **polling site, too, as well?**
25 A That's correct. The value of going back to the

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1 documentary proof of residence, the value of that
2 early registration not having to provide a
3 document to prove residence was great. It was --
4 it made it possible for some people to register
5 who are not able to register now because the clerk
6 was able to check their residency and find -- by
7 sending a first-class postcard and determine it
8 that way.
9 **Q That's a good point. How clear is your**
10 **understanding what the clerks would do to confirm**
11 **the residency of those residents?**
12 A They would send a first-class postcard that would
13 be returned if the residence was not good, not
14 valid.
15 **Q And if the postcard was not returned, then the**
16 **individual was registered at that address?**
17 A That's correct.
18 **Q Does the League of Women Voters take a position on**
19 **the elimination of straight-ticket voting in**
20 **Wisconsin?**
21 A We did not take a position on that.
22 **MR. KEENAN:** Do you mind if we just
23 take a break and I'm going to look over my
24 stuff?
25 (Recess)

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1
2 By Mr. Keenan:
3 **Q We're back on the record and I just have a few**
4 **more questions for you. Turning back to**
5 **Exhibit 5, which was the November 2014 election**
6 **report, looking at page 5, and there's the first**
7 **set of bullets at the top of the page, and the**
8 **last one says that, "Confusion around photo ID was**
9 **not a major issue in November, despite the**
10 **October 10 ruling of the U.S. Supreme Court to**
11 **stay its implementation for the November 4**
12 **election."**
13 **Do you agree that that's a true statement,**
14 **that there wasn't confusion around the photo ID in**
15 **the November 2014 election?**
16 A Yes, I agree.
17 **Q And you mention that because the law was going to**
18 **go into effect, then there was an injunction that**
19 **it was not going to go into effect about a month**
20 **before the election; correct?**
21 A That's right. And we feared that it would be
22 confusing, but people seemed to be ready for
23 whatever happened.
24 **MR. KAUL:** I'm sorry, Brian, where
25 are you in this document?

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1 **MR. KEENAN:** It's this bullet
 2 point, the top set of bullets, last one.
 3 **Q Do you understand there's a trial in this case --**
 4 **A Yes.**
 5 **Q -- that's scheduled for May?**
 6 **A Yes.**
 7 **Q Are you expecting to testify at trial?**
 8 **A If I'm asked, I will.**
 9 **Q You don't know right now?**
 10 **A At this point, I don't know for sure.**
 11 **Q And you submitted this declaration in support of**
 12 **the plaintiffs' opposition to summary judgment**
 13 **with several declarations, and we've gone over**
 14 **those today.**
 15 **Is there anything else about Wisconsin**
 16 **election law that you are expecting to testify**
 17 **about at the trial that isn't in your declaration**
 18 **or the League of Women Voters reports we've gone**
 19 **over?**
 20 **A No. To some extent, I don't know the rules.**
 21 **Q Sure.**
 22 **A So I don't know if we learn something in our**
 23 **reports that we're gathering right now from our**
 24 **observers, if that can come into it or not. I**
 25 **just -- I don't know how it works.**

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1 **Q Okay. So like --**
 2 **A The legal process.**
 3 **Q Putting aside the potential of this latest**
 4 **election, is there anything else that we haven't**
 5 **covered today that you're expecting to testify**
 6 **about?**
 7 **A No, no.**
 8 **Q Have you had any communications with Mr. Kaul or**
 9 **any of the other attorneys from Perkins Coie about**
 10 **testifying at trial?**
 11 **A No. Only that they said that that may happen, I**
 12 **may be asked to do so.**
 13 **MR. KEENAN:** Those are all my
 14 questions that I have for now. I understand
 15 Mr. Kaul is going to ask you some, so I may
 16 have some follow-up to that.
 17
 18 **EXAMINATION**
 19 **By Mr. Kaul:**
 20 **Q I'm going to be very brief. And these are just a**
 21 **few quick follow-up questions to the questions**
 22 **that Mr. Keenan had. The first thing I'd like to**
 23 **do is to direct your attention to Exhibit 1 which**
 24 **is your declaration.**
 25 **A Okay.**

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1 **Q And in particular paragraphs 5 through 7 on**
 2 **pages 2 and 3.**
 3 **A Okay.**
 4 **Q First let me just ask you to briefly read that to**
 5 **yourself --**
 6 **A Okay.**
 7 **Q -- and let me know when you're done.**
 8 **A Okay.**
 9 **Q Now, you were asked some questions before about**
 10 **what you personally did in connection with the**
 11 **Election Protection reports and the League of**
 12 **Women Voters reports from observations that the**
 13 **League conducted at elections. Do you recall**
 14 **that?**
 15 **A Yes.**
 16 **Q Do these paragraphs, 5 through 7, at a high level**
 17 **summarize the role that you personally played --**
 18 **A Yes.**
 19 **Q -- in these reports?**
 20 **A Yes.**
 21 **Q And it's accurate?**
 22 **A Yes.**
 23 **Q My second question relates to some questions you**
 24 **were asked about individuals who showed up to**
 25 **register but did not have the required**

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1 **documentation to register to vote. Do you recall**
 2 **that discussion?**
 3 **A Yes. Is that with respect to one particular**
 4 **election, one of these or just in general?**
 5 **Q Just in general.**
 6 **A Okay.**
 7 **Q And do you recall being asked some questions about**
 8 **whether it was possible that some of those voters**
 9 **had qualifying proof of residence at home maybe?**
 10 **A That's right.**
 11 **Q In some of the cases that are detailed in the**
 12 **reports and that the League observed, were there**
 13 **voters for whom either observers or poll workers**
 14 **had gone through the entire list and learned that**
 15 **the voters didn't have any qualifying documents?**
 16 **A Yes. There were a couple cases like that.**
 17 **Q And then just a moment ago you were asked about**
 18 **confusion relating to voter ID in 2014. Do you**
 19 **recall that?**
 20 **A Yes.**
 21 **Q Was the focus of your statement about whether**
 22 **there was confusion specifically at the polls with**
 23 **respect to voter ID?**
 24 **A Yes, yes. It was with regard to election**
 25 **administration on election day.**

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1 Q When you say that, that means administration by
2 the election officials at the polls?
3 A That's right.
4 MR. KAUL: That's all I had for
5 follow-up.
6 THE WITNESS: Okay.
7 MR. KEENAN: I have nothing
8 further.
9 MR. KAUL: You have the option to
10 review the transcript and sign it. Typically
11 everybody takes that option. Most people
12 don't like reviewing transcripts of yourself.
13 I should warn you. Nobody likes the way
14 their verbiage comes out in the transcript,
15 but at some point you just learn to accept
16 that as a fact of life rather than trying to
17 correct it.
18 And I think if you send it to me, I'll
19 send it to Ms. Kaminski.
20
21
22 (adjourning at 11:04 a.m.)
23
24
25

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1 WITNESS CERTIFICATE
2
3 I hereby certify that I read the foregoing
4 transcript of my deposition given at the time
5 and place aforesaid, and I do again subscribe
6 and make oath that the same is a true,
7 correct, and complete transcript of my
8 deposition given, with corrections, if any,
9 appearing on the attached correction
10 sheet(s).
11
12 ___ correction sheet(s) attached.
13
14 _____
15 ANDREA KAMINSKI
16
17 Subscribed and sworn to before me this ___
18 day of April _____, 2016.
19
20
21 _____
22 Notary Public, State of Wisconsin
23
24
25

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1 STATE OF WISCONSIN)
2) ss.
3 COUNTY OF DANE)
4 I, Tania Northouse, a Registered Diplomate Reporter
5 and Notary Public duly commissioned and qualified in and
6 for the State of Wisconsin, do hereby certify that
7 pursuant to notice, there came before me on the 11th day
8 of April 2016, at 8:56 in the forenoon, at the offices
9 of Perkins Coie, LLP, Attorneys at Law, One East Main
10 Street, Suite 201, the City of Madison, County of Dane,
11 and State of Wisconsin, the following named person, to
12 wit: ANDREA KAMINSKI, who was by me duly sworn to
13 testify to the truth and nothing but the truth of her
14 knowledge touching and concerning the matters in
15 controversy in this cause; that she was thereupon
16 carefully examined upon her oath and her examination
17 reduced to typewriting with computer-aided
18 transcription; that the deposition is a true record of
19 the testimony given by the witness; and that reading and
20 signing was not waived.
21 I further certify that I am neither attorney
22 or counsel for, nor related to or employed by any of the
23 parties to the action in which this deposition is taken
24 and further that I am not a relative or employee of any
25 attorney or counsel employed by the parties hereto or
financially interested in the action.

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1 In witness whereof I have hereunto set my
2 hand and affixed my notarial seal this 12th day of April
3 2016.
4
5 Registered Diplomate Reporter
6 Notary Public, State of Wisconsin
7
8 My commission expires
9 May 17, 2019
10
11
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