

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA STATE CONFERENCE)
OF THE NAACP,)
et al.,)

Plaintiffs,)

vs.)

1:13-CV-658

Case No:

PATRICK LLOYD MCCRORY, in his)
official capacity as the)
Governor of North Carolina,)
et al.,)

Defendants.)

LEAGUE OF WOMEN VOTERS OF)
NORTH CAROLINA, et al.,)

Plaintiffs,)

vs.)

1:13-CV-660

Case No:

THE STATE OF NORTH CAROLINA,)
et al.,)

Defendants.)

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

1:13-CV-861

Case No:

THE STATE OF NORTH CAROLINA,)
et al.,)

Defendants.)

VIDEOTAPED DEPOSITION
OF
MARIA SANCHEZ

1 VIDEOTAPED DEPOSITION
2 OF
3 MARIA SANCHEZ
4

5 10:07 A.M.

6 TUESDAY, MAY 5, 2015
7

8 TIN FULTON WALKER & OWEN
9 312 WEST FRANKLIN STREET
10 CHAPEL HILL, NORTH CAROLINA

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16 By: Denise Myers Byrd, CSR 8340, RPR, CLR 102409-02
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1 THE VIDEOGRAPHER: Going on the record
2 at 10:07 a.m. Today's date is May 5, 2015.

3 This is the video deposition of Maria
4 Sanchez taken by the plaintiffs in the matter
5 of the North Carolina State Conference of the
6 NAACP, et al., versus Patrick Lloyd McCrory in
7 his official capacity as Governor of
8 North Carolina, et al., in the United States
9 District Court for the Middle District of
10 North Carolina, Case Number 113-CV-658 and all
11 related matters.

12 Will counsel please identify themselves
13 for the record and then our court reporter will
14 swear in the witness.

15 MS. LIEBERMAN: Good morning. My name
16 is Denise Lieberman with Advancement Project.
17 I'm here on behalf of the NAACP plaintiffs.

18 MS. MURPHY: And I'm Katherine Murphy
19 with the North Carolina Attorney General's
20 office, and I'm representing the defendants.

21 MARIA SANCHEZ,
22 having been first duly sworn or affirmed by the
23 Certified Shorthand Reporter and Notary Public
24 to tell the truth, the whole truth and nothing
25 but the truth, testified as follows:

EXAMINATION

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BY MS. LIEBERMAN:

Q. Good morning, Ms. Sanchez.

A. Hi.

Q. Hi. My name is Denise Lieberman, and I represent the North Carolina State Conference of the NAACP plaintiffs in this case. We're here to take your trial deposition today, as you have indicated that you may be out of town during the early part of July of 2015 when the trial may be scheduled.

A. Yes.

Q. Have you ever been deposed before, Ms. Sanchez?

A. No.

Q. Let's talk a little bit about some of the ground rules for today's deposition, then, to make sure that you understand.

First, the deposition is going to be recorded today by a court reporter as well as a videographer, and because of that, I'm going to ask that you listen to my entire question before you respond. Okay?

A. Yes.

Q. Okay. And similarly, I will wait until you finish whatever you're saying before I speak up

1 to ensure that we're not speaking over each
2 other. Okay?

3 A. Yes.

4 Q. Let me know if you can't hear or if you can't
5 understand any of my questions. If you answer,
6 I will assume that you heard and understood
7 what I'm asking you. If you don't understand,
8 just let me know and I can rephrase my
9 question. Okay?

10 A. Yes.

11 Q. Okay. Again, because this deposition is being
12 recorded by a court reporter, I'm going to ask
13 that you respond verbally to any questions. In
14 regular conversation, we might shake our heads
15 or go uh-huh, but the court reporter can't
16 accurately record those things.

17 So are you able to respond verbally to
18 everything I ask you today?

19 A. Yes.

20 Q. Terrific. This -- this is a deposition. It's
21 not a memory contest or a final exam. If you
22 don't know the answer to a question, that's
23 okay and just say so. You don't need to try
24 and guess.

25 A. Okay.

1 Q. But similarly, if at some point later in the
2 deposition you realize that an answer that you
3 previously gave was inaccurate or incomplete,
4 you're perfectly free to clarify your answer.

5 Do you understand?

6 A. Yes.

7 Q. Okay. And finally, let me know if you need to
8 take a break today for any reason. I don't
9 think that we're going to be very long here
10 today, but if we do go over, say, an hour or
11 so, we may take a break. Okay?

12 A. Yes.

13 Q. Is there any reason that you feel that you are
14 not able to give full and complete answers to
15 any of the questions that I ask you today?

16 A. No.

17 Q. Okay. Terrific. So first please state your
18 name for the record.

19 A. Maria del Carmen Sanchez.

20 Q. Thank you. And just to make sure we're clear
21 about your name, can you tell me what your
22 first name is.

23 A. My first name is Maria del Carmen.

24 Q. Okay. And your surname?

25 A. Sanchez.

1 Q. And do you have a middle name?

2 A. I didn't, but I do now.

3 Q. Okay. And what is your middle name now?

4 A. del Carmen.

5 MS. MURPHY: I'm sorry. Could you just
6 spell that.

7 THE WITNESS: Yes. I'm going to --
8 Maria -- my first name is Maria space del space
9 Carmen.

10 MS. MURPHY: Did you say D-E-L?

11 THE WITNESS: D-E-L C-A-R-M-E-N.

12 MS. MURPHY: Okay. I'm sorry to
13 interrupt. I just wanted to --

14 BY MS. LIEBERMAN:

15 Q. Okay. Ms. Sanchez, where do you reside?

16 A. [REDACTED].

17 Q. How long have you lived there?

18 A. 17 years.

19 Q. And what do you do for a living? What's your
20 profession?

21 A. I'm in advertising. I have a small advertising
22 company with my cousin.

23 Q. Terrific. Ms. Sanchez, where were you born?

24 A. I was born in Havana, Cuba.

25 Q. When were you born?

1 A. [REDACTED].

2 Q. When did you come to the United States?

3 A. In September of 1960.

4 Q. Are you a United States citizen?

5 A. Yes.

6 Q. And when did you become a United States

7 citizen?

8 A. In 1967 --

9 Q. Okay.

10 A. -- or so. I hope. More or less.

11 Q. That's fine. When did you move to

12 North Carolina?

13 A. In 1990.

14 Q. 1990. Are you a registered voter in

15 North Carolina?

16 A. Yes.

17 Q. In what county are you a registered voter?

18 A. Orange.

19 Q. Orange County. Have you always been registered

20 to vote in Orange County as long as you've been

21 registered in North Carolina?

22 A. Yes.

23 Q. Do you recall when you first became registered

24 to vote in North Carolina?

25 A. Yes. It was in 1994.

1 THE REPORTER: I'm sorry, 1994?

2 THE WITNESS: Yes.

3 BY MS. LIEBERMAN:

4 Q. Do you know under what name you are registered
5 to vote?

6 A. Yes.

7 Q. What is that name?

8 A. Maria Sanchez Thorpe.

9 MS. LIEBERMAN: At this point I'd like
10 to introduce Sanchez Exhibit 1.

11 (WHEREUPON, Plaintiffs' Exhibit 1 was
12 marked for identification.)

13 BY MS. LIEBERMAN:

14 Q. Ms. Sanchez, the court reporter has just handed
15 you what I have marked as Sanchez Exhibit 1.

16 A. Yes.

17 Q. Can you tell me what the title of this document
18 says?

19 A. It says North Carolina Public Voter
20 Information.

21 Q. And on the bottom left-hand side of the page,
22 very, very small print, you'll see an URL.

23 A. Yes.

24 Q. Can you read just the first part of that URL
25 for me, please?

1 A. The www.ncsbe.gov?

2 Q. Yes.

3 A. Okay.

4 Q. And the top left-hand corner of the page there

5 in very small print there's a date.

6 A. Yes. It says 5/4/2015. Is that what we're

7 talking about?

8 Q. Yes.

9 A. Okay.

10 Q. So if I told you that this document was printed

11 from the North Carolina State Board of

12 Elections website on May 4, 2015, would you

13 have any reason to dispute that?

14 A. No.

15 Q. Okay. Under Voter Details, what is the name

16 listed there?

17 A. Maria Sanchez Thorpe.

18 Q. Okay. Is that your name?

19 A. Yeah -- yes. At that point, yes.

20 Q. And the address that's listed there?

21 A. [REDACTED].

22 Q. Okay. So would you agree that this document

23 appears to reflect your voter record as you

24 understand it to be held by the North Carolina

25 State Board of Elections?

1 A. Yes.

2 Q. Okay. Going down a little bit further, there's
3 a line that says Registration Date.

4 A. Yes.

5 Q. And what does that date say?

6 A. 10/17/1994.

7 Q. Okay. And is that correct to the best of your
8 recollection?

9 A. Yes.

10 Q. Okay. A couple lines up from that it says
11 Ethnicity?

12 A. Yes.

13 Q. What does that say?

14 A. Not Hispanic or Not Latino.

15 Q. Is that accurate?

16 A. No.

17 Q. And why is that not accurate?

18 A. I have no idea. I mean, why is it -- because I
19 was born in Cuba and I am Latino, so I don't
20 know why that is inaccurate.

21 Q. So what is inaccurate?

22 A. The ethnicity should be Latino or Hispanic or
23 whatever.

24 Q. So you consider yourself Latino?

25 A. Yes.

1 Q. Do you consider yourself part of the Latino
2 community in North Carolina?

3 A. Yes.

4 Q. Okay. Ms. Sanchez, I want to talk to you a
5 little bit about a law that was passed by the
6 North Carolina General Assembly known as the
7 Voter Information Verification Act. Some
8 people refer to it as House Bill 589.

9 Are you familiar with what I'm
10 describing to you?

11 A. Slightly, yes.

12 Q. So if I refer to House Bill 589, you'll
13 understand that I'm talking about the Voter
14 Information Verification Act?

15 A. Yes.

16 Q. Okay. And are you aware that House Bill 589
17 requires voters to present a valid current
18 government-issued ID -- photo ID to vote
19 beginning in 2016?

20 A. Yes.

21 MS. MURPHY: Objection to form.

22 You can answer.

23 THE WITNESS: I can answer.

24 Yes.

25 BY MS. LIEBERMAN:

1 Q. Okay. Are you aware that a current and valid
2 North Carolina driver's license is included
3 among the list of forms of acceptable ID to
4 vote under House Bill 589?

5 A. Yes.

6 MS. MURPHY: Objection to form.

7 THE WITNESS: But yes.

8 MS. MURPHY: Just ignore me.

9 BY MS. LIEBERMAN:

10 Q. Are you aware that a United States passport is
11 included among the list of acceptable forms of
12 ID to vote under House Bill 589?

13 A. Yes.

14 MS. MURPHY: Objection to form.

15 BY MS. LIEBERMAN:

16 Q. Do you have a North Carolina driver's license?

17 A. Yes.

18 Q. And do you have a non-expired United States
19 passport?

20 A. Yes.

21 MS. LIEBERMAN: At this point I would
22 like to introduce Sanchez Exhibit 2.

23 (WHEREUPON, Plaintiffs' Exhibit 2 was
24 marked for identification.)

25 BY MS. LIEBERMAN:

1 Q. Ms. Sanchez, I've just handed you what the
2 court reporter has marked as Sanchez Exhibit 2.

3 A. Yes.

4 Q. Do you recognize this document?

5 A. Yes.

6 Q. What is it?

7 A. It's my passport.

8 Q. It's your passport. Is this a true and

9 accurate photocopy of your current

10 United States passport?

11 A. Yes.

12 Q. When does it say that this passport expires?

13 A. In the 14th of November of 2017.

14 Q. And so it's currently current?

15 A. Yes.

16 Q. How is your name listed on this passport?

17 A. My first name is listed correctly, Maria del
18 Carmen, and my last name is Sanchez.

19 Q. And is this different than how your name is

20 listed on your voter registration record?

21 A. Yes.

22 MS. LIEBERMAN: At this point I'd like

23 to introduce Sanchez Exhibit 3.

24 (WHEREUPON, Plaintiffs' Exhibit 3 was

25 marked for identification.)

1 BY MS. LIEBERMAN:

2 Q. Ms. Sanchez, I've just handed you what the
3 court reporter has marked as Sanchez Exhibit 3.

4 Do you recognize this document?

5 A. Yes.

6 Q. And what is it?

7 A. My driver's license.

8 Q. Is this a true and accurate copy of your
9 current North Carolina driver's license?

10 A. Yes.

11 Q. When does this expire?

12 A. My birthday, [REDACTED].

13 Q. So it is currently --

14 A. It is currently --

15 Q. -- current?

16 A. Yes.

17 Q. I'm going to ask you to let me finish my
18 question before you answer. Thank you.

19 And how is your name listed on this
20 document?

21 A. Maria del Carmen Sanchez.

22 Q. And specifically how was your first name
23 listed?

24 A. Maria.

25 Q. And your middle name?

1 A. del Carmen.

2 Q. And your last name?

3 A. Sanchez.

4 Q. And is this different than how your name is
5 listed on your voter registration record?

6 A. Yes.

7 Q. Do you currently possess a non-expired
8 government-issued ID that matches the name on
9 your voter registration record?

10 A. No.

11 Q. Was there some point that you had a
12 North Carolina-issued identification that did
13 match the name on your voter registration
14 record?

15 A. Yes.

16 Q. Okay. I'd like to talk a little bit about that
17 North Carolina identification from the DMV, the
18 Department of Motor Vehicles. Remind me again
19 when you first moved to North Carolina.

20 A. 1990.

21 Q. Okay. Did you get a North Carolina driver's
22 license at some point thereafter?

23 A. Yes.

24 Q. Did you get a North Carolina driver's license
25 at some point after you moved to

1 North Carolina?

2 A. Yes.

3 Q. When was that?

4 A. 1990.

5 Q. Okay. What was the name on your driver's
6 license?

7 A. Maria Sanchez Thorpe.

8 Q. Okay. And why was it listed as Maria Sanchez
9 Thorpe?

10 A. Because when I got married, I took my husband's
11 name.

12 Q. And your married name is?

13 A. Thorpe.

14 MS. LIEBERMAN: Okay. At this point
15 I'd like to introduce Sanchez Exhibit 4.

16 (WHEREUPON, Plaintiffs' Exhibit 4 was
17 marked for identification.)

18 BY MS. LIEBERMAN:

19 Q. Ms. Sanchez, I've just handed you what the
20 court reporter has marked as Sanchez Exhibit 4.

21 Do you recognize this document?

22 A. Yes.

23 Q. And what is it?

24 A. It's a driver's license from '94.

25 Q. A driver's license from 1994?

1 A. Yes.

2 Q. Is this a true and accurate copy of your 1994
3 North Carolina driver's license?

4 A. Yes.

5 Q. I'm going to ask you how your name is listed
6 here, specifically your first name.

7 A. Maria.

8 Q. And your middle name?

9 A. Sanchez.

10 Q. And your last name?

11 A. Thorpe.

12 Q. Was this license valid until it expired?

13 A. Yes.

14 Q. And do you see on here when it was set to
15 expire?

16 A. In '98.

17 Q. Okay.

18 A. On my birthday in '98 -- [REDACTED], 1998.

19 Q. And were you able to renew this driver's
20 license when it expired?

21 A. Absolutely.

22 MS. LIEBERMAN: I'd like to now
23 introduce Sanchez Exhibit 5.

24 (WHEREUPON, Plaintiffs' Exhibit 5 was
25 marked for identification.)

1 BY MS. LIEBERMAN:

2 Q. Ms. Sanchez, I have handed you what the
3 court reporter has marked as Sanchez Exhibit 5.

4 Do you recognize this document?

5 A. Yep.

6 Q. What is it?

7 A. It's my driver's license of 2003.

8 Q. On the driver's license it says issued. Is
9 there a date after that?

10 A. Yes.

11 Q. What does it say?

12 A. July 14, 2003.

13 Q. So is this a true and accurate photocopy of
14 your 2003 North Carolina driver's license?

15 A. Yes.

16 Q. And how is your name listed here, specifically
17 how is your first name listed?

18 A. Maria.

19 Q. And your middle name?

20 A. Sanchez.

21 Q. And your last name?

22 A. Thorpe.

23 Q. And what is the date of expiration on this?

24 A. [REDACTED] 2007.

25 Q. And this license was valid until it expired in

1 2007?

2 A. Yes.

3 Q. And so in 2007 you had to go back to the DMV to
4 renew your driver's license?

5 A. Yes.

6 Q. Was that the most recent time that you
7 attempted to renew your driver's license in
8 North Carolina?

9 A. Yes.

10 Q. Okay. Let's talk about that most recent time
11 you went to renew your license in 2007.

12 Do you recall what office of the
13 Department of Motor Vehicles you went to?

14 A. Yes. The one in Carrboro Plaza.

15 Q. Okay. Tell me about what happened when you
16 attempted to renew your driver's license in
17 2007.

18 A. I took my passport with me to confirm my
19 identity, I suppose, and then I went and did
20 my, you know, driver test and eye test and
21 whatever I needed to do, and then when it came
22 time to give me the license, they went to the
23 computer and said they couldn't give me a new
24 driver's license.

25 And I asked them why, and they said

1 because my name didn't match. And I thought
2 well that's silly because you just -- you've
3 renewed it however many years ago and it's the
4 same documentation. Again, I'm not bringing
5 you new documents, I'm bringing you the same
6 documents.

7 And they said but this time they
8 couldn't give me a new license. And I said but
9 I'm the same person, you know I'm the same
10 person because, I've been the same person. And
11 they said, no, we can't give you a new license.

12 And I got a little flustered and I said
13 but I don't understand, I don't understand, and
14 they -- and they said they were really sorry
15 but they couldn't give me a new license.

16 Q. Now, Ms. Sanchez, you said that they refused to
17 give you a new license because your name didn't
18 match?

19 A. Yes.

20 Q. And what did -- what do you believe they meant
21 when they said your name didn't match?

22 A. That the name on my passport didn't match the
23 name they had in their records for me, I think,
24 is what I understood.

25 Q. And by that you mean the name that was --

1 A. That was on my driver's license.

2 Q. The name that was listed with the

3 North Carolina Department of Motor Vehicles --

4 A. Yes.

5 Q. -- that that did not match the name as listed

6 on your United States passport?

7 A. Yes.

8 Q. Okay. Can you explain why your name is listed

9 differently on your passport as compared to

10 your North Carolina Department of Motor

11 Vehicles record?

12 A. Okay. Because it never occurred to me to

13 change my passport first, didn't seem

14 important.

15 Secondly, when I came to

16 North Carolina, we had just gotten married, we

17 opened a checking account together, I took his

18 name, I thought we're going to have kids, it

19 would be great for the kids to -- so, you know,

20 the kids wouldn't have a Sanchez and a Thorpe

21 but same Thorpe parent and it just -- I didn't

22 think about it.

23 So we went and got my driver's license,

24 everything based on the checking account and

25 all the bills and it just never seemed to be a

1 problem at all, I mean, so it didn't occur to
2 me there.

3 And then I -- before I got married, I
4 was a professional in New York and I went by
5 the name Sanchez always and I continued later
6 to work in New York, so it just seemed to not
7 be important to do -- to make it -- it just
8 never occurred to me to do, I'll tell you it
9 just never occurred to me to do it honestly.

10 Q. And you have identifying documents that list
11 your name in multiple ways?

12 A. Yeah.

13 Q. Okay. Are you aware of -- strike that. Let me
14 rephrase.

15 Can you explain why it may be common
16 for people with Latino surnames to have
17 different iterations of their names on their
18 documents?

19 A. Yes. I can start from the beginning.

20 My name, as I said, on my birth
21 certificate, which we don't have here, is Maria
22 del Carmen is my first name, Sanchez Ennes,
23 which is my mother's maiden name.

24 In Latin America, people use both the
25 father's name last name and the mother's last

1 name. So when I was in Mexico or in Cuba and
2 when I lived in Mexico and Cuba, my name was
3 Maria del Carmen Sanchez Ennes. And everyone
4 knows that Sanchez is your last name, everyone
5 knows that. Sanchez is the official surname,
6 but Ennes in my case was right next to it. And
7 that's not a problem and everybody understands
8 how it works.

9 But when you come to the United States,
10 that's not the case and many Latinos don't know
11 that at all, and so all of a sudden -- I will
12 give you an example.

13 I have a nephew who lives here and his
14 name is Carlos Levine Sanchez because his
15 mother is my sister and the Sanchez, his father
16 is Levine.

17 So when Carlos moved here, all of a
18 sudden on official documents we started getting
19 that his name was Carlos Sanchez because it's
20 not Carlos Sanchez, it's Carlos Levine Sanchez.

21 So he got so -- things got so confusing for him
22 and he was trying to, you know, get jobs and
23 apply for, you know, insurance and all this
24 that he just threw his hands up in the air and
25 hyphenated because, you know, the US Government

1 doesn't understand how that works and, you
2 know, maybe they should, maybe she shouldn't,
3 but they don't, so last names get totally
4 convoluted and confused.

5 And it was really hard for Carlos
6 because he didn't know what to do, and finally,
7 you know, I think he just said, look, I'm going
8 to hyphenate and that's the end of it, and I
9 don't even know that's official, but it's at
10 least hyphenated for public documents in the US
11 so that his last name is Levine and that is
12 clearly the same thing.

13 When I came to the United States, when
14 I became a US citizen, I got a Social Security
15 number. Of course I was like 10 or something
16 and nobody was paying attention. And my Social
17 Security card says that my name is Maria D
18 period Sanchez because when my parents filled
19 out the Social Security form, they filled out
20 my name like Maria space del space Carmen
21 Sanchez, and I don't know if they put the Ennes
22 on it or not.

23 But so the people who were processing
24 the form, when they put a space after Maria,
25 they assumed the del Carmen was my middle name.

1 So suddenly my first name got separated into
2 two and I lost a Carmen somewhere. I don't
3 even know where that is. And so it became
4 Maria del Sanchez.

5 And I didn't even -- you know, you
6 don't -- you don't look at these things, you
7 know. Usually I went with my passport, which
8 was always there, and so it's become quite, as
9 you can tell, confusing. Okay.

10 Q. And so there are some differences between
11 naming conventions for surnames between
12 American and Latin American culture?

13 A. Completely different.

14 Q. And there are also some differences in naming
15 conventions with respect to first names --

16 A. Yes.

17 Q. -- between American culture and Latin American
18 culture?

19 A. Yes. Yes. Do you want me to elaborate?

20 Q. Sure.

21 A. Most women in Latin America -- and I'll just
22 say this generally -- I mean, you can't --
23 you're a Maria because everybody is called Mary
24 something, and then you will have another name,
25 Maria de la Luz, Maria Jose, Maria Cecelia, and

1 many women -- many women lose that second name
2 because of the way they get processed in the
3 system, and that's why you have so many Marias
4 running around now here because we've lost our
5 names. We've lost our names.

6 I mean, I'm going to say something. I
7 have a good, good friend, hugely good friend
8 that I grew up with in Mexico, Maria Amparo
9 Escandon. And Maria Amparo Escandon, we grew
10 up together. I moved to New York. Maria
11 Amparo -- I get a call from a Maria Escandon.
12 I said I don't know any Maria Escandon. I
13 don't remember a Maria Escandon. After the
14 third time she called me, I realize it's Maria
15 Amparo.

16 You see, you lose -- you start losing
17 your identity in a way because of the forms,
18 because of the forms, because of the forms in
19 the United States and how the names get
20 processed.

21 Q. And so just to clarify, your first name is
22 what?

23 A. Maria del Carmen. Maria del Carmen, that's my
24 first name.

25 Q. But your Social Security lists your first name

1 as?

2 A. Maria. Maria.

3 Q. And the del Carmen as your second name?

4 A. D.

5 Q. D?

6 A. I think it's spelled -- really I don't even

7 know.

8 Q. Thank you.

9 So getting back to that experience at

10 the DMV, were you able to renew your driver's

11 license that day in 2007 at the Carrboro DMV

12 office?

13 A. No.

14 Q. You were ultimately able to renew your driver's

15 license in North Carolina?

16 A. Yes.

17 Q. Can you explain how you were ultimately able to

18 renew your driver's license?

19 A. After a very, very difficult and humiliating

20 experience, honestly, I -- so I'll go back to

21 that day where I was sitting with a woman who

22 just told me, no, you can't, you can't, and I

23 couldn't believe it because, as I said before,

24 I was the same person who had been renewed

25 before. It wasn't like I was a new person. I

1 was the same person, but because of a

2 technicality, it seemed, they weren't going to

3 give me my license.

4 And I said, look, you have everything,

5 you know everything, it's the same -- nothing's

6 changed and they said but -- I don't even know

7 what they told me, they just said, no, we

8 can't.

9 So I went to the desk and said, look,

10 here is my license, here's the other license,

11 you know, here's my license, here's my

12 documentation, I'm at the same address, same

13 person.

14 And they said, well, too bad, it

15 doesn't work and you got to go home, and I said

16 but I can't go home, I can't even drive home,

17 you know, I don't have a license any more, and

18 they said, well, too bad.

19 Thankfully I lived closed by so I

20 walked home and left the car there. And I went

21 to my husband, who's a very persuasive and calm

22 man. And I said, Merle, this is happening and

23 I don't know what to do.

24 And so Merle drove me back and Merle

25 and I went in and Merle talked with the people

1 at the desk, and the people at the desk said,
2 well, she can't have it, she can't have it,
3 it's just -- you know, because it has your last
4 name on it and it's not -- it doesn't match.

5 And so we asked what can we do and they
6 said, well, you can get a divorce, you can get
7 a divorce is what they said. That's what they
8 said.

9 Q. And why would they have suggested you get a
10 divorce?

11 A. Because that would take the Thorpe off my name.
12 You can get a divorce.

13 It was so absurd and flabbergasting. I
14 couldn't believe what they were telling me.

15 So I said so what else can we do, and
16 they said, well, you can go to the Social
17 Security Administration and make the Social
18 Security name match the DMV name, and I said
19 but why would I do that, and they said because
20 that's the only way we're going to give you a
21 license.

22 So needless to say, I went home and I
23 almost cried. I think I did cry. I felt so
24 impotent and like I hit a wall. And so my
25 husband, who is a very smart man, said call the

1 DMV and talk to them. So I did, I got on the
2 phone and I went from person to person to
3 person, you know, supervisor to supervisor to
4 supervisor until I hit some kind of person with
5 the last person who talked to me, and I
6 suggested to them -- I said, okay, I understand
7 that somehow laws -- rules have changed and
8 this is happening, and so why can't I just get
9 a new license, go in with my passport, with
10 whatever documentation I have and say wipe the
11 slate clean, new license, why can't I do that
12 because everything's -- everything's in order,
13 and they said because that would be tricking
14 the system.

15 I said but how would that -- the system
16 is tricking me, I said. Anyway, so they said,
17 no, I couldn't do that. And I said so what do
18 you suggest I do. They said, ma'am, your two
19 recourses are to get a divorce, again they
20 said, I wish I had recorded it, to get a
21 divorce or to go to Social Security
22 Administration.

23 Well, I really -- I have never felt so
24 impotent in my life. I just couldn't believe
25 it. I said -- I thought, well -- I said we're

1 speaking two different languages or I didn't
2 understand and they weren't being -- I mean, it
3 was totally not being helpful at all.

4 And so I even considered -- my parents
5 -- my mother -- my parents lived in Mexico at
6 that point, and I said, well, I'll go back to
7 Mexico and get a Mexican -- I just didn't know
8 how I was going to get a license.

9 So we scrambled all around the house
10 looking for all my -- my Social Security card,
11 all my documents so we would have them
12 altogether. And we went to dinner last night
13 with a friend and actually were thinking we'll
14 get a fake divorce and get married again. It
15 was just ridiculous that we were even
16 considering it.

17 Anyway, so the next day my husband got
18 on the phone, and Merle is a very good, solid
19 person who won't give up. So he got on the
20 phone, and he was on the phone for about an
21 hour, and he went from person to person and got
22 past my person, and finally they gave him the
23 name of someone who was going to call him back
24 and that someone called him back the next day,
25 so we're now three days in or four days in, and

1 told him, well, she just needs the blah blah

2 blah form, the name change form.

3 And Merle said, what do you mean the

4 name change form? Yeah, yeah, they have it in

5 the desk at the DMV. Tell them to look in

6 their desk and on the right-hand corner, there

7 should be a name change form. And so Merle

8 gets up and says there's a name change form.

9 Why -- how could they have a name change form

10 and not offer it to me.

11 So we went back to the DMV and Merle

12 said to the person, by the way, I spoke to blah

13 blah blah person and he said that in the

14 right-hand corner of the drawer there is a name

15 change form that we can use to fix this.

16 And the guy said a name change form?

17 And Merle said, yes, a name change form in the

18 drawer. So first -- so first they didn't even

19 open the drawer. They questioned what we were

20 saying. And then Merle said, yes, so and so

21 said the name change form.

22 So they opened the drawer and there it

23 was, and so they picked -- I couldn't

24 believe -- I couldn't believe it. So they

25 picked it up and give it to Merle and said,

1 well, let's see if this works, we don't know,
2 so even then telling us they weren't sure it
3 was going to work, you know.

4 So we filled out the form, we had to
5 get it notarized, we came back, we gave them
6 the form and they gave us the -- they gave me
7 my driver's license.

8 Q. Ms. Sanchez, at this point I would like to
9 introduce Sanchez Exhibit Number 6.

10 (WHEREUPON, Plaintiffs' Exhibit 6 was
11 marked for identification.)

12 BY MS. LIEBERMAN:

13 Q. Ms. Sanchez, I've just handed you what the
14 court reporter has marked as Sanchez Exhibit 6.

15 Do you recognize this document?

16 A. Yes.

17 Q. What is the title of this document?

18 A. Affidavit for Name Change.

19 Q. And is this a true and accurate blank copy of
20 the name change affidavit that you had to
21 complete as you recollect it?

22 A. Yes.

23 Q. And can you describe some of the information
24 that it asks for on this name change affidavit?

25 A. It asks for my present full legal name, that my

1 name as stated on my birth certificate is,
2 which would probably confused everyone at the
3 desk, I'm sorry, and that my -- where I lived
4 for the past ten years, where I -- the names I
5 had used in the past ten years.

6 Q. And what is Number 11?

7 A. That I had -- where I had been employed for the
8 past ten years.

9 Q. Were you able to complete all of this
10 information?

11 A. Yes.

12 Q. Was that a difficult process for you to
13 complete that?

14 A. We were especially careful. I really felt that
15 somehow I was being scrutinized and -- I don't
16 know, I was made to feel that I should be very
17 careful because somewhere along the way
18 something was really wrong with my name, so I
19 had to be -- it was very -- I did it very
20 carefully. I was pretty upset as I was doing
21 it.

22 Q. And at the bottom of the page, you had to --
23 under 14, Number 14, you had to sign your name?

24 A. Yes.

25 Q. And underneath that signature there's a sign

1 for a notary public.

2 A. Yes.

3 Q. Did you have to get the document notarized?

4 A. Yes.

5 Q. And so you had to find a notary?

6 A. Yes.

7 Q. So based on your personal experience, are there
8 reasons that a form like this or questions like
9 these might be particularly concerning for
10 people of Latino decent?

11 A. Yes.

12 Q. Why is that?

13 A. Because of fear of just government agencies in
14 general. When I say I work in advertising, I
15 work -- I do advertising for the US Hispanic
16 market, that's my expertise. So when we do
17 direct mail drops, for example, where you have
18 to fill in a form -- in the olden days to fill
19 in the form to get a prize or, I don't know,
20 anything, many people wouldn't -- Latinos are
21 very bad for direct mail, they wouldn't -- they
22 wouldn't fill out forms because they were
23 afraid of the forms, they were afraid that
24 somehow -- they live in kind of fear. Many --
25 because they know someone who is illegal maybe

1 or someone -- they have a family -- a family
2 member who is not documented living with them
3 or because they've had problems with their
4 names also, so they don't tend -- generally
5 fill out forms easily and they don't always
6 have the language skills.

7 Like during the last ten years I have
8 used or have been addressed by the following
9 names in this jurisdiction is so scary,
10 jurisdiction, you know, judges. I mean, the
11 whole wording is a little intimidating.

12 So if you don't have someone like
13 Merle, my husband, or someone giving you a hand
14 and saying, no, it doesn't mean anything, just
15 write down things, people get scared and don't
16 fill out things.

17 Q. You were ultimately able to complete this form?

18 A. Absolutely.

19 Q. Okay. And were you able to ultimately renew
20 your driver's license at the DMV after
21 completing that form?

22 A. Yes.

23 Q. And it reflected the name change you submitted
24 in the affidavit for name change document?

25 A. Yes.

1 Q. I'm going to ask you to look back at Exhibit 3

2 that we looked at earlier.

3 A. Yes.

4 Q. And just confirm for me, is that a true and

5 accurate photocopy of your current

6 North Carolina license?

7 A. Yes.

8 Q. And how does the name read on that?

9 A. Maria del Carmen Sanchez.

10 Q. Thank you. Can you describe approximately how

11 long the process took to renew your driver's

12 license?

13 A. I don't know. To my best recollection, it --

14 I'll say it seemed like years, but it probably

15 took a week, seven days, something like that.

16 Q. And does your experience renewing your driver's

17 license at the North Carolina DMV leave you

18 concerned about the photo ID requirement in

19 House Bill 589?

20 A. It leaves me concerned because of my

21 experience. I will add that -- you haven't

22 asked me this, but I will add when my husband

23 and I went back to get the form, there was a

24 young woman -- an American young woman with

25 what appeared to be a Russian boyfriend and

1 they were starting to have the same problem,
2 and I went to them and I said, look, just ask,
3 don't even try -- just ask for the affidavit
4 for name change.

5 What I meant -- what I wanted to say to
6 everybody that day was why don't you put the
7 stupid form up on the wall and say if you have
8 problems with your documents, here is an
9 affidavit that you can fill out, you know, help
10 people, be ready to help people, and they
11 absolutely were not ready to help. In fact, I
12 thought they were putting up barriers for --
13 you know, they weren't letting -- they weren't
14 helpful in helping me get a name change
15 affidavit. We had to fight to do that.

16 And thankfully, you know, I'm an
17 American citizen, my grandfather was born in
18 Boston, you know, I speak English perfectly, I
19 am -- I am self assured, I have a business, and
20 it was hard for me to deal with them and --
21 because they were being very -- I can't think
22 of the word in -- psycho -- I'm thinking in
23 Spanish, they put up barriers and -- and it was
24 so hard for me to do, can you think of all
25 these people who have no -- whose English is

1 awful or, you know, not good and don't have

2 someone like my husband to tell them we're

3 going to get this done and don't you worry.

4 I mean, it was very distressing, as you

5 can tell. It's still distressing. But anyway,

6 so...

7 Q. So based on this experience --

8 A. Sorry. My answer is, yes, I think it would be

9 difficult because it was difficult for me.

10 Q. Okay. And based on your own experience in the

11 Latino community, do you think that this fear

12 of navigating the system is enough to deter

13 Latinos from going through the process of

14 correcting their identification or getting

15 identification to vote?

16 A. It would certainly deter some Latinos, I'll say

17 that.

18 Q. Why do you believe that to be the case?

19 A. Because if they know -- because if they know

20 it's going to be hard and they know they're

21 going to be scrutinized and they're going to

22 feel like, oh, my God, I did something wrong or

23 something, something, any fear -- any fear that

24 you live with in your life it's going to come

25 up and you're going to say, no, I'm not going

1 to deal with that, I don't want anything bad to
2 happen whether it's irrational or rational or
3 based on fact or not, honestly.

4 Q. But if people cared enough to vote, wouldn't
5 they go through this process even if it's
6 difficult?

7 A. I can't answer for most people. People might
8 try. People might be afraid. That's a hard
9 question for me to answer.

10 I believe that some people would try.
11 If they come up with so many barriers as I did,
12 they go home and they go screw that. Excuse me
13 my language.

14 Q. Ms. Sanchez, are you concerned about your
15 ability to vote under the photo ID provision of
16 House Bill 589?

17 A. Actually, I had -- I wasn't because I forgot
18 that I hadn't done anything about it, but now I
19 am and I need to go and fix my name on my voter
20 registration.

21 Q. Have you attempted to fix your name on your
22 voter registration?

23 A. Not yet.

24 Q. And do you know for sure whether you'll be
25 successful in changing your name on your voter

1 registration?

2 A. I can only say I hope I will be successful.

3 Q. Okay. Do you know anyone else who you believe

4 may be unable to vote under the provisions of

5 House Bill 589?

6 A. My son. My son, because he got pre-registered

7 at school and when they registered him at

8 school, he registered as Emmett Sanchez Thorpe,

9 but Emmett's full name is Merle Emmett Sanchez

10 Thorpe. So now Emmett is registered as Emmett

11 Sanchez Thorpe and he has to go -- when he

12 goes -- I'm sure there's a way to do this, I

13 just have to go and figure it out, Emmett has

14 to change his voter ID, so...

15 Q. Is voting important to you, Ms. Sanchez?

16 A. Yes.

17 Q. Why is voting important to you?

18 A. Because as I lived in this country, I have

19 realized that actually voting does make a

20 difference, that you vote for something and

21 actually people get elected, you know,

22 especially when you vote in small -- like small

23 town elections, you see they count every single

24 vote and someone wins by 20, well, maybe one of

25 those 20 was yours.

1 In Latin America -- well, I fled a
2 dictatorship in '60 and then I lived in Mexico
3 City for many years where the government was
4 a -- sort of a self-appointed party that
5 appointed its -- its presidents every six
6 years. So you grow up in a place where you --
7 really voting doesn't count, until a few years
8 ago where they changed everything, but when I
9 was growing up, it was like that.

10 So you grow up with the idea that
11 voting doesn't make any difference and then you
12 move here and you realize, wow, you know, you
13 vote and things change, you vote and people get
14 elected and it becomes very clear that your
15 vote absolutely does count, so that's why.

16 Q. Thank you very much, Ms. Sanchez. I don't have
17 any further questions.

18 A. Okay. Can I go to the bathroom?

19 MS. LIEBERMAN: Can we go off the
20 record, please.

21 THE VIDEOGRAPHER: Going off the
22 record, the time is 10:51 a.m.

23 (Brief Recess.)

24 THE VIDEOGRAPHER: Going back on the
25 record, the time is 10:55 a.m.

EXAMINATION

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BY MS. MURPHY:

Q. Okay. Ms. Sanchez, I just have a few questions to follow up.

So this -- the events that you described at the DMV, that took place in 2007; is that correct?

A. Yes.

Q. And have you been back to the DMV since then?

A. No.

Q. Okay. And now so you're -- your current driver's license has your name as being Maria?

A. del Carmen Sanchez.

Q. del Carmen Sanchez. And is that the name on your birth certificate?

A. Yes.

Q. With the Ennes as well?

A. With the Ennes added to it.

Q. And that is the name on your Social Security card as well?

A. Maria D. Sanchez.

Q. But the first name Maria, last name Sanchez?

A. Last name Sanchez, yes.

Q. And you voter registration you said you know you need to change your name on your voter

1 registration?

2 A. Yes.

3 Q. And you intend to do that?

4 A. Absolutely.

5 Q. Okay. You mentioned having some concerns about
6 other Latinos who might want to vote. Why
7 would they -- why would anyone else that you
8 know of encounter any difficulties in getting
9 whatever ID they need to vote?

10 A. Because they might have documents in different
11 names I worry. Like if you have a passport
12 with one name and -- I don't know -- I don't
13 know what other requirements -- and the DMV
14 license is in another name or they may get
15 there and encounter difficulties, same ones I
16 encountered, and not know how to navigate the
17 system.

18 Q. Okay. Well, and as I understand it, your issue
19 here is with the DMV, you wanted to renew your
20 driver's license, correct?

21 A. Yes.

22 Q. And so in order to renew your driver's license,
23 this was what the DMV required of you was to do
24 the name change?

25 A. Yes.

1 Q. Okay. If -- if there's another Latino person
2 that you know who wants to renew their driver's
3 license and they've had a name change, then
4 you're concerned they might go through some
5 similar difficulty in obtaining the name
6 change?

7 A. Yes.

8 Q. Do you know of any Latinos who don't have
9 driver's license who are going to need ID to
10 vote?

11 A. Actually, I do.

12 Q. And do they have already any customer number
13 with the DMV, do you know?

14 A. I don't know.

15 Q. Okay.

16 A. I don't know.

17 Q. So if I understand it, the only issue that you
18 foresee is somebody who already has a customer
19 number or some kind of ID with the DMV who now
20 is going back to the DMV; is that correct?

21 A. That would be one. The other would be -- and
22 I'm speculating now, but that you come --

23 Q. That's okay, I don't need you to speculate.

24 A. Okay. Sorry. Okay.

25 Q. I have no further questions.

1 A. Okay.

2 FURTHER EXAMINATION

3 BY MS. LIEBERMAN:

4 Q. Ms. Murphy asked you if you intended to change
5 your name on your voter registration.

6 A. Yes.

7 Q. And would you be changing it so that it matches
8 your North Carolina ID?

9 A. Yes.

10 Q. So that you are able to vote under the photo ID
11 requirement?

12 A. Yes.

13 MS. MURPHY: Objection to form.

14 BY MS. LIEBERMAN:

15 Q. And what is the reason that you would be
16 changing your voter registration name?

17 A. So that it matches My DMV license so that I can
18 vote.

19 Q. Okay. Would you have otherwise changed the
20 name on your voter registration?

21 A. It would have never occurred to me.

22 Q. Okay. Are you familiar with the process of how
23 to change your name on your voter registration?

24 A. Not really. Not really. I'll say that.

25 Q. Okay. And can you guarantee that you'll be

1 successful in reconciling those name

2 differences on your IDs and voter registration?

3 A. No.

4 Q. Thank you.

5 MS. MURPHY: I do have a follow-up.

6 FURTHER EXAMINATION

7 BY MS. MURPHY:

8 Q. Do you know whether it's required for your name
9 to match exactly on your voter registration as
10 compared to your driver's license?

11 A. My understanding is that it should match my --
12 my I.D.

13 Q. What is the basis of that understanding?

14 A. From reading news reports and reading --
15 talking to people about the voter ID law.

16 Q. Have you spoken to anyone at the State Board of
17 Elections about what's required?

18 A. No.

19 Q. Have you seen any information disseminated by
20 the State Board of Elections about what's
21 required?

22 A. No.

23 Q. What about your local Board of Elections?

24 A. No.

25 Q. Okay. And I just want to understand, your

1 birth certificate -- obviously you were not
2 married yet when it was issued, so it has a
3 name on it.

4 A. Yes.

5 Q. Did you receive your Social Security card
6 before you were married?

7 A. Yes.

8 Q. So that also reflects your name prior to
9 marriage?

10 MS. LIEBERMAN: Objection; beyond the
11 scope of the redirect.

12 MS. MURPHY: Well, we'll go ahead with
13 it and you can make that objection later. Is
14 that okay with you.

15 THE WITNESS: Sorry, ask me again about
16 the Social Security card.

17 BY MS. MURPHY:

18 Q. So your Social Security card reflects the name
19 prior to marriage because you got it prior to
20 your marriage; is that correct?

21 A. Yeah, it already changed from my birth
22 certificate. It made my --

23 Q. I'm sorry. But your Thorpe -- Thorpe was not
24 in your social --

25 A. No, no, no.

1 Q. -- security card because you were not yet
2 married?

3 A. Yes, right.

4 Q. And then when you -- when you got your first
5 driver's license in North Carolina, it
6 reflected the name Thorpe?

7 A. Yes.

8 Q. And that's because at that point you had gotten
9 married?

10 A. Yes.

11 Q. So when you went back to the driver's license
12 office to renew in 2007 and they saw that
13 Thorpe was not on your birth certificate --

14 A. Yes.

15 Q. -- did you -- did you not attempt to change
16 your name from what was reflected on your birth
17 certificate to your married name? You tried to
18 change your married name back to -- I'm
19 confused now that I'm thinking through this
20 about what it was that you needed to change
21 your name about.

22 A. The DMV want -- did not -- would not give me a
23 new license because it didn't match my birth
24 certificate or my passport, and so I needed for
25 them to give me a new license, I needed to

1 change all my documents to match my driver's
2 license. That is what they were telling me.

3 Q. Okay. So based on what you understood them to
4 tell you, you changed your name -- you told the
5 DMV essentially with this name change affidavit
6 that your name is --

7 A. Maria del Carmen Sanchez.

8 Q. -- Sanchez without the Thorpe?

9 A. Yes.

10 Q. Okay. I have no further questions.

11 FURTHER EXAMINATION

12 BY MS. LIEBERMAN:

13 Q. Sitting here today, does the name listed on
14 your ID or any of your forms of identification
15 match the name on the voter rolls maintained by
16 the State Board of Elections?

17 A. Ask me again.

18 Q. Sitting here today, does the name as listed on
19 your ID match the name as listed in the North
20 Carolina State Board of Elections voter rolls?

21 A. No. My name, no.

22 Q. And so you testified earlier that you had
23 registered to vote as Maria Sanchez Thorpe?

24 A. Yes.

25 Q. And the reason that you registered as Maria

1 Sanchez Thorpe?

2 A. Was because at that point I had just gotten my
3 license Maria Sanchez Thorpe, we had just
4 opened a checking account as Maria Sanchez
5 Thorpe and I had just gotten married and I was
6 idiotically in love. That's what happened.

7 Q. Are you still married?

8 A. Yes, 25 years.

9 Q. But you don't use the name Thorpe for all
10 purposes?

11 A. No.

12 Q. How are you known professionally?

13 A. Maria Sanchez or Maji Sanchez, my nickname.

14 Q. And so sometimes you use Sanchez?

15 A. Always use Sanchez.

16 Q. You use Sanchez always now?

17 A. Yes.

18 Q. Okay.

19 A. And we won't get into nicknames. Okay.

20 Q. That's all. Thank you.

21 MS. MURPHY: And I have no followup.

22 That's it.

23 ///

24 ///

25 ///

1 THE VIDEOGRAPHER: This concludes the
2 video deposition of Maria Sanchez. Time going
3 off the record is 11:03 a.m.

4 [SIGNATURE WAIVED]

5 [DEPOSITION CONCLUDED AT 11:03 A.M.]
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1 STATE OF NORTH CAROLINA)
2 COUNTY OF WAKE) C E R T I F I C A T E

3
4 I, DENISE MYERS BYRD, Court Reporter and Notary
5 Public, the officer before whom the foregoing proceeding was
6 conducted, do hereby certify that the witness whose testimony
7 appears in the foregoing proceeding were duly sworn by me; that
8 the testimony of said witness was taken by me to the best of my
9 ability and thereafter transcribed under my supervision; and
10 that the foregoing pages, inclusive, constitute a true and
11 accurate transcription of the testimony of the witness(es).

12 Before completion of the deposition, review of the
13 transcript [] was [X] was not requested. If requested, any
14 changes made by the deponent (and provided to the reporter)
15 during the period allowed are appended hereto.

16 I further certify that I am neither counsel for,
17 related to, nor employed by any of the parties to this action,
18 and further, that I am not a relative or employee of any
19 attorney or counsel employed by the parties thereof, nor
20 financially or otherwise interested in the outcome of said
21 action.

22 This the 22nd day of May 2015.

23
24 Denise Myers Byrd
25 CSR 8340, RPR, CLR 102409-02