

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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. )

---

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. )

---

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

Case No: 1:13-CV-861

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

Defendants. )

---

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

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

BY

RANDY DISHONG

---

2:03 P.M.

THURSDAY, JANUARY 22, 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

(pages 1 to 91)

Joseph C. Spontarelli, Court Reporter

(pages 92 to 187)

1 or not, any degrees that you have or anything  
2 like that.

3 A. I did go to college and have a bachelor degree  
4 in business administration.

5 Q. And where did you go to college?

6 A. University of Phoenix.

7 Q. Okay. And what was your first -- well, when  
8 did you finish that degree at the University of  
9 Phoenix?

10 A. I don't recall the exact date. It was in the  
11 approximate timeframe 2007 or 2008.

12 Q. Okay. And can you tell me what -- we're going  
13 to switch to your employment.

14 Can you tell me where you're currently  
15 employed and what your title is.

16 A. I'm currently employed with North Carolina  
17 Division of Motor Vehicles, and I am the deputy  
18 commissioner.

19 Q. And how long have you held that position?

20 A. I have held a deputy commissioner position for  
21 approximately one year.

22 Q. And how long have you been at the -- how long  
23 have you been at the Division of Motor  
24 Vehicles?

25 A. Approximately 23 months.

1 Q. Do you remember when you started at the

2 Division of Motor Vehicles?

3 A. I do.

4 Q. When did you start?

5 A. February of 2013.

6 Q. And what was your title when you started in

7 February of 2013?

8 A. I was the assistant commissioner.

9 Q. And when did you become the deputy

10 commissioner?

11 A. Approximately a year ago. I do not recall --

12 Q. Exactly.

13 A. -- the exact month.

14 Q. What was your employment immediately before you  
15 came over to the Department of Transportation?

16 A. I worked for the Wake County Public School  
17 System.

18 Q. And what was your role there?

19 A. My role was to oversee and administer all  
20 emergency operation planning and management  
21 functions for the school district.

22 Q. Did you supervise people in that role?

23 A. No, I did not supervise.

24 Q. Was anyone responsible for reporting to you  
25 directly in that role?

1           increase our footprint without increasing our  
2           operational costs for that footprint.

3           Currently I believe with the brick and  
4           mortar and mobile unit sites division indicates  
5           that approximately 91 percent of its market  
6           population is within a 20-minute drive of a DMV  
7           facility, brick and mortar or mobile unit.

8           We feel that this is not the best that  
9           we can do. Therefore we are looking at  
10          existing population densities, existing and  
11          projected growth and demographical shifts as  
12          well as historical trends within each county in  
13          each major area so that we can develop  
14          projections on where our facilities will be  
15          needed or in more demand or if existing  
16          facilities need to expand with additional  
17          examiners or additional personnel in order to  
18          proactively manage our infrastructure and  
19          identify where our services need to be placed  
20          prior to an impact occurring that negatively  
21          impacts the customer service that we are trying  
22          to improve.

23        BY MS. GARRETT:

24        Q. And what is an example of an impact occurring  
25        that might negatively impact the customer?

1                   There will also be an additional -- a  
2                   new queuing system that will place them in a  
3                   queue based upon the service that they are  
4                   requesting and it will assist managers in the  
5                   office to manage the queues and personnel and  
6                   customers more effectively. Understanding when  
7                   surges can happen or when they are happening,  
8                   some services take longer time than others. So  
9                   they can shift personnel to the faster  
10                  transactions, if those are the ones that -- if  
11                  those types of transactions are in high numbers  
12                  in the office or if they're having  
13                  complications on the longer timeframe  
14                  transactions, they can shift personnel there.

15                 There will also be new flow. Once they  
16                 get to the examiner's station, it will be  
17                 essentially photo first. Our existing -- our  
18                 existing system, if you do not complete the  
19                 transaction, then every -- all the information,  
20                 to my understanding, is wiped clean that night,  
21                 and when you come back into the office, if you  
22                 do not complete it the first time, you have to  
23                 go through all the steps again.

24                 Our new system prevents that. Once you  
25                 begin a transaction, at any point you cannot

1                   What is the highest wait time in --  
2                   among those 25?

3           A. I can't answer that. The queuing solution  
4           currently in place is not and has never been  
5           statewide and it is very limited and service  
6           and wait times change monthly, daily.

7                   To give you an average wait time, I  
8           wouldn't be able to give you that at this time.

9           Q. Do you -- do you review wait times regularly?

10          A. I do not.

11          Q. Do you receive reports about wait times?

12          A. I receive reports about wait times when they  
13           are highly unacceptable. I do not receive any  
14           reoccurring reports on wait times.

15          Q. What is an example of a highly unacceptable  
16           wait time?

17          A. I consider highly unacceptable wait time over  
18           30 minutes. Internally DMV's goal is  
19           incrementally to get to 15 or 20 minutes total  
20           time in office. Certainly anything 60 minutes  
21           or greater I like to hear about.

22          Q. Have you received reports of wait times 60  
23           minutes or greater?

24          A. Yes.

25          Q. Do you recall where?

1 A. It's probably a pretty broad list. Not to the  
2 point -- I do not recall to the point where I  
3 can answer that question.

4 Q. Are there any documents that might help you  
5 remember the answer to that question?

6 A. I'm sure there are.

7 Q. Okay.

8 MS. GARRETT: We'd like to take a  
9 break.

10 THE WITNESS: Okay.

11 MS. GARRETT: Five minutes.

12 THE VIDEOGRAPHER: Off record at 4:03.

13 (Brief Recess.)

14 THE VIDEOGRAPHER: On record at  
15 4:19 p.m.

16 MS. GARRETT: Thank you. I'd like to  
17 mark as an exhibit -- how many do you need?

18 MR. FARR: Three, four now.

19 (WHEREUPON, Plaintiff's Exhibit 213 was  
20 marked for identification.)

21 BY MS. GARRETT:

22 Q. So this document is Exhibit 213.

23 MR. FARR: I don't want to throw you  
24 off, but did you guys talk about how much  
25 longer this was going to go or did that not

1 State of North Carolina simply goes in for a  
2 renewal.

3 What I would consider a complicated  
4 service is -- and I don't mean complicated in a  
5 difficult sense. I mean complicated as in more  
6 time-consuming. And it's important for us to  
7 understand that in order to know what resources  
8 to apply when and where so that we have the  
9 right allotment for supply versus demand.

10 The more complicated services or more  
11 timely -- time required or time sensitive  
12 services are going to be those that require  
13 multiple tests for multiple endorsements, road  
14 testing, CDL, first-time drivers, written  
15 tests, road tests, motorcycle endorsements, any  
16 service request that requires an examiner to be  
17 with a customer much longer.

18 In our sense that slows the throughput  
19 down and so that is what we have to focus on is  
20 how can we increase the throughput of those  
21 services to reduce the wait times.

22 Q. And what about a no-fee voter ID, where does  
23 that fall in the level of complexity for both  
24 the customer and the time the examiner needs to  
25 spend with the customer?

1 heard of any significant impact to service or  
2 wait times due to this rotation.

3 Q. Thank you. Can I just draw your attention to  
4 page 26, DOT DEP 00026.

5 MR. FARR: What exhibit that?

6 MS. GARRETT: I'm sorry. Exhibit 212.

7 BY MS. GARRETT:

8 Q. Is this the current list of offices that have  
9 the extended hours?

10 A. I'm certain we have 19 extended-hour offices.

11 To my recollection, this list does appear to be  
12 reflective of those 19.

13 Q. And are there plans to extend the  
14 extended-hours program to other DMV locations?

15 A. Not at this time.

16 Q. Okay. Why not?

17 A. We are in discussions and evaluating the data  
18 to determine if -- to determine if we expand  
19 and where to expand to if we choose to do so.

20 Q. Is the extended-hours program a success?

21 A. I would classify it as a great success.

22 Q. So if a pilot program is a success, it's not  
23 absolutely certain that the program will expand  
24 from whatever the pilot is?

25 A. That is correct. There are logistical

1 concerns. We have large offices that can  
2 experience a staff rotation that does not  
3 negatively impact service levels at that office  
4 and support a Saturday hour location.

5 However, our smaller offices, two-,  
6 three-, four-, five-man offices, when we start  
7 talking about staff rotation in those smaller  
8 office and we also throw in the mixture of  
9 individuals that may be out sick, may be on  
10 leave or vacant position or other -- other  
11 vacancies for whatever reason or assign staff  
12 not at the location for whatever reason, then  
13 we -- then we begin to significantly impact  
14 service and wait times.

15 So that's where we are in researching  
16 the data because we don't feel -- due to a  
17 recent customer service survey, customers  
18 indicated that one of their top concerns with  
19 DMV was our wait time, which we -- we talk  
20 about wait time and service time in the same  
21 breath because it's essentially a total time in  
22 office, and that was one of their main  
23 concerns.

24 Accessibility to our locations was not  
25 one of their top concerns and extended hours

1                   So once the system is working without  
2                   flaw and it is proven reliable or -- and I  
3                   guess that's what I mean by effective, it is a  
4                   reliable system, that's when we will begin to  
5                   incrementally push and advertise as well.

6           Q.   Okay.  So I wanted to go back to something --  
7                I'm going to switch gears for a second.

8           A.   Okay.

9           Q.   I wanted to go back to something we talked  
10               about before.  We talked about when a wait time  
11               would be brought to your attention and you  
12               mentioned earlier that there were some  
13               instances where there was a wait time above one  
14               hour; is that correct?

15          A.   Yes.

16          Q.   And about how many instances have you had  
17               during your time as either assistant or deputy  
18               commissioner where you have seen wait times  
19               above one hour?

20          A.   I can't recall.

21          Q.   Okay.  Do you recall about how often those  
22               types of wait times above one hour might be  
23               reported to you?

24          A.   I can't recall.

25          Q.   Do any particular DMV offices come to mind with

1 wait times above one hour?

2 A. The offices that have higher volumes.

3 Q. Is there one example of what a higher volume  
4 office, where it is located?

5 A. In the Wake County or Raleigh and Charlotte  
6 areas.

7 Q. Now, do you estimate -- not limiting it to the  
8 Raleigh, Wake County and Charlotte areas, do  
9 you estimate that you are alerted of wait times  
10 above one hour about five times or is it more  
11 about -- like about 500 times?

12 MR. FARR: I'm going to object to the  
13 question. Objection to the form.

14 You can answer it if you can.

15 THE WITNESS: Certainly not 500. I  
16 think it's important to understand when we talk  
17 about wait times, there are several different  
18 classifications of wait times.

19 There are average wait times, there are  
20 average wait times for the number of offices  
21 that we have a queuing system in which is not  
22 statewide, there's an average for an office --  
23 while an office could have a low average wait  
24 time, you could have some outliers within that  
25 data to where one individual may have waited

1 for two hours depending on the complexity or  
2 the situations of their -- of the complications  
3 of their situation. The outliers often skew  
4 the data on the average.

5 But then we've also found some flaws  
6 within the queuing system, why it's being  
7 replaced, that the system causes these outliers  
8 to exist, and there's also existence of the  
9 outliers because of the customer's specific  
10 circumstances.

11 So when we talk about high wait times,  
12 we could be talking about an office with a high  
13 wait time and it's the average high wait time  
14 with or without outliers. With outliers it  
15 skews the average.

16 So when you ask me how many times, it's  
17 very difficult to answer that because I will --  
18 I will typically get concerns from customers or  
19 other individuals stating that this person  
20 waited for two or three hours. Those are the  
21 ones that I receive, and I don't receive a lot  
22 of them, but there's a lot that goes into  
23 talking about wait times and how they're  
24 reported and how they're interpreted.

25 Part of that is because we don't have a

1 this.

2 Q Thank you.

3 We're going to switch gears.

4 A Okay.

5 Q I would like to talk to you about DMV

6 locations.

7 A Okay.

8 Q We talked earlier about brick and

9 mortar locations. How many brick and mortar

10 locations are there here in North Carolina?

11 A We have approximately 113 locations --

12 brick and mortar.

13 Q You also mentioned before mobile units.

14 How many mobile units do you have in service

15 here?

16 A We currently have five mobile units in

17 service.

18 Q Were any of those mobile units recently  
19 purchased?

20 A No.

21 Q Is there a plan to purchase any new  
22 mobile units?

23 A There is a plan to replace the platform  
24 and develop a new mobile unit solution.

25 Q What does that mean?

1 Q Thank you.

2 A You're welcome.

3 MS. GARRETT: I don't have any further  
4 questions for you today. I want to thank you for  
5 answering the questions that we had for you  
6 today.

7 I'm going to say we take a break  
8 because I know my colleagues might have  
9 additional questions.

10 MS. WU: Actually let's not take a  
11 break. I only have a few questions.

12 MR. FARR: We'll take a break when  
13 you're done.

14 BY MS. WU:

15 Q Thank you Mr. Dishong. I'm Jodi Wu.  
16 Just to remind you I represent the NAACP  
17 plaintiff and I'm going to ask you a few  
18 follow-up questions regarding the mobile unit.

19 A Okay.

20 Q I know you talked with DOJ counsel  
21 about the plans for the future of how the state  
22 is planning on upgrading the mobile units and you  
23 recall that you said currently there are five  
24 mobile units in operation, is that correct?

25 A That's correct.

1 Q On any given day how many of those five  
2 are sort of deployed into the field?

3 A It's hard to say. The mobile units are  
4 experiencing -- some of them are experiencing  
5 mechanical challenges so one may be down due to  
6 mechanical issues.

7 Also, the scheduling is structured in a  
8 manner to where one or two of them may not be  
9 utilized a certain day so that they can go into  
10 maintenance for regular maintenance and other  
11 days you may have one or two out due to just how  
12 the schedule is or the staffing levels.

13 Q I'm going to break those three things  
14 down piece-by-piece.

15 A Okay.

16 Q You mentioned mechanical challenges.  
17 Can you recall how many times in the last six  
18 months that a mobile unit has experienced  
19 mechanical challenges?

20 A I can't. I'm sorry, I couldn't recall.

21 Q That's fine.

22 If a mobile unit does experience  
23 mechanical challenges, on average how long would  
24 a unit be out of operation?

25 A I don't know. What I can tell you is

1 that our standard approach is to get it back on  
2 the road as quickly as possible. I can't answer  
3 as to what the average down time might be.

4 Q You also mentioned regular maintenance  
5 as one of the reasons why a mobile unit might not  
6 be out for a particular day -- out deployed into  
7 the field for a particular day. Does DMV have a  
8 schedule of regular maintenance for these mobile  
9 units?

10 A The DOT, I believe, dictates the  
11 schedule for regular maintenance, but DMV would  
12 have that schedule.

13 Q Do you have any idea sitting here today  
14 what that regular maintenance schedule is like?

15 A I believe that DOT mechanics like to  
16 have each mobile unit in for regular maintenance  
17 at least once a month.

18 Q How long does regular maintenance  
19 usually last?

20 A I believe it's scheduled mostly for  
21 Fridays or Mondays so that if they run into  
22 problems they can utilize the weekend.

23 The plan is for regular maintenance to  
24 only have them down for one day. I'm not sure if  
25 they have been successful in that or not.

1 Q How often does that occur?

2 A I know that it has occurred. As far as  
3 the frequency I wouldn't want to guess to that.  
4 I do know it has occurred.

5 Q Would you say greater than five times?

6 A In what time span?

7 Q In the past six months.

8 A I don't know. It would be a guess.

9 Q I think another reason that you  
10 mentioned previously for why a mobile unit might  
11 not be out on a particular day was because of  
12 staffing issues. Can you explain that a little  
13 more?

14 A When the mobile unit program was first  
15 created it involved re-purposing staff from  
16 offices to man the mobile units. They were never  
17 created with a dedicated team. Sometimes it  
18 becomes challenging to man the mobile units if  
19 the office that the examiners typically come from  
20 is experiencing extreme lack of personnel due to  
21 various reasons.

22 Operating the mobile units requires  
23 specific certifications and skills. Not just any  
24 examiner can currently fill the role so pulling  
25 examiners from neighboring offices without

1 impacting things too greatly becomes a logistical  
2 challenge so that we can free up the right  
3 personnel to get to the mobile unit, but those  
4 right personnel may not be close to where the  
5 mobile unit is.

6 Q How often would you say this occurs  
7 where you have trouble staffing a mobile unit so  
8 it can't be deployed?

9 A Again, I'd be guessing. What I can  
10 tell you our stance is no matter how many times  
11 if it impacts a customer service channel then  
12 it's too many times. Regardless of the reason  
13 why the unit is not servicing customers if it  
14 happens once it's too many times.

15 Q We discussed mechanical challenges,  
16 regular maintenance, staffing issues. Are there  
17 any other reasons that you can think of sitting  
18 here today why a mobile unit might not be able to  
19 be used in the field on a given day?

20 A When I refer to mechanical issues I am  
21 also including technical issues. With our  
22 current system if a camera goes down it's very  
23 difficult to repair or replace, or if capture  
24 cards that are associated with those cameras go  
25 down the way the mobile units are designed the

1 equipment takes a bigger beating than what it was  
2 designed for so mechanical issues and technical  
3 issues if the mobile unit is not safe to drive or  
4 unable to operate or if the technical equipment  
5 inside the unit cannot function that would be  
6 another reason.

7 Q You mentioned safety issues. Are you  
8 putting that in a separate category than  
9 mechanical issues?

10 A It can be because we've experienced  
11 issues in the past to where the mobile unit can  
12 mechanically function but it was not safe to  
13 drive.

14 Q If any of these safety issues,  
15 technical issues, mechanical challenges, regular  
16 maintenance or staffing issues causes a mobile  
17 unit not to be able to go into the field or go to  
18 a site for a certain day how does the DMV or DOT  
19 communicate that to the public?

20 A It's my understanding we utilize press  
21 releases, Twitter account, all the social media  
22 that we have access to. There may be others but  
23 I'm not certain. We utilize every feasible  
24 outlet that we have access to. Sometimes the  
25 timing of discovering that the unit is not

1 capable of making the stop causes a constraint  
2 for us getting the information out quick enough.

3 Q The press releases, Twitter accounts  
4 and social media, does that include the DMV's web  
5 site?

6 A I believe so.

7 Q What about for a specific county or  
8 location where the mobile unit was supposed to  
9 be, is there any effort to put up a sign or  
10 anything like that at the actual location where  
11 the mobile unit is supposed to be?

12 A I'm not sure. I know all of our  
13 existing mobile unit sites are outside. Some of  
14 the locations are not necessarily established  
15 businesses.

16 Q If a site visit is missed because of  
17 safety issues, technical issues, mechanical  
18 challenges, regular maintenance or staffing  
19 issues is there any effort to sort of make up  
20 that missed day?

21 A I don't know if that has happened for  
22 every event or if it can happen for every event,  
23 but I do recall some cases that I have been  
24 involved in to where we made efforts to either go  
25 back on an unscheduled day or to provide coverage

1 Q How many?

2 A I don't know. It would be a guess.

3 Q You can guess. There are a hundred  
4 counties in North Carolina. 2, 10, 20?

5 MR. FARR: I don't want you to guess.

6 If you have an idea you can answer the question.

7 BY MR. EPPSTEINER:

8 Q I'm just trying to get a sense of what  
9 your best recollection is as somebody who has  
10 knowledge of DMV locations. I believe you said  
11 there's 113 locations if I'm not mistake.

12 A There's approximately 113 locations.

13 Q I'm trying to get your sense of the  
14 number of counties that don't have a permanent  
15 DMV office.

16 A It would be in the range of five to  
17 seven.

18 Q Now, to obtain a photo ID for voting  
19 does a North Carolina voter have to go to a  
20 driver's license office -- a North Carolina DMV  
21 driver's license office -- or can they go to, for  
22 example, a license plate and registration office?

23 A No, they have to go to a driver license  
24 office or a mobile unit.

25 Q I'm going to refer to Exhibit 215. Do

1 you have that in front of you? It was the large  
2 document that was given to you by the lawyer for  
3 the Department of Justice.

4 A Okay.

5 Q Do you have any reason to dispute that  
6 this is not taken from DMV's web site?

7 MR. FARR: We stipulated to that. We  
8 just don't know if it's complete. I hope we  
9 don't have to sit here and have him read the  
10 whole thing.

11 MR. EPPSTEINER: I'm not going to ask  
12 him to do that, no.

13 BY MR. EPPSTEINER:

14 Q If you look on -- it's DOT DEP 000051.

15 Can you turn to that page, please?

16 A Yes.

17 Q The page that I'm referencing is DMV  
18 office locations for Bertie County, is that  
19 correct?

20 A Yes.

21 Q There's one location listed but the  
22 services says license plate. It does not say  
23 driver's licenses, correct?

24 A Correct.

25 Q Would you agree that there's no

1 location in Bertie County -- a permanent

2 location -- that issues ID for voting?

3 A As indicated by this, yes.

4 Q Have you been to Bertie County?

5 A It's possible. I don't recall.

6 Q Do you know if it's a predominantly  
7 African-American county?

8 A I do not.

9 Q If I were to represent to you that in  
10 2013 the U.S. Census referenced that the  
11 African-American population of Bertie County is  
12 61.6 percent would you have any reason to dispute  
13 that?

14 A Not at this time, no.

15 Q I believe you previously testified that  
16 when you were brought on as Deputy Commissioner  
17 you feel that your responsibility is to reform  
18 the DMV, is that correct?

19 A I was brought on as the Assistant  
20 Commissioner and it was my role and is my role to  
21 reform DMV.

22 Q Is one of the ways to reform the DMV to  
23 decrease lines for services?

24 A Decrease lines?

25 Q Decrease waiting time for services at

1           A       I'm sure that I've received information  
2           about individual's travel time, but any specifics  
3           whether I received it from them or a complaint or  
4           if it was through internal analysis I don't  
5           recall specifics enough to talk to it.

6           Q       Do you have any recollection of the  
7           longest drive that you can recall that a DMV  
8           customer has to go to obtain a driver's license  
9           or other photo ID?

10          MR. FARR:   At an office?

11          MR. EPPSTEINER:   At a permanent DMV  
12          driver's license location.   Thank you.

13          THE WITNESS:   I would say it was within  
14          the range of 50 to 60 minutes that I can recall.

15          BY MR. EPPSTEINER:

16          Q       What DMV permanent driver's license  
17          office has the longest average service time?

18          A       I would need that question to be much  
19          more definitive with parameters to come close to  
20          an answer.   There's too many variables to  
21          consider as far as average of annual -- I don't  
22          know that I could get to that answer.   Certainly  
23          not now.

24          Q       Let's try this:   In the last month or  
25          from the last month what office have you heard

1 it's a recurring office that when you get that  
2 e-mail you roll your eyes? There's no offices at  
3 all that come to mind?

4 A A lot of offices come to mind with high  
5 wait times. One day could be a high wait time  
6 and the next not a high wait time. That's why I  
7 need more clarification on what parameters you're  
8 referring to a high wait time or high service  
9 time.

10 Q You just said when you think about high  
11 wait times you do think about certain offices. I  
12 just want to know what those offices are.

13 A Our highest volume offices would be  
14 located in the Raleigh, Charlotte, Fayetteville,  
15 Wilmington areas -- Winston-Salem.

16 Q What about in Durham County?

17 A Probably a few in the past year from  
18 Durham.

19 Q What about the downtown DMV office?

20 A I don't recall which ones or which one  
21 in Durham.

22 Q What about Orange County?

23 A Again, I don't recall. Other than the  
24 ones I've already named I don't recall any  
25 specifics.

1 Q Do any permanent driver's license

2 offices at DMV have Sunday hours?

3 A No.

4 Q Do any mobile units that provide photo

5 ID's have Sunday hours?

6 A No.

7 Q Has that ever been something that was  
8 suggested as a service at DMV?

9 A No, because the IT infrastructure  
10 cannot support it.

11 Q Why not?

12 A Because of the system maintenance and  
13 downloads that need to occur over the weekends.

14 Q And they can't do downloads or updates  
15 late in the evening or early in the morning --  
16 they absolutely can't do it on a Sunday?

17 A It's my understanding the weekends are  
18 a requirement for the volume of activities that  
19 they must perform on the databases.

20 Q Who told you that?

21 A I'm sure it came from DOT IT  
22 representatives. I can't tell you exactly whom.

23 Q Does the DMV have any services where it  
24 transports DMV customers to DMV offices for  
25 services?

1 MR. BOWERS: Objection. Calls for  
2 speculation. Go ahead and answer if you know.

3 THE WITNESS: I believe conversations  
4 around that time frame were our concern with our  
5 mobile unit platform being capable of servicing  
6 rural areas.

7 BY MR. EPPSTEINER:

8 Q The mobile units have had difficulty  
9 serving rural areas with their maintenance  
10 issues, correct?

11 MR. FARR: Objection to the form.

12 THE WITNESS: I would say that the  
13 mobile units have missed scheduled stops due to  
14 maintenance issues.

15 BY MR. EPPSTEINER:

16 Q Some mobile units have been out of  
17 service for more than 30 days at a time, correct?

18 A One that I know of.

19 Q Correct?

20 MR. FARR: He answered the question.

21 BY MR. EPPSTEINER:

22 Q I have one more question about Exhibit  
23 215 -- not one more question generally, but one  
24 more question about Exhibit 215.

25 If you could look at DOT DEP 000138.

1 and mortar offices that have different days and  
2 may have different hours but those are part-time  
3 offices. Those are not full-time DMV offices.

4 BY MR. EPPSTEINER:

5 Q But there is no material difference in  
6 the type of services that a part-time DMV office  
7 offers versus a full-time DMV office, correct,  
8 from the customer's side?

9 MR. FARR: Objection to the form. You  
10 can answer.

11 THE WITNESS: There are no material  
12 differences.

13 BY MR. EPPSTEINER:

14 Q If you look at Exhibit 215 -- the large  
15 exhibit that I was just referring to -- if you  
16 look at DOT DEP 000045 do you see where it  
17 references the only driver's license office in  
18 Alleghany County -- the Blue Ridge Business  
19 Development Center -- the first office I believe  
20 is a license plate office that can't issue photo  
21 ID's, correct?

22 A Correct.

23 Q Do you see the Blue Ridge Business  
24 Development Center?

25 A I do.

1 Q Are its hours Wednesday and Thursday  
2 9:30 a.m. to 12:00 p.m., 1:00 p.m. to 3:30 p.m.?

3 A According to this document, yes.

4 Q If you live in Alleghany County and  
5 your lunch break is from 12 to 1:00 you cannot go  
6 to any DMV location in that county to obtain an  
7 ID for voting, correct?

8 A According to this document that is  
9 correct.

10 Q If you don't get off work until 4:00  
11 p.m. you can't get a photo ID for voting in  
12 Alleghany County, correct?

13 MR. FARR: Objection.

14 THE WITNESS: According to this  
15 document you cannot get it from this office,  
16 correct.

17 BY MR. EPPSTEINER:

18 Q Mr. Dishong, I believe you stated that  
19 before you were at DMV you were at the Wake  
20 County Public Schools, is that correct?

21 A That's correct.

22 Q Was one of your supervisors Tony Tata?

23 A No, he was not my supervisor.

24 Q Did you report to Tony Tata?

25 A No, I did not report to Tony Tata.

1 BY MR. KAUL:

2 Q My name is Josh Kaul. I'm an attorney  
3 for the Duke intervenor plaintiffs in this case.  
4 I'm going to try to move fairly quickly. I  
5 appreciate your staying late and answering as  
6 many questions as you can.

7 Court reporter, if you need me to slow  
8 down please let me know.

9 Let me just start with some follow-ups  
10 on some questions you were asked about before.

11 First I think you mentioned infrastructure for  
12 the DMV is somewhat overloaded in areas that have  
13 grown fast and you provided Charlotte as an  
14 example, is that right?

15 A I believe so.

16 Q What other locations would you say are  
17 overloaded or at least somewhat overloaded?

18 MR. FARR: What does overloaded mean?

19 THE WITNESS: I would refer to the  
20 Charlotte area and the Raleigh area as being  
21 overloaded.

22 What I mean by the term overloaded is  
23 having extremely high volume transactions due to  
24 the population increases in the areas with  
25 stagnate growth historically of DMV staff and

1 infrastructure or growth that has not kept up  
2 with the population growth. DMV in those two  
3 areas has not been able to keep up with what I  
4 would classify as the service demand.

5 BY MR. KAUL:

6 Q Is it fair to say that generally  
7 speaking there's a correlation between the  
8 service demand and the length of wait times?

9 A I would say that there is a  
10 correlation.

11 Q You had mentioned before that you had  
12 made the decision in part at least in light of  
13 the budget climate not to request that new brick  
14 and mortar centers be opened, is that right?

15 A Can you state that again?

16 Q I think you mentioned before you had  
17 looked into whether new brick and mortar service  
18 centers should be opened, is that right? Correct  
19 me if I'm wrong.

20 A We're in the process of determining  
21 that. I don't recall stating that we had asked  
22 for a brick and mortar location to be open.

23 Q I thought you said you made the  
24 decision not to ask.

25 A No, I don't recall not making a

1 provided to you approximately?

2 A I do not recall. It was quite sometime  
3 ago.

4 Q It would have been helpful for planning  
5 purposes for the Department of Transportation to  
6 know where the bulk of that request is going to  
7 come from within the state, correct?

8 A Correct.

9 Q Were you provided with information  
10 about the locations where it was likely that a  
11 disproportionately large number of individuals  
12 would request free identification?

13 MR. FARR: Objection to the form.

14 THE WITNESS: I was not, but I think  
15 it's important to understand that I was not  
16 touching this every day. Barbara Webb was  
17 overseeing the -- excuse me. I can't say the  
18 word. Barbara Webb was overseeing  
19 operationalizing this initiative.

20 BY MR. KAUL:

21 Q Is it your understanding that she  
22 received that information or you just don't know?

23 A I do not know.

24 Q This is a point of clarification from  
25 the record before -- I believe your testimony

1       literally was 19 of the 113 DMV offices only have  
2       extended hours, but I just want to clarify for  
3       the record -- what you mean is only 19 of the 113  
4       have extended hours, correct?

5       A       Correct. We only have 19 offices  
6       involved in the extended hour program.

7       Q       If a voter or a citizen in North  
8       Carolina moves but doesn't update his driver's  
9       license is there a way for that individual to  
10      update his voter registration at the DMV without  
11      also updating the driver's license?

12      A       I'll have to defer that to Barbara.

13      Q       If I were to ask you the same question  
14      with respect to somebody who moved into North  
15      Carolina from out-of-state would it be the same  
16      answer?

17      A       Yes.

18      Q       Were you involved or do you have  
19      knowledge of discussions between DOT and the  
20      State Board of Elections regarding the  
21      implementation of the repeal of preregistration?

22      A       Can you ask that one more time?

23      Q       Let me ask it a different way.

24              Are you familiar with how the  
25      Department of Transportation over the last two