

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

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

Plaintiffs, )

vs. )

Case No: 1:13-CV-658

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

Defendants. )

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

Plaintiffs, )

vs. )

Case No: 1:13-CV-660

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

Defendants. )

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UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

Case No: 1:13-CV-861

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

Defendants. )

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

1  
2 30 (b) (6) VIDEOTAPED DEPOSITION OF  
3 NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
4 MOTOR VEHICLES DIVISION

5 BY

6 BARBARA WEBB

7  
8 9:39 A.M.

9 FRIDAY, JANUARY 23, 2015  
10

11 OGLETREE DEAKINS NASH SMOAK & STEWART  
12 4208 SIX FORKS ROAD  
13 SUITE 1100  
14 RALEIGH, NORTH CAROLINA

15  
16 By: Denise Myers Byrd, CSR 8340, RPR, CLR 102409-02  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Q. I want to talk a little bit about your  
2 educational and professional background just  
3 for background purposes. Can you tell me a  
4 little bit about your education? Did you --  
5 when did you graduate from high school?

6 A. Wow. In 1977 I graduated from high school and  
7 then approximately a year or so afterwards I  
8 completed community college, I think it was two  
9 years, maybe a little more than two years of  
10 community college.

11 Q. And did you do any further schooling after  
12 that?

13 A. No, I don't recall any further schooling.

14 Q. Okay. You're currently employed by the  
15 North Carolina Department of Transportation; is  
16 that right?

17 A. Yes.

18 Q. Would it be okay if I abbreviated that to DOT?

19 A. Yes.

20 Q. How long have you worked at the North Carolina  
21 DOT?

22 A. I believe since 1984.

23 Q. What's your current position at DOT?

24 A. Director with a focus on IT projects.

25 Q. And I understand that the Department of

1           Transportation has various maybe divisions is

2           the right word. I'm not sure about that.

3           A. Yes. Yes.

4           Q. Do you work for the Department of

5           Transportation or one of the divisions?

6           A. Divisions.

7           Q. Which division do you work for?

8           A. Division of Motor Vehicles.

9           Q. So are you the director of the Division of

10          Motor Vehicles, then?

11          A. I am one of the directors.

12          Q. How long have you held that particular

13          position?

14          A. February of 2013 until this past summer as

15          director of field services. I'm sorry, may I

16          restate?

17          Q. Yes.

18          A. Director of driver services.

19          Q. So when did you become the director of driver

20          services?

21          A. February 2013.

22          Q. And --

23          A. Give me one second to think about that.

24          Q. Sure. Take your time.

25          A. I believe it was February 2013, I believe.

1 Q. And are you still the director of driver  
2 services?

3 A. No.

4 Q. When did you stop being director of driver  
5 services?

6 A. I believe it was June or July of 2014.

7 Q. And when -- what position did you assume  
8 director in June or July of 2014 when you  
9 stopped being director of driver services?

10 A. My focus was turned to projects.

11 Q. What does that mean?

12 A. Any project that DMV implements, I contribute  
13 requirements, testing, training.

14 Q. What does it mean to contribute requirements?

15 A. It's based on design. So I meet with IT  
16 programmers and answer questions regarding  
17 design, system design for a specific project.

18 Q. Okay. In your current position as a director  
19 with focus on specific projects, do you have  
20 any responsibility for the DMV's Division of  
21 Motor Vehicles implementation of HB 589?

22 A. No.

23 Q. Did somebody assume your prior position as  
24 director of driver services?

25 A. Yes.

1 Q. Who's that?

2 A. Portia Manley.

3 Q. When you -- during -- from February 2013 to

4 June or July of 2014 when you were the director

5 of driver services, did you have any

6 responsibility for implementing HB 589?

7 A. Yes.

8 Q. Does Ms. Manly now have responsibility for  
9 implementing HB 589?

10 A. Yes.

11 Q. About how many people at DOT would you say were  
12 involved on a regular basis in working on  
13 implementation of HB 589?

14 A. Approximately 20.

15 Q. And during what period?

16 A. From January 2013 to -- allow me to restate  
17 that. I believe we started the previous year.  
18 It was implemented January 2013. We started  
19 planning I believe October of 2012.

20 Q. Okay.

21 A. October, November.

22 Q. Okay. I think it's possible that you may be  
23 misremembering. I think the bill was passed in  
24 August of 2013. Does this ring a bell? We  
25 have it as an exhibit if that would help.

1 organization of the field offices?

2 A. I can't speak on that. I am no longer -- I  
3 can't speak on that.

4 Q. Okay. And I should probably clarify. When  
5 we're talking about field offices, what are we  
6 talking about?

7 A. Driver license offices.

8 Q. And does that include only the brick and mortar  
9 facilities? Would it also include mobile  
10 facilities?

11 A. All driver license offices, whether it's brick  
12 and mortar or mobile.

13 Q. About how many driver license offices were  
14 there in North Carolina when you were director  
15 of driver services?

16 A. I believe it was 115, I believe.

17 Q. Okay. What were your primary duties as  
18 director of driver services?

19 A. It was mostly administrative. I reviewed  
20 policy and procedure. I dealt mostly with  
21 partners, DMV partners. I reviewed projects,  
22 made sure that projects were implemented in a  
23 timely fashion, met deadlines and all. That  
24 took up basically all of my time.

25 Q. Okay. What are DMV partners?

1 unexpired?

2 A. Yes.

3 Q. When do driver licenses expire?

4 A. Based on your date of birth, five or eight  
5 years.

6 Q. Okay. How does that work?

7 A. So five years. If you are 65 or older, your  
8 driver license expire on your date of birth in  
9 the fifth year. If you're less than 65, your  
10 driver license expires eight years on your date  
11 of birth.

12 Q. Are the expiration dates the same for the  
13 non-operator IDs?

14 A. Yes. On your date of birth, yes.

15 Q. And for the voter ID?

16 A. Yes.

17 Q. How does a customer know when his card is --  
18 will expire?

19 A. Are you speaking of the driver license or the  
20 identification card?

21 Q. Let's start with the driver license.

22 A. The driver license, there's a notification that  
23 is mailed to you.

24 MR. FARR: It's also on the card.

25 BY MS. RYAN:



1 Q. Is there any other way that a customer would  
2 know that his driver -- or when his driver's  
3 license will expire?

4 A. Other than looking at the card, no.

5 Q. You mentioned there's a notice.

6 A. Yes.

7 Q. Who sends that notice?

8 A. There's a notice generated through the IT  
9 process, information technology process, and  
10 I'm not sure exactly how it's generated, but  
11 it's mailed out.

12 Q. Okay. Is it from the DMV?

13 A. No. It's mailed out from an IT source.

14 Q. At the Department of Transportation?

15 A. Yes.

16 Q. Okay. This is just an organizational question,  
17 then. Is it the IT offices are not part of the  
18 DMV, it's part of DOT?

19 A. It's part of DOT.

20 Q. Okay. How far in advance of the expiration  
21 does that notice go out?

22 A. Six months. At least six months in advance.

23 Q. What information is contained in the notice?

24 A. I don't recall correctly what is exactly on the  
25 postcard type notice. I believe it's your name

1 and, of course, your address and I believe it's  
2 the expiration message.

3 Q. Okay.

4 A. I don't recall correctly what it says.

5 Q. Do you know generally what it says?

6 A. I believe it generally says your license are  
7 about to expire and it gives a date, I believe.

8 Q. How is that process different for a  
9 non-operator ID?

10 A. Non-operator ID holders do not receive  
11 notifications of expiration to my knowledge,  
12 just for driver licenses only.

13 Q. Do -- I think we just went over this. The  
14 non-operator IDs do expire, though.

15 A. Yes.

16 Q. Is the expiration date written on the  
17 non-operator ID?

18 A. Yes.

19 Q. It's on the face of the card?

20 A. Yes.

21 Q. What about the no-fee voter ID, do those  
22 individuals receive notices of expiration?

23 A. No.

24 Q. Is the expiration date written on the face of  
25 the non-voter -- or excuse me -- of the no-fee

1 voter ID?

2 A. May I explain further, please?

3 Q. Of course.

4 A. A non-operator ID on a voter ID looks the same  
5 in appearance, there is no difference. So on  
6 your non-operator ID, on your voter ID, on the  
7 face of the card is your issue date and  
8 expiration date.

9 Q. Okay. Other than looking at the card itself,  
10 if you possess a non-operator ID, is there any  
11 other way for you to know that your expiration  
12 date is coming up?

13 A. No.

14 Q. How far in advance of an expiration date can a  
15 customer renew their credential?

16 A. Six months.

17 Q. What happens if you miss -- if you don't renew  
18 before the expiration date?

19 A. Well, the driver license you can wait up to two  
20 years before penalty occurs and the penalty is  
21 retesting.

22 Q. Is there a fee for renewal of your driver's  
23 license?

24 A. Yes.

25 Q. How much?

1 A. \$4 per year for a regular and \$10 per year for  
2 commercial driver license.

3 Q. Is there any additional fee if you miss -- if  
4 you don't renew before the expiration date?

5 A. No.

6 Q. How about for people who have non-operator IDs,  
7 what's the latest date after -- or let me back  
8 up.

9 For people who have non-operator IDs,  
10 what happens if they don't renew by the  
11 expiration date?

12 A. Nothing. There's no penalty, no recourse.

13 Q. Is there a fee for renewal of a non-operator  
14 ID?

15 A. For some, yes.

16 Q. For which ones?

17 A. Those that are chargeable. For voter ID  
18 there's no renewal fee. To explain further, we  
19 have several types of no-fee IDs that fees are  
20 not associated.

21 Q. Besides the voter ID, what are the other kind  
22 of no-fee, non-operator IDs?

23 A. I believe there is an ID card issued to a  
24 driver that has been medically cancelled  
25 without charge. There's a no-fee ID issued to

1           those that are legally blind.  There's a no-fee  
2           ID issued to the homeless.  There may be one  
3           more, but I can't recollect right off.

4           Q.  Okay.  That's fine.

5           I think you said there is a renewal fee  
6           for the fee-based, non-operator IDs; is that  
7           right?

8           A.  Yes.

9           Q.  How much is that?

10          A.  Just \$10.  An ID card is \$10.

11          Q.  Okay.  So I understand that these different  
12          kind of credentials are given different group  
13          codes -- or I'm sorry, I should back up.

14                        What is the State Automated Driver  
15          License System?

16          A.  I don't quite -- it's a Brad question.  Can you  
17          narrow it down, please.

18          Q.  Sure.  I understand that DMV uses a computer  
19          system that's called the State Automated Driver  
20          License System which is abbreviated to SADLS.

21          A.  Yes.

22          Q.  Can you -- are you familiar with the system?

23          A.  Yes.

24          Q.  What do you use it for?

25          A.  So it's a mainframe application that we use to

1 the back end in the system?

2 A. No.

3 Q. Okay. Who would know that information?

4 A. Maggie Thomas and Carla Thorpe.

5 Q. Can a DMV customer have more than one issuance  
6 at a time?

7 A. I'm not sure I understand your question.

8 Q. Or maybe a better word is credential. Could  
9 you have two DMV credentials at one time?

10 A. Yes.

11 Q. How would that happen?

12 A. If you are a driver that has a regular class  
13 driver license, such as a class C driver  
14 license, to operate your regular vehicle and  
15 you wish to upgrade that, there's a midway  
16 point called a learner permit. So you can have  
17 your regular driver license and a higher class  
18 learner permit which you would use to learn how  
19 to operate that higher class vehicle.

20 Q. Okay. Are there other circumstances in which  
21 you could have two DMV credentials  
22 simultaneously?

23 A. No.

24 Q. Can you get a voter ID if you have another DMV  
25 credential?

1 A. Not unless you surrender.

2 Q. Surrender what?

3 A. Your driver license.

4 Q. And why can't you get a voter ID if you already  
5 have a DMV credential?

6 A. Because the credential can be used to vote.

7 Q. Okay. And why -- why do you limit access to  
8 the voter ID to people who don't already have a  
9 DMV credential?

10 A. Would you state your question again, please.

11 Q. Sure. I think you said you can't get a voter  
12 ID if you already have a DMV credential because  
13 that credential could be used for voting.

14 A. Yes.

15 Q. And so why do you refuse voter IDs for people  
16 who already have an ID that can be used for  
17 voting?

18 A. Because regarding what's stated here, there's a  
19 list of documents that you may use for voting,  
20 and a valid DMV credential is one of those  
21 documents.

22 Q. Okay. And just to be clear for the record, you  
23 were referring to Exhibit 50, right?

24 A. Yes.

25 Q. The copy of HB 589?

1 A. Yes.

2 Q. So there's a process for getting a DMV  
3 credential -- for a new customer who wants a  
4 DMV credential, they have to go through a  
5 process; is that right?

6 A. Yes.

7 Q. Does -- and I'm going to ask you some questions  
8 about how that works in a minute.

9 Are the -- is the process different  
10 depending on what type of a credential you  
11 want?

12 A. Yes.

13 Q. Where does one go to get a DMV credential  
14 that's accepted for voting under HB 589?

15 A. At any of the hundred and fifteen sites.

16 Q. The driver license sites?

17 A. The driver license sites.

18 Q. Okay. Who works at the driver license sites?

19 A. The senior examiners and driver license  
20 examiners. The district supervisors have their  
21 offices there as well.

22 Q. What do the examiners do?

23 A. They issue driver licenses, identification  
24 cards, fee-based and no-fee, learner permits,  
25 graduated driver licenses, commercial driver



1 MR. FARR: I'm fine.

2 THE VIDEOGRAPHER: Going off the  
3 record, the time is 10:44 a.m.

4 (Brief Recess.)

5 THE VIDEOGRAPHER: Going back on the  
6 record, the time is 11:01 a.m.

7 BY MS. RYAN:

8 Q. Okay, Ms. Webb, what are the fees associated  
9 with getting a North Carolina driver's license?

10 A. The driver license fee is \$4 per year for a  
11 regular driver license and \$10 per year for a  
12 commercial driver license. And I believe there  
13 are endorsements associated with driver  
14 licenses, and if I recall correctly, I believe  
15 the fee is \$2.75.

16 Q. What's an endorsement?

17 A. An endorsement, for an example, would be for a  
18 regular driver license or commercial, a  
19 motorcycle. So to operate a motorcycle you  
20 have to have the motorcycle endorsement, and  
21 for a commercial driver license an example  
22 would be hazardous materials, you have to have  
23 an endorsement to carry hazardous materials if  
24 you're operating a commercial vehicle.

25 Q. So, then, is it fair to say the endorsements

1 are for -- to allow the user additional  
2 privileges --

3 A. Absolutely, yes. Yes.

4 Q. -- beyond the standard driver's license?

5 A. Yes.

6 Q. Or commercial driver's license?

7 A. Yes.

8 Q. So \$4 per year for a standard driver's license,  
9 2.75 for any additional endorsements. Are  
10 there any other fees involved with getting a  
11 North Carolina driver license?

12 A. Just \$10 for the commercial driver license, \$10  
13 per year.

14 Q. Okay. Let's -- I'm going to try to focus just  
15 on the regular driver license just to keep it  
16 simple.

17 So putting aside the commercial driver  
18 license, for a regular driver license, \$4 per  
19 year, 2.75 for any endorsements each. Are  
20 there any other additional fees in order to get  
21 a regular North Carolina driver license?

22 A. No.

23 Q. I saw something about a residency affidavit

24 fee. Do you know what that is?

25 A. That is for both driver licenses and

1 identification cards. If you are unable to  
2 supply physical proof of your residence  
3 address, then there's a \$2 fee that is  
4 required.

5 Q. What is -- and is that -- there's a residency  
6 affidavit, it sounds like.

7 A. Yes.

8 Q. What is that?

9 A. It's a document that is printed off locally.  
10 The customer is required to sign it and there's  
11 language on it. I'm not quite sure what the  
12 detail is about the language, but it summarizes  
13 that you are residing at this address, so you  
14 write the address down, and you affirm that  
15 this is your residential address.

16 Q. Okay. I see. And there's an additional \$2 fee  
17 to use that residency affidavit?

18 A. Yes.

19 Q. Does that apply for regular non-operator IDs,  
20 the ones that you charge a fee for?

21 A. Yes.

22 Q. What about for the voter ID, if an applicant  
23 for a voter ID needs to use the -- well, I  
24 should ask first.

25 Can a voter ID applicant rely on the

1           residency affidavit?

2           A. Yes.

3           Q. Do they have to pay the \$2 fee?

4           A. No.

5           Q. So if a customer comes into a DMV office for a

6           driver's license and goes through the steps

7           that day, do they leave with their driver's

8           license in hand?

9           A. No.

10          Q. What -- do they leave with anything in hand?

11          A. A temporary driving certificate.

12          Q. Does a temporary driving certificate have a

13          photo on it?

14          A. Not currently, no.

15          Q. Do you know whether there are plans to add a

16          photo to it?

17          A. Yes.

18          Q. Yes, there are?

19          A. Yes, there are plans.

20          Q. Do you know when those -- when that change will

21          take effect?

22          A. I believe we are shooting for first quarter

23          this year, end of first quarter this year.

24          Q. How long does it take for a customer to receive

25          the actual driver's license from the DMV?

1 A. On average, three to five days that we instruct  
2 them -- we tell them 10 to 15 days, but the  
3 average time is anywhere from three to five  
4 days.

5 Q. Is it your experience that it could take as  
6 much as 10 to 15 days?

7 A. My experience says three to five based on  
8 customer feedback.

9 Q. Why do you tell them 10 to 15?

10 A. Because we don't have jurisdiction over mail  
11 delivery.

12 Q. Is it the same period of time to receive a  
13 no-fee voter ID?

14 A. Yes.

15 Q. So we were talking about the fees for driver's  
16 licenses a minute ago and I think you said  
17 earlier that if you're under 65, your driver's  
18 license is good for eight years, right?

19 A. Yes.

20 Q. And the fee is \$4 a year. So does that mean  
21 the cost of the driver's license is \$32?

22 A. Yes.

23 Q. Plus any endorsements at \$2.75 each?

24 A. Yes.

25 Q. When the person walks out of the DMV with their

1 Q. Mailing services, who are they?

2 A. I believe it's still Department of  
3 Transportation.

4 Q. So it sounds like what you've described is  
5 three to five days before the driver's license  
6 leaves the Department of Transportation on its  
7 way to a customer; is that right?

8 A. Yes. Approximately, yes, between three and  
9 five days.

10 Q. And that timeline applies when everything goes  
11 smoothly, as you put it?

12 A. Yes.

13 Q. Okay. I just wanted to touch briefly on  
14 renewals. So speaking first about a driver's  
15 license, can you renew your driver's license  
16 without visiting a DMV office?

17 A. Not yet.

18 Q. Okay. It's not possible to do it online?

19 A. Not currently.

20 Q. Or through the postal mail?

21 A. If you -- there are variables again there. So  
22 to explain further, if you are residing outside  
23 of North Carolina and cannot appear physically,  
24 then you can renew through mail such as the  
25 military, missionaries traveling, college

1 Q. Is it your understanding from your work at DMV  
2 that DMV would not be able to issue online  
3 renewals of non-operator IDs without this new  
4 legislation passing?

5 MR. FARR: Objection to the form.

6 BY MS. RYAN:

7 Q. Is that your understanding?

8 A. That is my understanding.

9 Q. So I want to talk a little bit more about the  
10 process for obtaining a DMV credential and  
11 specifically about the documentation an  
12 individual would need to show in order to get a  
13 DMV credential. So I am going to introduce a  
14 new exhibit. I think we haven't used this one  
15 yet. We didn't use this one yesterday.

16 (WHEREUPON, Plaintiff's Exhibit 218 was  
17 marked for identification.)

18 BY MS. RYAN:

19 Q. Have you had a chance to look at it?

20 A. Yes.

21 Q. So I printed this off of the DMV website just a  
22 few days ago and you'll see in the top upper  
23 left-hand corner of the first page it says  
24 DL-231 and in parentheses (REV 11/18/2014).

25 Have you seen this document before?

1 A. Yes.

2 Q. What is it?

3 A. It's a document that lists other documents that  
4 can be accepted by the Division of Motor  
5 Vehicles as proof of identity, proof of  
6 insurance, proof of lawful status.

7 Q. And does it cover anything else?

8 A. Yes. Proof of -- it's a document that gives  
9 you guidelines on how to obtain no-fee ID  
10 cards, identification cards, paid  
11 identification cards, gives you a list of  
12 documents that would be acceptable for proof of  
13 residency and, as I said, proof of insurance,  
14 gives you guidelines on documents that are  
15 acceptable for legal presence -- for proof of  
16 legal presence, and this is all to obtain an ID  
17 card or a driver license.

18 Q. Okay. And so in the upper left-hand corner  
19 where it says REV 11/18/2014, if you know, does  
20 that mean that this is the -- this document was  
21 last revised on November 18, 2014?

22 A. Yes.

23 Q. Is this -- where is this document distributed  
24 within DMV?

25 A. It's in driver license offices and it's online.



1 Q. And you said it's online. So it's available to  
2 the public there; is that right?

3 A. Yes.

4 Q. Is it available to the public anywhere else?

5 A. Not to my knowledge other than at DMV and in  
6 DMV offices and online.

7 Q. Okay. Are there -- there are copies of it  
8 available to customers at a DMV office?

9 A. Yes.

10 Q. So at the top of the page, the first page of  
11 Exhibit 218, the title is Required Documents.  
12 In the second line says, "Any Document  
13 Reflecting Alteration Will Not be Accepted."

14 What does that mean?

15 A. If there's been some type of erasure or  
16 recognition of some type of change on the  
17 documents, then they're not accepted.

18 Q. Does DMV accept photocopies of documents  
19 identified on Exhibit 218?

20 A. Yes, we do at times.

21 Q. And what times would you accept photocopies?

22 A. If that is all a customer can provide.

23 Q. And is that true -- Exhibit 218 includes a  
24 table where I guess you should say -- I should  
25 say nine different tables and they list

1 different requirements and documents.

2 Can a customer show a photocopy to  
3 satisfy any of the requirements in these  
4 various tables?

5 A. Yes, if that is all the customer has in their  
6 possession.

7 Q. Who decides what documents to include on the  
8 list here in Exhibit 218?

9 A. The guidelines are gathered from general  
10 statute, North Carolina General Statute 20-7.  
11 I believe there's a list as a guideline there.

12 Q. Okay. And who makes the decisions as to what  
13 documents make their way -- yeah, what  
14 documents make their way into this list of  
15 required documents?

16 A. Collectively, the director, assistant  
17 directors, regional chiefs, district  
18 supervisors draft the document and normally the  
19 document goes all the way up to the  
20 commissioner's office for review and then it's  
21 confirmed.

22 Q. So is it the commissioner's office that gives  
23 final approval to the contents of this  
24 document?

25 A. Yes.

1 for example, says this document is too  
2 vulnerable, an immigration document, if they  
3 recommend that states remove it from their  
4 proof of immigration documents list, then we  
5 would comply.

6 Q. Okay. And who decides to remove a document  
7 from the required documents list?

8 A. Again, when there's a change made to the  
9 documents, we draft the change and send it up  
10 to the commissioner's office for approving and  
11 approval.

12 Q. Okay. I'd like to look at Table 1 of  
13 Exhibit 218. So Table 1 is for proof of -- or  
14 it says, "Proof of Age and Identity," and then  
15 it says, "You must provide proof of your age  
16 and identity from the list of documents below.  
17 Two forms of identification are required."  
18 There is a list of 12 kinds of  
19 documents included in Table 1; is that right?

20 A. Yes.

21 Q. Are these -- does Table 1 identify the  
22 documents that meet the requirements for  
23 proving age and identity?

24 A. Yes.

25 Q. Why does DMV require two forms of

1 homeless. It's just a one-on-one with the  
2 customer at the time the request is made.

3 Q. Table 4 on Exhibit 218 seems to cover no-fee  
4 voter ID cards; is that right?

5 A. Yes.

6 Q. And what are the requirements for a no-fee  
7 voter ID card that are accepted here?

8 A. The list demonstrates -- or the list says, if  
9 you are no longer a legal presence customer,  
10 you must provide proof of citizenship or  
11 naturalization.

12 It also says you must sign a  
13 declaration stating you do not have a photo ID  
14 card acceptable under the statute. It also  
15 says proof of North Carolina residency is  
16 required.

17 And it says on Number 4, must be a  
18 registered voter or submit a voter registration  
19 application process. Number 5 says proof of  
20 age and identity, and Number 6 says proof of  
21 valid Social Security.

22 Q. And are these all requirements for obtaining a  
23 no-fee voter ID card?

24 A. No. And to ensure I understand your question,  
25 are you asking me is there an exception to

1 Number 4?

2 Q. No. I'm asking does -- does Item Number 4

3 identify all of the requirements for obtaining

4 a no-fee voter ID card or is there some other

5 thing you would have to do here that's not

6 listed here?

7 A. Number 4 is a structure or a guideline.

8 Q. Okay.

9 A. So if a person looking at Number 4 is unable to

10 comply with Number 4, there's additional

11 dialogue that occurs between the customer and

12 the examiner.

13 Q. Okay. Are there any further requirements that

14 are not identified on Table 4?

15 A. Not requirements. They're further

16 instructions.

17 Q. What kind of instructions?

18 A. So if each individual, if they are requesting

19 service and they cannot -- an example of voter

20 ID and they cannot provide documentation from

21 the list, we normally give them instructions on

22 where to obtain documentation that is

23 acceptable for proof of identity and social and

24 date of birth.

25 Q. Okay. Where does DMV record what documents a

1 given, the deviation?

2 A. The examiner is given authority by the senior  
3 examiner, and the examiner would enter on that  
4 customer's record spoke with Senior Examiner  
5 Webb, for example, X document was accepted here  
6 for identity, such as that, just a clear,  
7 concise description of what occurred.

8 Q. You say there's a comments field. Are you  
9 talking about a screen that pops up for the  
10 examiner?

11 A. Yes.

12 Q. Do you know where comments of this nature would  
13 be stored in the SADLS database?

14 A. There is a comments table.

15 Q. Okay. What options are available for a  
16 customer who comes in looking for a DMV  
17 credential but who does not have two of the  
18 documents listed in Table 1 of Exhibit 218?  
19 What can that person do?

20 A. The process is to have a one-on-one with the  
21 customer, and normally there are a series of  
22 questions, not structured questions but  
23 questions that are more like discreetly probing  
24 questions.

25 I would ask you where did you attend

1 school, where are you employed. I would make  
2 sure that you know that because you are  
3 applying for a voter ID card that you can go to  
4 the Register of Deeds to obtain a birth  
5 certificate at no cost or a marriage  
6 certificate at no cost.

7 So there's a one-on-one conversation  
8 that's normally held with customers that cannot  
9 abide by this list.

10 Q. And you mentioned customers who are applying  
11 for voter ID. Would that kind of conversation  
12 happen with any customer who's coming in for a  
13 DMV credential?

14 A. Yes.

15 Q. I'd like to mark another exhibit.

16 (WHEREUPON, Plaintiff's Exhibit 219 was  
17 marked for identification.)

18 MR. FARR: Do you have an extra copy of  
19 this? This is 219.

20 THE REPORTER: 219, yes.

21 BY MS. RYAN:

22 Q. So I've handed you Exhibit 219. It looks like  
23 you are looking it over. You'll see that it's  
24 a cover e-mail followed by two attachments.  
25 And for starters -- actually, feel free to look

1 through it as much as you'd like. For now I'm  
2 actually going to ask you about the second  
3 attachment which begins on page DOT 9243.

4 MR. FARR: Do you want to read the  
5 whole document or are you comfortable looking  
6 at the second attachment?

7 THE WITNESS: I'm comfortable.

8 MR. FARR: Okay. What page are you on?

9 MS. RYAN: I am on page 9243.

10 BY MS. RYAN:

11 Q. Have you seen this document before that's on  
12 page 9243 of Exhibit 219?

13 A. Yes.

14 Q. Can you tell me what it is?

15 A. It's a document again that is used as a  
16 guideline to examiners to resort to if a  
17 customer is unable to obtain documents from  
18 Exhibit 218.

19 Q. Okay. Can you tell me -- so the title at the  
20 top of the page is Alternative Identity  
21 Documents and there's a table below; is that  
22 right?

23 A. Yes.

24 Q. Can you tell me just generally what information  
25 is contained in the two columns of the table?



1 documents off of Table 1 from Exhibit 218?

2 A. Yes.

3 Q. Okay. Going back to the Alternative Identity

4 Documents list in Exhibit 219, just so we're

5 clear, if I'm applying for a voter ID and I

6 don't have the documents listed in the Required

7 Documents list from Exhibit 218, as a voter ID

8 customer, am I allowed to rely on one of the

9 documents listed here in Exhibit 219?

10 A. Yes.

11 Q. Who decides what documents to list on the

12 Alternative Identity Documents?

13 A. Again, this is a draft and it goes to the

14 commissioner's office for approval and input.

15 Q. And you raise a good point. If you flip to the

16 first page of Exhibit 219, which is the cover

17 e-mail, it's dated Friday, January 10, 2014,

18 and it looks like it's from Michael Jarman.

19 Can you remind me who he is?

20 A. At the time he was the assistant director for

21 driver services.

22 Q. And who are the recipients on this e-mail?

23 A. District supervisors and copied on Exhibit 219

24 are regional chief examiners. At the time

25 there were only two.

1           then we normally put them in SADLS. To make  
2           sure that the information they give us does  
3           verify, we put the name, the date of birth and  
4           the Social Security information into SADLS. If  
5           that verifies, then a customer does receive the  
6           voter ID card.

7                        So just to make sure that that is  
8           understood. There are different measures,  
9           different conversations held with customers  
10          that are applying for driver licenses than  
11          customers that are applying for voter ID card,  
12          but we do use the document list in Exhibit 219  
13          and 218 as a guideline.

14        BY MS. RYAN:

15        Q. Okay. If a customer applying for voter ID  
16        comes in with some document that's not on  
17        Exhibit 218 or 219, as you were just saying,  
18        could the examiner accept those documents on  
19        his or her own initiative or does that require  
20        approval?

21        A. That's the deviation that I mentioned earlier.

22        Q. Okay.

23        A. And normally if there's no voice contact over  
24        the phone, there are comments on the customer's  
25        record that says this is exactly what's

1 happened and the documents identity list, this  
2 is the documents that were accepted. That's an  
3 abbreviation there and full verbiage is in the  
4 comments portion of the customer's record to  
5 explain exactly what happened.

6 So at the time of deviation, the senior  
7 examiner mostly is involved with the examiner,  
8 and the senior examiner reaches out to the  
9 district. If there's no contact, then  
10 awareness is made later, but the customer's  
11 record reflects exactly what occurred, exactly  
12 what documentation was accepted.

13 Q. Okay. And you mentioned a minute ago that if a  
14 customer -- a voter ID customer comes in,  
15 doesn't have documentation that's on either the  
16 list on Exhibit 218 or 219, the examiner would  
17 enter -- but has an alternative document, the  
18 examiner would enter information from that  
19 document into SADLS; is that right?

20 A. Yes.

21 Q. And you said something about "and if that  
22 information verifies."

23 A. Yes.

24 Q. Can you tell me what you were talking about  
25 there?

1 is they're seeking, so it being in another  
2 state doesn't seem to deter us.

3 Q. Would the examiner ever request the documents  
4 themselves from the out-of-state agency?

5 A. I don't know that they would physically have  
6 the documents. Requesting the documents, if I  
7 understand your question, would mean having the  
8 documents rendered to them, to the examiner and  
9 not the customer.

10 I think what occurs to the best of my  
11 recollection is that the information on how to  
12 obtain the documents is normally provided to  
13 the customer. So if there's an out-of-state  
14 school, this is the phone number, this is the  
15 address, this is the person to whom you need to  
16 speak.

17 Q. Okay. But the examiner doesn't make the  
18 request for the documentation on behalf of the  
19 customer?

20 A. I don't think it's allowed on the other end.

21 Q. Okay. Going back to Exhibit 218, the Required  
22 Documents list, this is posted on the DMV  
23 website, right?

24 A. Yes.

25 Q. What does the DMV do to let customers know that

1 they can rely on documents other than the  
2 documents listed in this Required Documents  
3 list?

4 A. Again, it's one-on-one. There's no posting or  
5 advertisement or -- that there is an exception  
6 to the rule. It's always one-on-one.

7 And I think the reason for that is you  
8 have to be careful about presenting an easy  
9 path for those that need the easy path because  
10 those that don't take advantage of that as  
11 well.

12 Q. The Alternative Identity Documents list, which  
13 is part of Exhibit 219, is this list  
14 distributed to examiners?

15 A. Yes.

16 Q. Could a voter ID customer rely exclusively on  
17 documents on the Alternative Identity Documents  
18 list to prove identity?

19 A. If they have them in their possession. If not,  
20 we would hold the conversation with the  
21 customer to see exactly what it is that they  
22 had in their possession and give them  
23 guidelines based on that.

24 Q. But it would be acceptable for a customer to  
25 provide two items from the Alternative Identity

1 Documents list to prove identity?

2 A. Yes.

3 Q. So let's talk a little bit about the initial  
4 launch of the no-fee voter ID.

5 Do you remember when DMV first started

6 issuing no-fee voter IDs?

7 A. January 1st, I believe.

8 Q. And was that in 2014?

9 A. Yes. I'm sorry. Yes.

10 Q. Could you tell me generally what DMV did to  
11 prepare the examiners and the other field staff  
12 for this new ID and for the process that would  
13 be involved in issuing this new kind of ID?

14 A. So I believe if I recollect, we started October  
15 of the previous year with conference calls,  
16 with face-to-face meetings with the district  
17 supervisors and regional chiefs. We draft a  
18 policy and procedure. We train after drafting  
19 policy and procedure. We made sure that  
20 everyone read the policy and procedure and  
21 actually signed it to ensure they understood  
22 it.

23 Q. Okay. What is the policy and procedure?

24 A. It's a document that's about 19, 20 pages long.  
25 Actually, it's Exhibit 219.

1 A. Yes.

2 Q. Does the DMV keep track of how many -- of  
3 customers who come in for a voter ID and are  
4 unable to obtain one?

5 A. They have instructions to keep that information  
6 locally within the office, and I believe they  
7 file that information if collected or when  
8 collected. I'm sorry.

9 Q. Do you know where they file it?

10 A. Within their normal filing cabinets.

11 Q. Oh, do you mean within an office?

12 A. Physical, yes.

13 Q. A DMV location?

14 A. Yes.

15 Q. Is that information ever collected by  
16 individuals at headquarters?

17 A. I don't know that it is. When I was in the  
18 position, we would just review, we would have  
19 our stand-ups or conference calls and we would  
20 just go through each district to see if anyone  
21 had anything to report. I don't know the  
22 current process.

23 Q. Who would know the current process?

24 A. Portia Manley is director of field services.

25 Q. Do you know how many customers have come in

1 requesting voter ID since January 2014 and been

2 unable to obtain one?

3 A. No.

4 Q. Do you know whether that information -- I'm

5 sorry. Were you going to add something?

6 A. Well, may I? In my position I believe up to

7 the time that -- during the time that I was in

8 the position, I believe there was maybe two,

9 less than five maybe. Not very many.

10 Q. Okay. Where would -- where would you go to

11 find that information currently?

12 A. Probably at the local offices. And I believe

13 we went through all five when I was director

14 and we ended up recalling three of the

15 customers to be issued.

16 The other two customers, if I'm

17 recalling correctly, one was from

18 South Carolina or Florida, it was from some

19 other state and was not entitled. The customer

20 actually said they were residing in another

21 state and was considering relocating to

22 North Carolina.

23 And I believe the other customer had a

24 regular ID card that had not expired, and we

25 asked the customer to come back and if they



1 Q. Would he be starting over from scratch?

2 A. If the driver license has not expired beyond  
3 two years, no tests are required.

4 Q. Okay. And even if the record or issuance were  
5 cancelled by virtue of the fact that the person  
6 got a voter ID?

7 A. It's not cancelled. When you look at SADLS,  
8 it's -- the expired driver license is what we  
9 call pushed back into history. So the most  
10 recent thing that you see is the voter ID card.

11 So to legally operate a vehicle again,  
12 you have to bring that expired driver license  
13 to be the most recent issuance on the  
14 customer's record.

15 Q. I see. Okay. Still on page 8, let's talk  
16 about Scenario 3 which has the description  
17 "Customer has been issued a driver license but  
18 the driver license has been revoked."

19 In what circumstances is a driver  
20 license revoked?

21 A. There are numerous reasons: Citation,  
22 conviction on the driver license record,  
23 there's a noncompliance meaning the customer  
24 did not go to court so the court sent us  
25 notification that the customer failed to

1 appear.

2 Q. Okay. And what happens when you receive that  
3 kind of notification from the court?

4 A. There's a revocation placed on the record.

5 Q. And when does that mean?

6 A. That means your privilege to operate is denied  
7 until you appear in court and comply with  
8 whatever the court asked you to comply with.

9 Q. How would DMV know whether a customer has  
10 appeared in court and complied with whatever  
11 the court required?

12 A. The court sends notification that -- and in  
13 that notification there's a date of compliance,  
14 and then we enter that date of compliance in  
15 SADLS and it changes the status on the  
16 customer's record to eligible to be licensed.

17 Q. Okay. Do you know how a revoked license is --  
18 how that status is recorded in SADLS?

19 A. Revoked.

20 Q. Revoked. Okay.

21 A. Yes.

22 Q. Do you know what the code is for that by any  
23 chance?

24 A. It all depends on what you were convicted for,  
25 but I think it's a status instead of a code.

1 MS. RYAN: We've been going for about  
2 an hour now. We should maybe take a quick  
3 break.

4 MR. PETERS: Sure.

5 MS. RYAN: Let's go off the record.

6 THE VIDEOGRAPHER: Going off the  
7 record, the time is 2:42 p.m.

8 (Brief Recess.)

9 THE VIDEOGRAPHER: Going back on the  
10 record, the time is 2:59 p.m.

11 BY MS. RYAN:

12 Q. Ms. Webb, before we took a break we were  
13 talking about Exhibit 221 and the spreadsheet  
14 on page 17 of page 221.

15 Is there any formal procedure for DMV  
16 to follow up with voter ID customers who had  
17 insufficient documentation to obtain their  
18 voter ID?

19 A. Other than the existing stand-up meetings and  
20 questionnaires that may arise regarding an  
21 incomplete transaction, if any existed. I  
22 don't know of a document other than what we  
23 have in front of us, which is Exhibit 221.

24 Q. So for customers who -- who come in seeking a  
25 voter ID and they have a conversation with an

1       examiner and the examiner determines that the  
2       customer doesn't have the right documentation  
3       and that -- to issue a voter ID at that time  
4       and that customer leaves DMV, is there any  
5       formal -- are there any formal instructions or  
6       procedures in place to ensure that somebody  
7       from DMV follows up with that individual  
8       customer?

9       A. As I stated earlier, if that should occur, the  
10      customer should leave, have to leave, the  
11      examiner instructs the customer to refer to  
12      them once they get what it is that is required  
13      and not to wait in line, but I don't know of  
14      any formal documentation other than  
15      Exhibit 221.

16      Q. Okay. And there's no formal process for the  
17      DMV to reach out to the customer and follow up  
18      with them as opposed to the customer coming  
19      back on his own initiative?

20      A. Not to my knowledge.

21      Q. We were talking about the spreadsheet on  
22      page 17, and I think you said that the  
23      spreadsheet is -- it's kept in the local  
24      offices; is that right?

25      A. Yes.

1 Q. Okay. And what does the status refer to?

2 Driver status, what does that refer to?

3 A. The condition of the driver record.

4 Q. Okay. And what does that mean?

5 A. If your status is active, then you have no  
6 events against you as far as you operating a  
7 vehicle legally.

8 If your status is revoked, cancelled  
9 denied or suspended, then, of course, you  
10 cannot legally operate a motor vehicle.

11 Q. And how is driver status determined?

12 A. By actions against a record from DMV  
13 administratively or by actions sent from the  
14 courts.

15 Q. Okay. When the court takes an action, how does  
16 that information become populated in SADLS?

17 A. It's transmitted electronically overnight from  
18 batches.

19 Q. From whom?

20 A. From whatever court the customer was convicted  
21 of whatever offense.

22 Q. So you mentioned a moment ago that a driver's  
23 license could be suspended in status; is that  
24 right?

25 A. A driver license can be suspended.

1 Q. Who's responsible for recording in SADLS that a  
2 driver's license is suspended?

3 A. It's done programatically.

4 Q. Is that -- are you referring to that  
5 communication from the courts?

6 A. The communication -- electronic communication  
7 from the courts, the system is programmed such  
8 that it -- if it receives a conviction that by  
9 law there should be a suspension applied, then  
10 it's done programatically.

11 Q. Okay. Are there any other ways that a driver's  
12 license could become coded as suspended in  
13 SADLS?

14 A. No. I need to explain.

15 Q. Sure.

16 A. As we had stated earlier, it can be cancelled  
17 administratively so DMV may take action against  
18 your record administratively.

19 Q. Okay. So I'm going to -- I'll ask you some  
20 questions about the cancelled status in a  
21 minute.

22 So does that mean that for suspended  
23 status, actions taken by DMV do not result in a  
24 driver's license being in suspended status?

25 A. It normally results in a cancellation.

1 Q. Are there any circumstances in which DMV would  
2 suspend a driver license?

3 A. I wouldn't have that information.

4 Q. Are the various reasons for the suspension --  
5 let me -- let me start over again.

6 Does SADLS record the reason a driver's  
7 license was suspended?

8 A. There is a conviction that is associated with  
9 each suspension.

10 Q. So what does that mean?

11 A. That means if you receive a ticket and the  
12 court convicts you of the offense and the  
13 conviction requires a revocation, then the  
14 revocation appears on the customer's record.

15 So the conviction is sent  
16 electronically from the courts and SADLS is  
17 programmed such that if SADLS receives certain  
18 convictions, then corresponding with the law  
19 there's a suspension that's generated.

20 Q. Okay. How would you go about determining for  
21 what reason a customer's driver's license was  
22 suspended?

23 A. I don't understand the question.

24 Q. Is there somewhere you could go in SADLS to --  
25 I think we were talking about this earlier if a

1 customer comes in and there's a status on their  
2 license and the examiner's trying to explain to  
3 them, here's what's going on, is there a place  
4 in SADLS where you could go to find out why a  
5 driver's license is suspended?

6 A. Yes. Earlier we were talking about on the  
7 conviction screen there is an association key.  
8 So the conviction screen tells you about the  
9 type of conviction, it tells you the offense  
10 and it tells you the conviction.

11 And then if there is a suspension  
12 resulting from a conviction, then that  
13 association key leads you to the beginning and  
14 end date of the suspension period.

15 Q. Okay. How does all that information get into  
16 SADLS?

17 A. Electronically.

18 Q. From the courts?

19 A. From the courts.

20 Q. Would it be possible to use SADLS to generate a  
21 list of customers whose driver's licenses were  
22 suspended for each conviction reason?

23 A. I'm not understanding your question.

24 Q. So if this data is stored in SADLS, could you  
25 generate a report that tells you all customers



1 in SADLS who -- whose driver's licenses are  
2 suspended for a particular reason?

3 A. Yes.

4 Q. Where would you go to get that done if you  
5 needed it?

6 A. The normal process to request data from Carla  
7 Thorpe's group or Maggie Thomas's group so we  
8 complete what's called a data request.

9 Q. Okay. Does a license holder with a suspended  
10 license have to physically surrender the  
11 license to DMV?

12 A. I'm really not a subject matter expert on the  
13 actual process. So revocations require you to  
14 surrender. I believe basically most  
15 revocations require you to surrender.

16 So the customer receives a notification  
17 and then the notification asks the customer to  
18 surrender their driver license by a certain  
19 date.

20 Q. Can SADLS give you information about whether a  
21 customer was required to surrender their  
22 license? Would that be in SADLS?

23 A. It's included in the correspondence. Yes, it's  
24 in the correspondence to the customer.

25 Q. And that's contained in SADLS?

1 A. Yes.

2 Q. Where is that found in SADLS?

3 A. In the customer's correspondence file.

4 Q. Okay.

5 A. And there's a screen that when the license is  
6 surrendered, there's an indicator set that the  
7 customer turned in the license instead of  
8 surrendering it. The proper terminology --  
9 phrase is to turn in the license.

10 Q. Could you -- I'm sorry. Could you say that  
11 again, that in SADLS there is --

12 A. An indicator that is turned to yes when the  
13 customer turns the license in due to a  
14 suspension or revocation.

15 Q. Do you know where in SADLS that's stored?

16 A. No, I do not.

17 Q. Who would know that?

18 A. Most likely the unit that adjudicates records.

19 Q. What unit is that?

20 A. The adjudication unit, processing unit. I  
21 believe their name -- I believe they're now  
22 called the processing unit,  
23 adjudication/processing unit.

24 Q. What's the difference between a suspended  
25 license and a cancelled license?

1 A. A cancelled license basically is for the most  
2 part an administrative action against a record.  
3 And a revoked or suspended license is  
4 basically action taken based on information  
5 received from the courts.

6 Q. Can a customer who has a driver's license in  
7 suspended status, would that be valid for  
8 voting under VIVA?

9 A. VIVA doesn't reference a status other than  
10 active.

11 Q. So does the DMV allow individuals with a driver  
12 license in suspended status to obtain a no-fee  
13 voter ID?

14 A. If they request, yes.

15 Q. What about a cancelled license, could a  
16 customer use a cancelled license to vote?

17 A. If you're using -- I'm not sure how to answer  
18 your question because if you're using a license  
19 or an identification card to vote, there is no  
20 determination of status other than they're  
21 looking at the expiration date. So the poll  
22 person doesn't know if you're revoked,  
23 suspended or denied or cancelled.

24 They're looking at a card that you have  
25 in your possession that has an issue date and

1 an expiration date that's in the future.

2 So I don't -- I don't know that I can  
3 answer your question in totality because I'm  
4 not sure how you would look at a piece of  
5 plastic and determine it was revoked or  
6 suspended if you're using it to vote. There's  
7 no status on the card.

8 Q. When DMV cancels a driver's license, is the  
9 customer required to turn it in to DMV?

10 A. Yes.

11 Q. Can you get a voter ID if SADLS shows that you  
12 have a license in cancelled status?

13 A. Yes, if you request it.

14 Q. And I'm sorry if I asked this already. It's  
15 been a long day, as you know. If your license  
16 is suspended, are you required to turn that in  
17 to DMV?

18 A. Yes.

19 Q. Yes, you are?

20 A. Yes, you are required.

21 Q. And the surrender of a driver's license to DMV,  
22 when you turn in your driver license to the  
23 DMV, where is that recorded in SADLS?

24 A. I believe there's a screen and on that screen  
25 there's a field that says license turned in,

1 summary and I believe at request you can  
2 receive more of a detail report.

3 Q. And what's included in that summary report?

4 A. The number -- the number to date and the number  
5 of ID card, voter ID cards issued per state --  
6 I'm sorry -- per day per location.

7 Q. Okay. And you said upon request you could get  
8 more detail.

9 A. Yes.

10 Q. Excuse me. Before we go on to the upon  
11 request, how often is that summary report  
12 generated?

13 A. I believe it's generated daily.

14 Q. And the report if you wanted more detail, do  
15 you know what -- is there a set of information  
16 that's available to be reported?

17 A. You would have to make that request through the  
18 DCR process and just complete that document  
19 based on the information that you desire.

20 Q. Okay. Do you know how many no-fee voter IDs

21 DMV has issued since 2014 -- I'm sorry --

22 January 2014?

23 A. Yes.

24 Q. How many?

25 A. At last check, 771 as of I believe today --

1 yesterday, as of yesterday, I believe.

2 Q. Do you know how many of those voter IDs were  
3 issued at mobile units?

4 A. No, I do not.

5 Q. Is that information stored in the system  
6 somewhere?

7 A. Yes, it is.

8 Q. Are there any reports that include information  
9 about individuals who attempted to obtain a  
10 voter ID but were unsuccessful in doing so?

11 A. Each individual office has the spreadsheet that  
12 we spoke of and -- Exhibit 221 -- a spreadsheet  
13 is kept at each office.

14 Q. And other than that spreadsheet, are there any  
15 other reports about individuals who attempted  
16 to receive voter ID and were unable to do so?

17 A. I'm not aware of any other report.

18 Q. Okay. Does the DMV record in SADLS how many  
19 times a customer has to return to an office to  
20 complete a particular transaction?

21 A. I'm not aware of any report in SADLS that  
22 indicates the number of times or visits for a  
23 customer.

24 Q. Okay. When -- when the examiner's entering  
25 information into the -- into the computer when

1 license if it's not up to two years?

2 A. The law governing highway safety expires your  
3 license on your date of birth in your fifth or  
4 eighth year.

5 Q. If your license is expired, can you still use  
6 it to drive legally?

7 A. According to the law, it expires in the fifth  
8 or eighth year. So if you're operating a  
9 vehicle, you're subject to being ticketed for  
10 operating a vehicle with an expired driver  
11 license or not being properly licensed by the  
12 division.

13 Q. You talked before about the fact that you can't  
14 get a no-fee voter ID if you have another  
15 credential that you can use for voting issued  
16 by the DMV.

17 Is there an exception made for someone  
18 who has a credential that will expire before  
19 the next election?

20 A. If you have a valid credential photo ID based  
21 on the VIVA law, if you have a valid photo ID  
22 based on the VIVA law, then you use that valid  
23 ID to vote. If you have a driver license, a  
24 valid driver license, unexpired driver license  
25 and you wish to obtain a voter ID, then we are

1 to inform you that, yes, you may, but you have  
2 to turn in the actual driver license and then  
3 you can no longer -- in doing so, you can no  
4 longer operate a vehicle legally.

5 Q. So if an individual comes in, let's say, six  
6 months before the election and the driver  
7 license is going to expire three months before  
8 the election, the individual -- can the  
9 individual obtain -- you look confused. Should  
10 I restate that?

11 A. I'm listening.

12 Q. If somebody has a driver's license that's  
13 currently active but it's going to expire  
14 between that date and the election, can that  
15 person obtain a no-fee voter ID?

16 A. At request that customer may.

17 Q. To do so, does that person have to sacrifice  
18 his or her license?

19 A. Yes. And there's a reason for that. Because  
20 remember, we talked earlier about history  
21 versus what is most recently shown on the  
22 driver record, so it's one customer, one  
23 customer number. So each issuance overrides  
24 the previous issuance.

25 So if you have a driver license and you



1 Q. Right.

2 A. -- then could you obtain an ID card, voter ID  
3 card. And my response was yes. And I also  
4 went on to say that the system is designed such  
5 as the most recent type of issuance is shown on  
6 your record.

7 Q. So using that example we were just discussing,  
8 if an individual went to the DMV six months  
9 before the election to attempt to obtain a  
10 no-fee voter ID with a license that was going  
11 to expire three months prior to the election,  
12 that person would have to sacrifice those three  
13 months of licensed driving to obtain the no-fee  
14 voter ID, right?

15 A. If that customer requested a voter ID, we would  
16 not deny the customer the voter ID. We would  
17 also at the same time explain the consequences  
18 of surrendering or turning in your driver  
19 license to obtain an ID card.

20 Q. Okay. And those consequences would include  
21 that the person would lose the right to drive  
22 during the time period between the day when  
23 that voter ID was issued and when the driver's  
24 license expires, right?

25 A. To operate a motor vehicle you must have a

1 valid driver license to legally operate a motor  
2 vehicle.

3 Q. And once you obtain the no-fee voter ID, it  
4 makes the driver license invalid; is that  
5 right?

6 A. Yes. It is pushed into history.

7 Q. You had mentioned your dad before as an example  
8 of the documentation not matching up with the  
9 date of birth that he announces. Is he able to  
10 obtain DMV documents?

11 A. If he was alive, yes.

12 Q. I apologize.

13 How would that have worked where the  
14 date the person's using doesn't match the --

15 A. In speaking with the Social Security  
16 Administration, there's, for lack of a better  
17 term, a pecking order. They could have your  
18 driver license -- I'm sorry -- your date of  
19 birth -- and I'm going to try to explain to you  
20 the way it was explained to me.

21 Your year of birth could be one year  
22 off, but your month and your day could be spot  
23 on and that would be okay, and that's because  
24 when the Social Security Administration started  
25 collecting data, they took a person's word for

1 to if there are legal requirements behind  
2 acceptance or non-acceptance, but it is a  
3 valid -- can be a valid -- an expired document  
4 that can be used.

5 Q. Okay. Maybe let's take a look at what's  
6 previously been marked as Exhibit 221. And I  
7 direct your attention to the second page.

8 Again, this is the VIVA memo that we've  
9 been discussing earlier today, and on page 2 we  
10 have listed in the table the VIVA photo  
11 identification documents that can be used to  
12 vote.

13 Anywhere on that table do you see the  
14 temporary driving certificate?

15 A. I do not.

16 Q. So is it your understanding that as of today, a  
17 temporary driving certificate is not a valid  
18 form of photo identification for purposes of  
19 voting under H 589?

20 A. It is my understanding based on the list of  
21 eight documents.

22 Q. We also talked about suspended licenses at some  
23 length earlier today. What is the procedure  
24 for restoring a driver's license that has been  
25 suspended?

1 A. It varies based on the reason for the  
2 suspension.

3 Q. And what are some of those procedures, if you  
4 know?

5 A. Typically a person would comply -- an example  
6 would be a fail to appear. They would comply  
7 through the courts to the fail to appear. The  
8 courts will send us a compliance date and we  
9 will enter that -- they will send it  
10 electronically, and if it's not received  
11 electronically, the customer can bring  
12 documentation, but normally it's sent  
13 electronically that there has been a compliance  
14 and then the status is changed based on the  
15 compliance entered to eligible and then the  
16 customer can come in to obtain a driver  
17 license.

18 Q. Okay. And when the customer comes in to  
19 acquire a driver's license to replace one  
20 that's been suspended, does that customer have  
21 to pay a fee to get that license?

22 A. If the license was revoked, yes.

23 Q. What about if it was just suspended?

24 A. Yes.

25 Q. And what would that fee be?

1 A. Based on the type of suspension, it varies.

2 Q. How does it vary?

3 A. If it's an alcohol-related suspension versus a  
4 basic traffic stop.

5 Q. Do you know what the fee amount is for a  
6 traffic stop?

7 A. It's been some while -- it's been quite some  
8 time since I looked at the fees, but at last  
9 sight it was \$50, I believe, or -- I'm not  
10 sure.

11 Q. Okay. But there is a fee associated with  
12 restoring --

13 A. There is a fee associated with suspension, yes.

14 Q. Will a suspended license be accepted as a valid  
15 form of photo ID in 2016?

16 MR. PETERS: Object to the extent it  
17 calls for a legal conclusion.

18 BY MR. MANER:

19 Q. You can answer.

20 A. And I answered earlier. At face value, there  
21 is nothing -- if a customer does not surrender  
22 a driver license when required, there is  
23 nothing on the face of a driver license or an  
24 ID card that renders it suspended.

25 Q. Again, we talked about revoked licenses as

1 well. What is the procedure for restoring a

2 driver's license that has been revoked?

3 A. The same procedure for restoring the driver

4 license if it has been suspended.

5 Q. Is there a cost associated with restoring a

6 revoked license?

7 A. The same cost based on the reason for

8 suspension.

9 Q. And that's a fee that the customer pays to the

10 DMV?

11 A. Yes.

12 Q. Do you know if a revoked license will be  
13 accepted as a valid form of photo ID in 2016?

14 A. Again, if you're looking at a physical card,  
15 there is nothing that renders that card  
16 revoked. So if a customer is holding a driver  
17 license, an expired driver license or holding  
18 an unexpired ID card, there's nothing that says  
19 that it's a voter ID card and there's nothing  
20 that says that the driver license is revoked.  
21 It looks -- there's nothing on the card that  
22 would render it revoked.

23 Q. Can a person with a revoked license obtain a  
24 free voter ID card in North Carolina?

25 A. If they request, so...

1 Q. And can a voter with a suspended license obtain  
2 a voter ID card?

3 A. If the customer makes that request.

4 Q. Do you know if there's any penalty for failing  
5 to surrender a revoked or suspended license?

6 A. I cannot speak to that intelligently. There is  
7 something called a service fee on some  
8 revocations. If you're required to surrender  
9 and you fail to surrender, my knowledge is  
10 limited.

11 Q. And we spoke a little bit about expired  
12 licenses as well earlier. Can a person with a  
13 driver's license that is expired obtain a free  
14 voter ID?

15 A. If the customer makes the request.

16 Q. Can a person with a North Carolina learner's  
17 permit that is expired obtain a free voter ID?

18 A. If the customer makes a request.

19 Q. And can a person with a non-operator ID card  
20 obtain a free voter ID?

21 A. If the customer makes a request.

22 Q. I believe you testified earlier that the cost  
23 to renew a non-operator ID was \$10. What is  
24 the cost of a non-operator ID the first time  
25 that it's issued?

1 A. \$10.

2 Q. We talked a little bit earlier about a  
3 mismatch -- what happens when there is a  
4 mismatch between the voter registration roll  
5 and the documentation that a customer may bring  
6 to the DMV in order to acquire a no-fee voter  
7 ID.

8 If the name listed on the person's  
9 driver's license does not match their name on  
10 the voter registration rolls, are they still  
11 permitted to vote using the driver's license as  
12 a photo ID in 2016?

13 MR. PETERS: Objection.

14 MS. RYAN: I think that's a question  
15 for the Board.

16 MR. PETERS: To the extent you're  
17 asking questions of DMV, someone who's here  
18 testifying on behalf of DMV about  
19 administration --

20 BY MR. MANER:

21 Q. Let me ask it this way: Has the Department of  
22 Transportation or the DMV received any guidance  
23 from the State Board of Elections about how to  
24 respond to a customer that asks if they can  
25 vote using a driver's license where the name on



1 Q. If you could look at Row Number 2 there and  
2 follow it over to the column that is entitled  
3 Details, it says, quote, "Certified true copy,  
4 no photocopies unless certified by issuing  
5 agency," end quote.

6 What does "no photocopies unless  
7 certified by issuing agency" mean?

8 A. It means no photocopies unless certified by  
9 issuing agency. However, if you are seeking  
10 service and a photocopy is all you have, if you  
11 are seeking a voter ID card -- and in some  
12 instance it's not a voter ID card. If your  
13 house burned down or you had some type of  
14 traumatic experience and your documents are  
15 gone and all you have is your photostatic copy,  
16 we work with you.

17 So it's a deviation. The examiner  
18 requests guidance on deviating. It's an  
19 awareness to the chain of command. It's  
20 documented and it's allowed.

21 Q. Is there anything on DMV's website that would  
22 inform a customer that a deviation may be made  
23 such that they could provide a photocopy of a  
24 certified birth certificate?

25 A. A birth certificate is not a specific

1 requirement. Proof of your birth is a  
2 requirement. If you happen to bring a birth  
3 certificate, then great, but to require a birth  
4 certificate is not what DMV does. DMV requires  
5 proof of date of birth.

6 The list -- the documents in Table 1  
7 are documents that can be provided to DMV as  
8 proof of age and identity.

9 To answer your question directly, as  
10 far as the website and DMV indicating on the  
11 website that photocopies can be submitted, we  
12 spoke to that earlier. If DMV lists all of its  
13 considerations, when DMV knows that there are  
14 case-by-case considerations on the website as a  
15 come one, come all, I don't think that's very  
16 good judgment on DMV's part.

17 Q. Okay. If you could just look down one row to  
18 Row Number 3, Original Social Security Card and  
19 follow that over to the Details column that  
20 reads, quote, "When submitted as a form of  
21 identification, the original Social Security  
22 card is required," end quote.

23 Other than -- strike that.

24 Is there anything on DMV's website to  
25 inform a customer that a photocopy of a Social

1 Security card may be accepted as a form of

2 identification at the DMV?

3 A. No.

4 Q. That's all the questions I have. Thank you so  
5 much for your time.

6 A. You're welcome.

7 THE VIDEOGRAPHER: Going off the  
8 record, the time is 5:19 p.m.

9 (Brief Recess.)

10 THE VIDEOGRAPHER: Going back on the  
11 record, the time is 5:22 p.m.

12 EXAMINATION

13 BY MR. EPPSTEINER:

14 Q. Ms. Webb, again, my name is George Eppsteiner,  
15 and I'm an attorney representing the League of  
16 Women Voters of North Carolina plaintiffs in  
17 this lawsuit. And, again, I sincerely  
18 appreciate your patience throughout today so  
19 thank you first. I have some questions for  
20 you.

21 First, can you refer to Exhibit 218,  
22 please. Do you have that in front of you?

23 A. Yes.

24 Q. Do you see the first paragraph beginning "If  
25 you are applying for a driver license"?

1 So if the Virginia college student does apply  
2 for the ID for voting and they're advised that  
3 they have to transfer their out-of-state  
4 driver's license within 60 days and they do so  
5 and they obtain a North Carolina driver's  
6 license, that North Carolina driver's license  
7 is also valid for voting under House Bill 589,  
8 correct?

9 A. Yes.

10 Q. Has -- to your knowledge, has the DMV been  
11 provided information from the State Board of  
12 Elections or any other entity regarding  
13 residency requirements for student voters?

14 A. No, not to my recollection. I don't recollect  
15 it being provided.

16 Q. Okay. Ms. Webb, could you also again refer to  
17 Exhibit 218 for these questions.

18 So again, according to what is publicly  
19 available to somebody who visits the DMV  
20 website regarding documentation for what they  
21 need for various DMV identification, they look  
22 at this document, correct?

23 A. Yes.

24 Q. Okay. And if you look at Table 1, it says that  
25 they must provide two documents showing proof

1 of age and identity, correct?

2 A. I need to expand on that. This is one of the  
3 documents -- documents that do have a list of  
4 documents that if a customer does have, they do  
5 supply the DMV with these documents.

6 There's also another list -- an  
7 Alternative Documents list in Exhibit 219, and  
8 also if the customer does not have the  
9 documents from this list, then there's an  
10 individual conversation that's held and we work  
11 with the customer to obtain documents that are  
12 not on either list.

13 So the list that we have in front of  
14 us, Exhibit 218 and Exhibit 219, are not  
15 finite.

16 Q. Okay. So Exhibit 219 -- is Exhibit 219 the --  
17 are you talking about the DMV memo? Is the  
18 more up-to-date version Exhibit 221, the  
19 August 6, 2014, memo, is that what you were  
20 speaking to regarding alternative documents?

21 A. Exhibit 221.

22 Q. Okay. But those alternative documents are not  
23 made available to somebody who visits the DMV  
24 website, right?

25 MR. PETERS: Object to the form.

1           You can answer if you can.

2           THE WITNESS: The list -- the  
3           alternative list is specifically to aid a  
4           customer that is trying to obtain a voter ID  
5           card.

6           BY MR. EPPSTEINER:

7           Q. Right. And my question is if a North Carolina  
8           voter wants to see information on the website  
9           regarding what type of documents to bring, they  
10          could see documents to bring in Exhibit 218,  
11          but they couldn't see the list of documents to  
12          bring on Exhibit 221; is that correct?

13          A. That is correct, this document is not posted --  
14          I don't believe that it is posted on the  
15          website.

16          Q. So again, looking to Exhibit 218, if you look  
17          to the second page under Table 4, can you read  
18          the first sentence after no-fee voter ID cards,  
19          please.

20          A. "To obtain an ID card for voting purposes, you  
21          will need to provide two forms of  
22          identification from the list of acceptable  
23          documents in Table 1."

24          Q. And that -- that's fine. I just wanted you to  
25          read that first sentence.

1                   So this is directing the voter that  
2                   they need a list of acceptable documents from  
3                   Table 1, correct?

4                   A. If they read the entire paragraph, they would  
5                   be more informed.

6                   Q. Okay. So if you look at -- what I'm just  
7                   trying to understand is if a voter looks at  
8                   Table 4, it does tell them that they should  
9                   look to Table 1 and they need two documents  
10                  showing proof of age and identity; is that  
11                  correct?

12                  A. Not in its entirety.

13                  Q. What is incorrect about that?

14                  A. The entire paragraph is informative.

15                  Q. Well, what I'm trying -- I'm sorry. What I'm  
16                  trying to break down is each of the things that  
17                  a voter must bring with them if they're looking  
18                  at this form. So the way I was starting was  
19                  that first sentence says that they have to look  
20                  at Table 1 and Table 1 says one of the things  
21                  you need to bring is two forms of proof of  
22                  identity and age; is that correct?

23                  A. That is only the first sentence, that is  
24                  correct.

25                  Q. And then if you look at Number 3 under Table 4,

1 it says you also have to prove -- provide proof

2 of North Carolina residency, see Table 3; is

3 that correct?

4 A. I'm sorry. What table are you on, please?

5 Q. Under Table 4, and we're referring again to

6 Exhibit 218.

7 A. Yes.

8 Q. On Table 4 and I'm looking at the third --

9 Number 3 below Table 4. It says, "Provide

10 proof of North Carolina residency (See Table

11 3)"; is that right?

12 A. It says -- yes, it says that.

13 Q. So in addition you look to Table 3 of this

14 document and Table 3 lists the various forms of

15 identification that are permissible to show

16 proof of residency in North Carolina; is that

17 correct?

18 A. Yes, but it is not a finite list.

19 Q. Okay. And then under -- again, looking at

20 Table 4, Number 6, it says, "Provide a valid

21 Social Security number"; is that correct?

22 A. Yes, it is.

23 Q. Okay. So is it fair to say that a

24 North Carolina voter who wants to gain more

25 information about what information to bring for



1 an ID for voting would rely on this list when

2 looking at what they need to bring with them?

3 MR. PETERS: Objection to form.

4 THE WITNESS: But it's just one source

5 of information for the customer.

6 BY MR. EPPSTEINER:

7 Q. Right, but it's their only source that's

8 available to them; is that correct?

9 A. Online this is the document that is available.

10 Q. Okay. Are other documents available that are

11 mailed to customers or anything like that?

12 A. Upon request, a customer can gain more

13 information on how to obtain a voter ID card.

14 Upon speaking with the DMV examiner.

15 Q. But the DMV doesn't send any information to

16 North Carolina voters regarding how to get an

17 ID unless they request it, correct?

18 A. That is correct.

19 Q. So to your knowledge, if you look at Table 1 of

20 that document, Exhibit 218, I'm looking at some

21 of the documents that are permissible to show

22 proof of age and identity on Table 1.

23 If you look at Number 5, it says,

24 "Motor Vehicle Driver's Record," and then under

25 details, the first bullet point says,

1 "Certified North Carolina Motor  
2 Vehicle" -- sorry. It says, "Certified  
3 North Carolina Motor Vehicle Record."

4 To your knowledge, does it cost a fee

5 to request a Certified North Carolina Motor

6 Vehicle Record from the DMV?

7 A. Upon request it does.

8 Q. Do you know how much the fee is?

9 A. No, I do not.

10 Q. If you look at the second bullet point, it says  
11 a Non-Certified North Carolina Motor Vehicle  
12 Record.

13 To your knowledge, does -- if you  
14 request a Non-Certified North Carolina Motor  
15 Vehicle record from the DMV, does it cost a  
16 fee?

17 A. Yes, it does.

18 Q. If a North Carolina voter is trying to obtain a  
19 photo ID for voting and is looking at this  
20 document and is looking at Table 1 for the  
21 types of identification that would need to  
22 bring for proof of age and identity, if you  
23 look to Number 8, "Valid, unexpired passport  
24 from any nation," you're not able to receive a  
25 no-fee voter ID if you have an unexpired

1 DMV officials regarding the photo ID  
2 requirement for voting?

3 A. No.

4 Q. If a customer has an expired non-operators ID  
5 card, one of those \$10 non-driver's license ID  
6 cards and they request a new non-operators ID  
7 card, are they charged \$10?

8 A. If they request a voter ID card, no.

9 Q. So a customer who -- so say a customer is a  
10 North Carolina registered voter, they have an  
11 expired non-operators card that they paid \$10  
12 and they just say, I want another ID, will they  
13 have to pay \$10?

14 A. The customer has to request a voter ID.

15 Q. So they specifically have to request, I want a  
16 photo ID for voting?

17 A. Yes.

18 Q. You talked earlier about the types of training  
19 that DMV officials received for implementation  
20 of House Bill 589. Was there ever a statewide  
21 training where all of the examiners and senior  
22 examiners were trained regarding the photo ID  
23 requirement?

24 A. Yes. It was done via conference. I think we  
25 probably had numerous -- I'm thinking four,

1 Q. Yes. So, for example, do you recall any  
2 problems in January 2014 regarding DMV policy  
3 about a person who comes in and they want a new  
4 driver's license, say, their license was  
5 expired and they wanted a new driver's license  
6 but they owed fees to DMV, do you recall any  
7 questions regarding whether that person would  
8 have to pay those DMV fees before they were  
9 able to receive a driver's license?

10 A. If you have an outstanding fee, you must pay  
11 them before you receive a driver's license.  
12 There's no confusion around that.

13 Q. Okay. So if you have an expired driver's  
14 license and you owe fees to the DMV and you go  
15 to the DMV and say, I want a new license since  
16 it's expired, you would have to pay those fees  
17 to the DMV that are outstanding before  
18 receiving your new license?

19 A. Yes, by law.

20 Q. And so if you couldn't afford paying those  
21 fees -- so say you owed a hundred dollars to  
22 the DMV and you went in and said, I want a new  
23 driver's license but you owe a hundred dollars  
24 so I can't afford that, I want a photo ID for  
25 voting, you could obtain a photo ID for voting,

1 correct?

2 A. Yes. Yes.

3 Q. But if you wanted to get your driver's license  
4 again, you would have to pay those fees before  
5 you could obtain your driver's license,  
6 correct?

7 MR. PETERS: Objection; asked and  
8 answered a number of times today.

9 THE WITNESS: Yes.

10 BY MR. EPPSTEINER:

11 Q. Now, I believe you said earlier if you go to a  
12 driver's license office to obtain a  
13 credential -- which I believe we referred to  
14 the term credential as some type of photo ID  
15 issued by the DMV. Is that fair?

16 A. A credential could be a driver license, a  
17 learner permit, a commercial driver license, a  
18 photo ID, a voter ID.

19 Q. I believe you said if a customer obtains some  
20 kind of photo ID from the DMV, it takes  
21 approximately three to five days for it to go  
22 through the authentication process before it's  
23 sent for printing and mailing to the customer.

24 A. It can take up to three to five days.

25 Q. I believe you said it normally takes three to

1 five days. Is that fair?

2 A. Yes, it can take up to three to five days.

3 Q. When -- so I want to go through a scenario  
4 because I'm not sure how you would count the  
5 days. So if you went to a driver's license  
6 office on a Friday afternoon and requested a  
7 photo ID for voting, when does the starting of  
8 that three- to five-day period start? Does it  
9 start that Friday, does it start that Saturday  
10 or does it start the following business day,  
11 that Monday?

12 A. It starts the moment the issuance is complete.

13 Q. So does the authentication process continue  
14 over the weekend as well?

15 A. Continuously, yes.

16 Q. So if a person requests a photo ID on a Friday,  
17 according to the three- to five-day processing  
18 requirement, when would it be ready for  
19 printing and shipping?

20 A. If there are no problems with verification and  
21 it's on Friday, normally the printing starts  
22 three to five days after Friday.

23 So the verification process starts on  
24 Friday once the issuance is completed. There's  
25 something called a batch cycle that happens

1 THE VIDEOGRAPHER: Going back on the  
2 record, the time is 6:39 p.m.

3 EXAMINATION

4 BY MR. PETERS:

5 Q. Thank you. Ms. Allen, again, I'm Alec Peters  
6 from the Attorney General's office -- excuse,  
7 me. Ms. Webb. I don't know where that came  
8 from unless it's just the very late hour of the  
9 day.

10 I just have a couple of things to ask  
11 you about to go back and maybe clarify some  
12 things that were said earlier in the  
13 deposition.

14 Do you recall being asked a series of  
15 questions I believe by Ms. Ryan where you gave  
16 the example of if somebody has a Medicaid card  
17 and they might use that to help establish  
18 identity or residency or those sorts of things?

19 Do you remember that part of the deposition?

20 A. Yes.

21 Q. And do you remember being asked -- or do you  
22 remember saying that in a situation like that  
23 that you described you could complete the  
24 transaction and comment that there was a  
25 deviation, the examiner should put in the

1 comment of the deviation?

2 A. Yes, I recall.

3 Q. And do you remember Ms. Ryan asking you "and  
4 would that require supervisor approval"?

5 A. Yes, I recall.

6 Q. Okay. Would it require approval or does it  
7 require that the supervisor be notified of the  
8 deviation, made aware of the deviation?

9 A. And also indicated over and over that the  
10 awareness was the most important part.

11 The examiner does not wait for verbal  
12 approval, especially if the supervisor is not  
13 in the office. It's an awareness that the  
14 examiner has to make sure that they implement  
15 the document on the customer's record, so  
16 comments made, notations are made, but if the  
17 supervisor is not in the office and cannot be  
18 reached, an e-mail is sent. So it's basically  
19 an awareness.

20 Q. So is it correct that the examiner can issue  
21 the ID based on the circumstances you describe  
22 without the approval of the supervisor?

23 A. Yes, without the verbal go ahead and do it.

24 Q. Right.

25 A. Yes.