

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

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

6 Plaintiffs,)

7 vs.)

Case No: 1:13-CV-658

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

12 Defendants.)

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

15 Plaintiffs,)

16 vs.)

Case No: 1:13-CV-660

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

19 Defendants.)

20 UNITED STATES OF AMERICA,)

21 Plaintiff,)

22 vs.)

Case No: 1:13-CV-861

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

25 Defendants.)

30(b)(6) VIDEOTAPED DEPOSITION OF
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
DIVISION OF MOTOR VEHICLES
BY
CARLA THORPE

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30 (b) (6) VIDEOTAPED DEPOSITION OF
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLES DIVISION

BY
CARLA THORPE

3:03 P.M.

FRIDAY, FEBRUARY 6, 2015

OGLETREE DEAKINS NASH SMOAK & STEWART
4208 SIX FORKS ROAD
SUITE 1100
RALEIGH, NORTH CAROLINA

By: Denise Myers Byrd, CSR 8340, RPR, CLR 102409-02

1 03:06 1 recently taken any medications or other

2 03:06 2 substances that would impair your memory or

3 03:06 3 your ability to testify here today?

4 03:06 4 A. No.

5 03:06 5 Q. I understand that you are currently employed at

6 03:06 6 the North Carolina Department of

7 03:06 7 Transportation; is that right?

8 03:06 8 A. That is true.

9 03:06 9 Q. How long have you worked there?

10 03:06 10 A. 15 years.

11 03:06 11 Q. What's your current position at the DOT?

12 03:06 12 A. Application development manager, manage the

13 03:07 13 SADLS application which is the driver license

14 03:07 14 applications.

15 03:07 15 Q. And what division or unit of DOT are you

16 03:07 16 currently working?

17 03:07 17 A. IT, information technology.

18 03:07 18 Q. And is that under the DOT headquarters or is

19 03:07 19 that part of the DMV? I'm not sure exactly how

20 03:07 20 it works.

21 03:07 21 A. It's part of DOT, DOT IT.

22 03:07 22 Q. Okay. And what's your current position?

23 03:07 23 A. IT manager, uh-huh.

24 03:07 24 Q. How long have you been in that particular

25 03:07 25 position?

1 03:07 1 A. Seven years.

2 03:07 2 Q. Can you please describe what your job

3 03:07 3 responsibilities are in that position.

4 03:07 4 A. Yes, I can. Basically I manage all the

5 03:08 5 resources that make changes to the driver

6 03:08 6 license application. There's a certification

7 03:08 7 process, the adjudication process, also we have

8 03:08 8 a help desk. And basically that's -- I manage

9 03:08 9 those resources and all of the changes that

10 03:08 10 come into the application.

11 03:08 11 Q. And when you say the application, what are you

12 03:08 12 referring to?

13 03:08 13 A. I refer to SADLS, which is State Automated

14 03:08 14 Driver License System, mainframe application

15 03:08 15 that records all of the information coming from

16 03:08 16 like driver license branches and from hearing

17 03:08 17 offices around the state.

18 03:08 18 Q. So you say you manage the process by which DOT

19 03:08 19 makes changes to that application.

20 03:08 20 A. Yes.

21 03:08 21 Q. Can you flush that out a little bit for me.

22 03:08 22 What kind of a change?

23 03:08 23 A. Okay. Let's say right now -- I'm trying to

24 03:09 24 think of a current change that we just

25 03:09 25 received. For the certification side, and the

1 04:09 1 event?

2 04:09 2 A. Yes.

3 04:09 3 Q. Does SADLS contain -- does the SADLS database
4 04:09 4 contain a list of all events somewhere?

5 04:10 5 A. Yes, there is a place where we can get -- I
6 04:10 6 mean, we could go to the table and create a
7 04:10 7 query of all events, yeah.

8 04:10 8 Q. Do you know which table houses all of the
9 04:10 9 events, event IDs?

10 04:10 10 A. The driver event history table is where all
11 04:10 11 your events are and then the description -- you
12 04:10 12 would probably have to tie it together with the
13 04:10 13 code table to get the description and the
14 04:10 14 events, but, yeah. So you would query on that
15 04:10 15 and get all of the individual events and tied
16 04:10 16 together get the description.

17 04:10 17 Q. Okay. So still on Exhibit Number 210 and the
18 04:10 18 answer to Question Number 1, toward the bottom
19 04:10 19 of that paragraph it says when a license is
20 04:10 20 turned in, that would be indicated in the
21 04:10 21 DRVR_LIC_RCVD_IN field of the driver ID table.

22 04:11 22 A. Uh-huh.

23 04:11 23 Q. Does that refer -- does that field track when
24 04:11 24 North Carolina driver licenses are turned in to
25 04:11 25 the DMV?

1 04:11 1 A. Yes. There is an out-of-state field as well on

2 04:11 2 the same table that tracks when somebody turns

3 04:11 3 it in from out of state, but I believe that the

4 04:11 4 driver license received in is for instate.

5 04:11 5 Q. Okay. Do you know what the field is that would

6 04:11 6 track when an out-of-state license is turned

7 04:11 7 in?

8 04:11 8 A. I just remember that it's got an OS --

9 04:11 9 Q. Okay.

10 04:11 10 A. -- in the field name.

11 04:11 11 Q. If I wanted to know whether the customer -- a

12 04:11 12 customer turned in a North Carolina license

13 04:11 13 versus an out-of-state license, how would I go

14 04:11 14 about figuring that out?

15 04:11 15 A. Just with that, with the DRVR_LIC_RCVD_IN field

16 04:12 16 I think is for instate and then there is an

17 04:12 17 out-of-state field for out of state. So they

18 04:12 18 would look at that field on the driver ID

19 04:12 19 table.

20 04:12 20 Q. Okay. The DRVR_LIC_RCVD_IN field, how is the

21 04:12 21 information in that field populated?

22 04:12 22 A. I believe -- and I believe there's three values

23 04:12 23 to that field, and I believe it's like a yes, a

24 04:12 24 lost and a stolen and LS. I believe those are

25 04:12 25 the three values --

1 04:12 1 Q. And is it --

2 04:12 2 A. -- but I wouldn't bet my first child on it.

3 04:12 3 Q. Is it the examiner who enters the information?

4 04:12 4 A. Yes, uh-huh.

5 04:12 5 Q. Does -- the information, does it ever come from

6 04:12 6 anywhere else?

7 04:12 7 A. I don't think so.

8 04:12 8 Q. Okay.

9 04:12 9 A. Well, let me change that. Let me change that.

10 04:13 10 If the person came in to a branch, it would

11 04:13 11 always be the examiner entering in that

12 04:13 12 information.

13 04:13 13 Now, if you're asking about -- you

14 04:13 14 know, and I'm looking at this whole question.

15 04:13 15 If you're asking about a license that was

16 04:13 16 surrendered through the court or something,

17 04:13 17 then that's different.

18 04:13 18 Q. Okay.

19 04:13 19 A. And we would receive that information

20 04:13 20 differently.

21 04:13 21 Q. So if a license was surrendered through the

22 04:13 22 courts, would it still be recorded in this

23 04:13 23 DRVR_LIC_RCVD_IN field?

24 04:13 24 A. No. There is a conviction table because

25 04:13 25 usually that's going to be associated with a

1 04:13 1 conviction, and we receive data from AOC every
2 04:13 2 night and that would be a field on the
3 04:13 3 conviction table, I believe, two fields that
4 04:13 4 says the date and whether the license should be
5 04:13 5 surrendered or not.

6 04:14 6 Q. If -- I understand that sometimes when a court
7 04:14 7 convicts somebody and they're required to turn
8 04:14 8 in their license, sometimes they hand it over
9 04:14 9 to the judge right there.

10 04:14 10 A. Maybe. I think so.

11 04:14 11 Q. I'm just trying to understand, the
12 04:14 12 DRVR_LIC_RCVD_IN field, if a customer was
13 04:14 13 convicted and handed over his driver license to
14 04:14 14 the judge in court, would that be recorded as a
15 04:14 15 driver's license received in under this driver
16 04:14 16 ID table?

17 04:14 17 A. I don't think so.

18 04:14 18 Q. Okay.

19 04:14 19 A. I think that that would be received in, like I
20 04:14 20 said, our AOC interface at night, and that
21 04:14 21 would update our conviction and our conviction
22 04:14 22 rule tables as a yes or that the license was
23 04:15 23 surrendered through the courts.

24 04:15 24 Q. If you wanted to figure out all of the drivers'
25 04:15 25 licenses that had been either turned in to DMV

1 04:15 1 or turned in to the courts that were handed

2 04:15 2 over by the customer, where would you look in

3 04:15 3 SADLS to find that out?

4 04:15 4 A. The two places that I know would be, like I

5 04:15 5 said, the conviction table and there's a

6 04:15 6 field -- I think it's called DL sign in and the

7 04:15 7 sign-in date off of the conviction table.

8 04:15 8 That's when somebody turns it in to the court.

9 04:15 9 And then, of course, the received in field off

10 04:15 10 of the driver ID.

11 04:15 11 Q. And the first one you mentioned on the

12 04:16 12 conviction table, was the driver license -- or

13 04:16 13 DL sign in?

14 04:16 14 A. I think that's it, DL sign in and DL sign-in

15 04:16 15 date. So that would be the date that it was

16 04:16 16 surrendered, and I think maybe it's a yes or

17 04:16 17 no.

18 04:16 18 Q. If you want to make sure you had a complete

19 04:16 19 report of all customers who had turned in a

20 04:16 20 license for any reason other than the

21 04:16 21 conviction table and the DRVR_LIC_RCVD_IN field

22 04:16 22 of the driver ID table, are there any other

23 04:16 23 tables or fields in SADLS you would need to

24 04:16 24 consult?

25 04:16 25 A. The driver event -- the driver event usually

1 04:16 1 will tell you the reason the person -- I think

2 04:16 2 it's four or five events in the driver event

3 04:16 3 history table that tells you why the person

4 04:16 4 surrendered their license.

5 04:17 5 Q. And are there any other fields or tables that

6 04:17 6 would tell you that a license has been

7 04:17 7 surrendered?

8 04:17 8 A. Not that I'm aware of.

9 04:17 9 Q. Okay. Still on the question number -- or the

10 04:17 10 answer to Question Number 1, the final sentence

11 04:17 11 of that first -- that long paragraph says that

12 04:17 12 if a license is received in, the customer

13 04:17 13 status and the driver status table is

14 04:17 14 automatically changed to inactive; is that

15 04:17 15 right?

16 04:17 16 A. That's right 90 percent of the time.

17 04:17 17 Q. Okay.

18 04:17 18 A. There's a couple of statuses that don't change

19 04:17 19 if you turn it in, and if I can recall

20 04:17 20 correctly, that's if the status is like

21 04:18 21 medically cancelled or -- and I don't know,

22 04:18 22 there's another status -- maybe like couple of

23 04:18 23 statuses that stays the same.

24 04:18 24 Q. Even though you've turned in your -- physically

25 04:18 25 turned in your license?

1 04:18 1 A. Right.

2 04:18 2 Q. Would it help to look at a list of the

3 04:18 3 statuses? There's one on the next page if that

4 04:18 4 would help you remember which ones stay the

5 04:18 5 same.

6 04:18 6 A. Let me look and see. So it's probably -- I

7 04:18 7 would guess if you're medically cancelled, your

8 04:18 8 status will stay the same. If you're

9 04:18 9 cancelled, the status would stay the same. If

10 04:18 10 you're dead and somebody turns your license in,

11 04:19 11 your status would stay the same.

12 04:19 12 And I'm thinking about different

13 04:19 13 scenarios. Those are the ones that I know.

14 04:19 14 I'm not sure about the others.

15 04:19 15 Q. Okay. So then if -- so if -- generally

16 04:19 16 speaking, then, except for these few

17 04:19 17 exceptions, it sounds like if you turn in --

18 04:19 18 physically turn in your license, the driver

19 04:19 19 status is changed to inactive.

20 04:19 20 A. Yes.

21 04:19 21 Q. Is there any reason other than physically

22 04:19 22 turning in your license that a status would be

23 04:19 23 inactive?

24 04:19 24 A. Be quiet stomach.

25 04:20 25 I don't know. I don't know.

1 04:21 1 Q. Sure.

2 04:21 2 A. (Witness reading to self).

3 04:22 3 Okay. What I know about that is there

4 04:22 4 is a screen DL 415, and that's the surrender

5 04:22 5 license screen, that that information is

6 04:22 6 recorded. I think there is a group over at DMV

7 04:22 7 that receives that information from other

8 04:22 8 states and enter that information into the

9 04:22 9 system and an event is created, but I don't

10 04:22 10 know right off the top what that event ID is.

11 04:22 11 Q. Would I be able to find that in the codes

12 04:22 12 table, the event ID?

13 04:22 13 A. Yeah. In combination with the event -- the

14 04:22 14 driver event history and the codes table you

15 04:22 15 would be able to find what that -- yeah.

16 04:22 16 Probably just the codes table, yeah.

17 04:23 17 Q. So let's flip to the next page to Question

18 04:23 18 Number 4. Still on Exhibit 210.

19 04:23 19 A. Yes, ma'am.

20 04:23 20 Q. And Question Number 4 talks about the driver

21 04:23 21 status code field. Do you know what that is?

22 04:23 22 A. I do, I know what it is.

23 04:23 23 Q. Can you tell me what the driver status code

24 04:23 24 field is?

25 04:23 25 A. It gives you the statuses of the driver,

1 04:23 1 whether they have an active issuance or their

2 04:23 2 issuance is not active and if they have a type

3 04:23 3 of suspension or whatnot, so...

4 04:23 4 Q. Okay. So I want to ask you a few questions

5 04:23 5 about just a few of these statuses. I see

6 04:23 6 there are about ten of them. I am just going

7 04:23 7 to ask you about a few of them.

8 04:23 8 The first one I am going to ask you

9 04:23 9 about, Number 7, Driver Status 7 which stands

10 04:23 10 for suspended; is that right?

11 04:23 11 A. Uh-huh, suspended. Yes, uh-huh.

12 04:24 12 Q. If I wanted to know the reason why a customer's

13 04:24 13 driver's license was in suspended status, where

14 04:24 14 would I look in SADLS for that information?

15 04:24 15 A. You're asking a lot of trick questions.

16 04:24 16 Again, you're coming through your

17 04:24 17 adjudication process where we receive

18 04:24 18 information from AOC and that information is

19 04:24 19 applied to the customer. There's -- there are

20 04:24 20 multiple tables in that process. There's a

21 04:24 21 conviction table, there's a suspension table

22 04:24 22 and a pending event table. And I would guess

23 04:24 23 it would be in the suspension table is where

24 04:24 24 you would find that information.

25 04:24 25 Q. But you're not sure?

1 04:27 1 driver event history?

2 04:27 2 A. No, it's not part of the driver event history,
3 04:27 3 and it is probably not like a stand-alone
4 04:27 4 table. There's lots of cross-reference action
5 04:27 5 modules, different things that determine that
6 04:27 6 data and when it's -- when a person's record is
7 04:27 7 re-adjudicated.

8 04:27 8 So I'd say that that information is a
9 04:27 9 collection of tables, and a pending event
10 04:28 10 table, that tells whether that -- when it's
11 04:28 11 time for that event to kick off.

12 04:28 12 Q. Okay. So do you think there is a separate
13 04:28 13 pending event table?

14 04:28 14 A. Yeah.

15 04:28 15 Q. And this may be -- you may be just directing me
16 04:28 16 back to where we were before, but if I wanted
17 04:28 17 to know whether a suspended driver's license
18 04:28 18 had actually been turned in --

19 04:28 19 A. Okay.

20 04:28 20 Q. -- where would I go to find that information?

21 04:28 21 A. That would -- again, I think would be on a
22 04:28 22 conviction table if -- I believe, if it's
23 04:28 23 suspended it would come in through AOC.

24 04:28 24 Q. Okay. And just for the record, what does AOC
25 04:29 25 stand for?

1 04:29 1 A. Administrative Office of the Courts.

2 04:29 2 Q. Thank you.

3 04:29 3 A. Sorry.

4 04:29 4 Q. And we were talking just a minute ago about the

5 04:29 5 pending events. How would you determine

6 04:29 6 whether a customer currently has a pending

7 04:29 7 event?

8 04:29 8 A. I'll have to defer the answer to that. I'm not

9 04:29 9 sure. I was trying to think of which table

10 04:29 10 took precedence, whether the suspension or

11 04:29 11 conviction or pending events. So I would think

12 04:29 12 you would start with either the conviction or

13 04:29 13 suspension table and depending if they had one

14 04:30 14 of those you could go to a pending event and

15 04:30 15 see if there was a pending event associated

16 04:30 16 with one of those two.

17 04:30 17 Q. Okay. And the pending event codes, where would

18 04:30 18 I find the descriptions for those codes?

19 04:30 19 A. I don't know.

20 04:30 20 Q. Okay. Do you know whether they would be in the

21 04:30 21 codes table?

22 04:30 22 A. I don't know. That is a whole separate, very

23 04:30 23 complicated process that's totally separate

24 04:30 24 from certification and I'm not as strong there.

25 04:30 25 Q. Okay. So moving on to another status in the

1 04:45 1 Q. If you look at Question Number 4, the beginning
2 04:45 2 of the lengthy answer that describes all of
3 04:45 3 these fields, that first sentence, go ahead and
4 04:45 4 read that.

5 04:45 5 A. Which one?

6 04:45 6 Q. Under Answer. It says, "An NC driver's license
7 04:45 7 can be coded as any of the 10 possible codes."

8 04:45 8 A. Okay.

9 04:45 9 Q. Is that your understanding?

10 04:45 10 A. Yes.

11 04:45 11 Q. Do you believe that that answer is accurate?

12 04:45 12 A. I do.

13 04:45 13 Q. The second sentence reads "An NC special ID
14 04:45 14 card can only be coded as either '1-Active' or
15 04:46 15 'E-Inactive.'"

16 04:46 16 A. True.

17 04:46 17 Q. Is that also your understanding?

18 04:46 18 A. Yes, uh-huh.

19 04:46 19 Q. I have a question about how a special ID card
20 04:46 20 might be -- ever be deemed a 1 or active.

21 04:46 21 Under what circumstance would a special

22 04:46 22 ID be given a 1 field?

23 04:46 23 A. In most cases it's going to be once you come in

24 04:46 24 and you go through the verification process and

25 04:46 25 you get your card, it's going to be active

1 04:46 1 until it's expired, which case the status is
2 04:46 2 still not changed, it's just that it has
3 04:46 3 expired, the expiration date has passed. So in
4 04:46 4 most cases it's a 1, it's active.
5 04:47 5 Q. Okay. And just so I fully understand, an
6 04:47 6 active designation means that the person is
7 04:47 7 qualified to drive; is that correct?
8 04:47 8 A. No, not -- not for ID card. That's for a
9 04:47 9 driver's license.
10 04:47 10 Q. Okay.
11 04:47 11 A. The ID card does not grant driving privileges
12 04:47 12 at all. It just identified you and says you've
13 04:47 13 gone through the verification process and this
14 04:47 14 is who you are.
15 04:47 15 Q. So a special ID card can be coded as active
16 04:47 16 even if it doesn't confer driving privileges?
17 04:47 17 A. Exactly. It usually has the same type of
18 04:47 18 expiration date as our driver license do,
19 04:47 19 uh-huh.
20 04:47 20 Q. So a special ID card would be coded as active
21 04:47 21 if it were non-expired?
22 04:47 22 A. And the only reason -- and I am -- you know,
23 04:47 23 this is probably a question that's better
24 04:47 24 suited for the Business, but the only reason I
25 04:47 25 can think where you would be inactive is some

1 04:47 1 type of fraud situation.

2 04:48 2 Q. Okay. Is it ever possible for a credential,

3 04:48 3 either a special ID card or a license, to be

4 04:48 4 both expired and labeled as active at the same

5 04:48 5 time?

6 04:48 6 A. I think so. I think -- yeah, I mean, I don't

7 04:48 7 think we -- I'm pretty sure we do not change

8 04:48 8 the status because your license expired. So if

9 04:48 9 you expired -- your birth date was January 1st

10 04:48 10 and your license expired eight years later on

11 04:48 11 January 1st and you came in on the 15th, you

12 04:48 12 would just be in an expired state. You would

13 04:48 13 still have -- it would still be active status.

14 04:48 14 Q. Okay. And so my expiration date passes and I

15 04:48 15 wait a while before I come in to renew it, my

16 04:49 16 status could still be considered active even

17 04:49 17 though it's expired?

18 04:49 18 A. Yeah, I feel pretty sure that that's a true

19 04:49 19 statement.

20 04:49 20 Q. Would that be true of the special ID card as

21 04:49 21 well?

22 04:49 22 A. I think so.

23 04:49 23 Q. Okay. And are you aware whether or not an

24 04:49 24 inactive designation on an ID would render that

25 04:49 25 ID ineligible to vote under House Bill 589?