

EXHIBIT F

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.)

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.)

VIDEOTAPED DEPOSITION OF

SENATOR EARLINE W. PARMON

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VIDEOTAPED DEPOSITION OF
SENATOR EARLINE W. PARMON

1:02 P.M.

Friday, June 27, 2014

Kilpatrick Townsend
1001 West Fourth Street
Winston-Salem, North Carolina

By: Amy A. Brauser, RPR, RMR, CLR

1 Forsyth County.

2 Q. Okay. Is that completely within
3 Forsyth County?

4 A. It is.

5 Q. And do you have an occupation other than
6 being a state legislator?

7 A. No.

8 Q. Okay. Can you tell me a little about your
9 occupational background, what you've done in the past?

10 A. Most of my life has been in education
11 administration.

12 Q. Okay.

13 A. Community advocate and organizer.

14 Q. Okay. All right. And when were you first
15 elected to the legislature?

16 A. I was elected in 2002, started my first term
17 in 2003.

18 Q. All right. And have you been continuously
19 elected every year since then?

20 A. I have been.

21 Q. All right. So there have been no gaps in
22 your legislative career since 2002?

23 A. That's correct.

24 Q. All right. And you understand that you gave
25 a what's called a declaration in this particular case,

1 A. The job of the chair of the Education
2 K through 12 committee was to ensure that the agenda
3 was set and to preside over all meetings for the
4 General Assembly on set days of the committee
5 meetings.

6 Q. All right. Did the chairman generally get
7 to control which Bills got heard by the committee?

8 A. To some extent.

9 Q. Okay. Who -- who else could control who
10 the -- which Bills the committee heard?

11 A. The chair of the Rules Committee or the
12 speaker of the House.

13 Q. Okay. So between the speaker, the Rules
14 Committee chairman and then the chairman of the
15 committee, those three individuals would generally get
16 to decide what the committee would hear?

17 A. Yes.

18 Q. All right. I just want to ask you a few
19 questions just about the legislative process in
20 general. Does every Bill generally get heard in a
21 committee of some sort before it's enacted into law?

22 A. No.

23 Q. Okay. Does every Bill get a public hearing
24 before it's enacted into law?

25 A. No.

1 Q. I understand that when the House passes a
2 version of the Bill and the Senate passes another
3 version and there's a difference, that sometimes
4 there's what's called a conference committee that's
5 established. You're familiar with that?

6 A. Yes.

7 Q. All right. Is it -- is it -- is it the case
8 that in every case a conference committee always
9 resolves the differences between the House and the
10 Senate?

11 A. Not in every case.

12 Q. Okay. Are there occasions when the one
13 chamber will make changes and it'll come back over
14 before just a concurrence vote?

15 A. That is correct.

16 Q. Okay. All right. Are you familiar with
17 some lingo that I'm aware of down at the legislature
18 called gut and amend?

19 A. Yes, I am.

20 Q. What does that mean?

21 A. That means that a Bill that may have had a
22 title dealing with a total different subject is gutted
23 and something -- another Bill replaces it.

24 Q. Okay. So they literally strip out all the
25 substance of the former Bill and replace it with a

1 completely new Bill?

2 A. Yes.

3 Q. All right. Is that relatively common
4 occurrence?

5 A. It happens on occasions.

6 Q. And does it typically happen closer to the
7 end of session when there's a time crunch?

8 A. It does.

9 Q. Speaking of the end of session, is it -- is
10 it the case that a lot -- that a significant number of
11 Bills get enacted towards the end of the session when
12 there's a deadline to leave?

13 A. It does.

14 Q. Okay. All right. Let me ask you a few
15 questions about the conference committee. Have you
16 ever served on a conference committee?

17 A. I have.

18 Q. All right. Is it -- is it true that the
19 conference committee meets in secret?

20 A. I wouldn't say in secret. It's -- the
21 conference committee can meet without public notice.

22 Q. Okay. Are the conference committee meetings
23 generally open and free to the public to attend?

24 A. It depends on who's chairing it and how they
25 want to --

1 Q. All right.

2 A. -- operate.

3 Q. Have you ever been involved in a conference
4 committee that did not have members of the public
5 present?

6 A. I have.

7 Q. Okay. Tell me what you do, generally, when
8 you are -- you come up with an idea for a Bill, then
9 you're going to get it drafted and et cetera -- I
10 don't need any specifics -- but just what do you do in
11 general when you're developing an idea to turn it into
12 a Bill?

13 A. Generally, when you come up with the idea
14 and you want to get it drafted, you seek other members
15 of the General Assembly to sponsor that Bill with you.
16 And you find your sponsors -- you have what you call
17 primary sponsors and that can be up, in the House, up
18 to four people. Generally, that is the way most of us
19 do it in order to have support and to get support for
20 the Bill. And after that is done, the Bill is filed
21 and other members of the General Assembly at that time
22 can sign on as sponsors.

23 Q. Okay.

24 A. Cosponsors.

25 Q. And then in the process of actually drafting

1 the Bill, putting pen to paper, who does that?

2 A. Our staff works at drafting, the staff work
3 with it. Sometimes you may call on -- specifically if
4 it is education, you may call on members of
5 educational groups or other people that have an
6 interest, stakeholders in the particular legislations
7 to get their opinion. Sometimes people that may be
8 opposed, you may call on them to see if they would
9 like to have some input into drafting the Bill, so
10 that once it's drafted you have a better opportunity
11 of it passing without a lot of controversy.

12 Q. And in -- is there any -- is there any rule
13 that you have to share drafts of the Bill with the
14 public?

15 A. I don't know that there is a written rule
16 for that.

17 Q. Okay. All right. Essentially you can share
18 the drafts with whomever you're comfortable sharing
19 them with?

20 A. Yes.

21 Q. All right. And the staff itself, obviously
22 they can't share it with anybody?

23 A. That's correct.

24 Q. And is it -- is it fairly typical that, in
25 your experience, that members drafting Bills don't

1 make them available -- don't make the drafts available
2 to the public?

3 A. In my experience that is true.

4 Q. You've been through several rounds of
5 redistricting I believe; is that correct?

6 A. Yes. I would say two at least.

7 Q. Okay. So you were there in 2003 when they
8 had some redistricting, right?

9 A. Yes, I was.

10 Q. And then, of course, you were in the
11 legislature in the prior, what was it, 2011 --

12 A. Yes.

13 Q. -- redistricting?

14 A. Yes.

15 Q. And just so I make sure. You were initially
16 elected to the House of Representatives, right?

17 A. That's correct.

18 Q. And how long did you serve in the House?

19 A. Ten years.

20 Q. And when were you appointed to the Senate?

21 A. I was elected to the Senate.

22 Q. I'm sorry, when were you elected to the
23 Senate?

24 A. 2000 -- this is '14, 2011, I think that's --
25 2013 --

1 Q. Okay.

2 A. -- because I'm in my first session.

3 Q. All right. So in the 2011 redistricting you
4 were still in the House?

5 A. Yes.

6 Q. Okay. All right. Is the redistricting
7 Bill, to you, is that a major piece of legislation?

8 A. It is.

9 Q. Is it a very important piece of legislation?

10 A. It is.

11 Q. Okay. I'm going to mark your declaration as
12 the next exhibit -- 155, is that it?

13 (EXHIBIT NUMBER 155 WAS MARKED FOR IDENTIFICATION)

14 MR. STRACH: Okay. Here you go. I've
15 got a copy for you.

16 BY MR. STRACH:

17 Q. And, Senator Parmon, if you would just flip
18 through that. This is your declaration that's been
19 marked as Exhibit 155, and if you would just flip
20 through that as quickly or slowly as you would like
21 to, and just confirm that that appears to be an entire
22 copy of your declaration.

23 (WITNESS REVIEWS DOCUMENT)

24 A. Okay.

25 Q. Does that appear to be your entire

1 declaration?

2 A. It is.

3 Q. Okay. If you will look at Paragraph 4 which
4 is on page 3, and about halfway down it says that:

5 (Reading)

6 Unlike with all other major
7 legislation of the magnitude of HB 589
8 that I have seen during my tenure in
9 the General Assembly and as a member
10 of the Senate Rules Committee, there
11 was no advanced notice of the proposed
12 legislation.

13 What did you mean by "there was no advanced
14 notice"?

15 A. What I meant in making this statement is
16 usually when there's a Bill of a magnitude of what I
17 saw in 589, that the committee will say -- will send
18 out a notice that the committee will be meeting and
19 will be taking up 589. We will vote on it, or it will
20 not be voted on, it's for discussion only.

21 Q. Okay. And as you recall, when the Senate
22 Rules Committee first met regarding H 589 -- and you
23 know what I mean when I reference a proposed committee
24 substitute --

25 A. Yes.

1 Q. Sure.

2 Are you aware of any impact that same-day
3 registration has on the ability of the Board of
4 Elections to verify voters before their ballot is
5 counted?

6 A. No, I'm not.

7 Q. Okay. Are you familiar at all with the way
8 the Board of Elections goes about verifying that
9 voters are eligible to vote?

10 A. Yes.

11 Q. Okay. Tell me what you know about that.

12 A. I know that a voter uses a card to register
13 to verify their name, birth date and certain other
14 vital information. They turn that in to the Board of
15 Elections who then verifies by address if the voter is
16 a legal resident of the county.

17 Q. Do you know -- do you happen to know the
18 specific process by which the Board of Elections
19 engages in that verification of the address?

20 A. I do not.

21 Q. Okay. All right. So would it be fair to
22 say then you would not know of any impact same-day
23 registration would have on that process?

24 A. Can I --

25 MR. WOOD: If you don't understand the

1 question, you can just say you don't understand.

2 THE WITNESS: I do not understand --

3 MR. STRACH: Okay.

4 THE WITNESS: -- what you're asking.

5 MR. STRACH: Okay. All right.

6 BY MR. STRACH:

7 Q. Do you -- do you know -- is it fair to

8 say -- let me try to rephrase it. Is it fair to say

9 that you don't have any knowledge, personal knowledge,

10 regarding the impact of same-day registration on the

11 State Board's ability to verify voters?

12 A. Yes.

13 Q. Okay. And then if you'll look, Senator

14 Parmon, at Paragraph 25 which is on page 10. And this

15 is a paragraph in which you discuss Senate Bill 666

16 which contains some other election-related provisions;

17 is that right?

18 A. Yes.

19 Q. And two of those were regarding shortening

20 the early voting period and repealing same-day

21 registration, right?

22 A. Yes.

23 Q. And that was -- that Bill was filed on

24 April 2nd, 2013; is that right?

25 A. That's correct. April -- April 3rd it looks

1 like.

2 Q. That's --

3 A. Yes, April 2nd.

4 Q. April 2nd, yes, ma'am.

5 And you mention in there that you were

6 opposed to that Bill; is that correct?

7 A. I did.

8 Q. What steps did you take to oppose that
9 particular Bill? Did you do anything?

10 A. I didn't do anything, because I don't think
11 the Bill ever came out of committee.

12 Q. Okay. Did you do any research in order to
13 be prepared in the event that that Bill came out of
14 the committee?

15 A. No, because when it went to committee, there
16 was no discussion, and it was pretty much a dead Bill.

17 Q. All right. Did you have any discussions
18 with your constituents about this particular Bill or
19 the ideas that it contained?

20 A. I didn't have the opportunity to have much
21 discussion with my constituents because the short time
22 frame, but I did talk to my colleagues.

23 Q. Okay. But you'll agree that you, beginning
24 with April of 2013, you knew that these were potential
25 ideas that would come up during the session?

1 A. I did not.

2 Q. You knew because they were in a Bill that
3 had been filed, correct?

4 MR. MANER: Objection to form.

5 BY MR. STRACH:

6 Q. You can go ahead and answer.

7 A. Can you repeat the question?

8 Q. Sure. Absolutely.

9 You -- you knew that these ideas were in a
10 pending Bill in the legislature as of April 2nd,
11 correct?

12 A. I did not. Because it was in the Rules
13 Committee, and usually when a Bill goes to the Rule
14 Committee, we never see that Bill again. It's just
15 because of process usually when a Bill goes to Rules,
16 we don't see it again. So I had no idea that we would
17 see the language in 666 again.

18 Q. Okay. And that wasn't a -- just being
19 specific, that was an assumption you made because it
20 went into the Rules Committee, right?

21 A. Historically -- I made that assumption based
22 on how we historically operate in Bills -- of the
23 process, let me just say.

24 Q. Okay. But it was an assumption based on
25 your historical knowledge of your time in the

1 Q. Go ahead. Yeah, please feel free to tell
2 me.

3 A. One is the elimination of straight party
4 ticket voting.

5 Q. Okay.

6 A. There were only one site for intercity
7 voting, and that would -- where most people would have
8 to go to vote that lived in the city. So it would
9 just make longer lines and waiting for people to vote.

10 Q. All right. Now, the -- the decision to have
11 one site in the intercity is a decision that the
12 county board makes, not the legislature, correct?

13 A. That's correct.

14 Q. In your experience, prior to the passage of
15 House Bill 589, did people have to wait in line longer
16 than five minutes in elections?

17 A. Maybe in some instances, but because there
18 were more than one sites, people had options to go.
19 And if they went to one site and there were lines,
20 they could go to other because it was more than one
21 site to go to.

22 Q. Okay. So that's a problem connected with
23 the number of sites --

24 A. Yes.

25 Q. -- correct?

1 A. Uh-huh.

2 Q. Okay. If you'll look at Paragraph 40 which
3 is on page 15. This addresses the 2011 redistricting
4 and split precincts; is that correct?

5 A. Yes.

6 Q. And is it true that the folks who were
7 assigned new districts have had the 2012 elections to
8 learn where their new precinct locations are?

9 MR. JOYNER: I'm going to object, but
10 go ahead and answer.

11 A. I can't speak for, you know, certain
12 individuals and what they learned in the amount of
13 time.

14 Q. Sure.

15 But -- okay, is it fair to say, though, that
16 folks have had the opportunity in the 2012 election to
17 learn where their new precinct was?

18 MR. WOOD: Object to form. Go ahead.

19 A. Some people may have and some may not.

20 Q. Okay. And then the same is true with the
21 2013 municipal elections, folks would have learned
22 where their new precinct locations were then too?

23 MR. WOOD: Object to form.

24 A. Some may have.

25 Q. All right. Okay. And in Paragraph 41,

1 the scope of what I was addressing here in 42.

2 Q. Sure. And obviously the other people will
3 make decisions about what's relevant and out of the
4 scope. I'm just asking if you can offer an opinion on
5 that, or if you are declining to offer an opinion on
6 that?

7 MR. WOOD: Object to form. Go ahead.

8 A. I think if you want my opinion --

9 Q. Yes, ma'am.

10 A. -- I think that if someone is legally
11 registered and meet the qualifications for voting in
12 North Carolina and that they are in another county,
13 yes, it should be counted for a statewide vote.

14 Q. Okay, thank you.

15 Okay. Senator Parmon, I'm going to move to
16 a few other documents to ask you to look at and the
17 first one we will mark as Exhibit 156.

18 (EXHIBIT NUMBER 156 WAS MARKED FOR IDENTIFICATION)

19 BY MR. STRACH:

20 Q. Senator Parmon, you mentioned earlier that
21 you were present in the House during the debate over
22 the 2003 House Redistricting Plan; is that correct?

23 A. That's correct.

24 Q. And does this -- are you familiar with the
25 General Assembly's web site?

1 this exhibit for the 2003 House Redistricting Plan,
2 based on your memory, does that look correct?

3 A. According to this document, yes.

4 Q. Okay. Do you recall the Bill beginning in
5 the House chamber on November 24th?

6 A. Yes.

7 Q. All right. And according to this, do you
8 recall the House passing that Bill with its second and
9 third reading on the same --

10 A. Yes.

11 Q. -- I'm sorry, on the same day?

12 A. Yes.

13 Q. And then it went over to the Senate and was
14 referred to the redistricting committee; is that
15 right?

16 A. That's correct.

17 Q. And on November 25th it appears that the
18 Senate redistricting committee reported out a
19 committee substitute; is that right?

20 A. That's correct.

21 Q. And then the -- the committee substitute was
22 placed on the Senate calendar that same day,
23 November 25th, correct?

24 A. Correct.

25 Q. And it passed its second and third reading

1 in the Senate, correct?

2 A. That's correct.

3 Q. And then do you recall that day when it came
4 back to the House to be concurred in?

5 A. I see on the record that it -- it was --

6 Q. All right.

7 A. -- received back in the House.

8 Q. Do you have any independent recollection of
9 that day?

10 A. I do not.

11 Q. All right. And is it correct that the
12 process as displayed by this document does not show
13 that it went into any conference committee?

14 A. According to this document it doesn't.

15 Q. Okay. So according to this document, the
16 Senate changed the Bill and sent it back to the House
17 and the House concurred in the Senate's changes?

18 A. Yes, according to this document it did.

19 Q. Okay. Senator Parmon, I'm going to hand you
20 another document that is going to be marked as
21 Exhibit 157. There you are.

22 (EXHIBIT NUMBER 157 WAS MARKED FOR IDENTIFICATION)

23 BY MR. STRACH:

24 Q. Senator Parmon, this is a transcript of the
25 session on November 24, 2003, for that 2003

1 Redistricting Plan?

2 A. Uh-huh, yes.

3 Q. And, of course, take as much time as you
4 would like to with the document. My initial question
5 is, does this refresh your recollection at all
6 regarding the -- that particular session?

7 MR. MANER: Phil, do you have any more
8 copies of that?

9 MR. STRACH: I do have one, I think.

10 MR. MANER: Thank you.

11 (WITNESS REVIEWS DOCUMENT)

12 THE WITNESS: Okay. I'm finished.

13 BY MR. STRACH:

14 Q. Okay, thank you, Senator Parmon.

15 Were you physically present during this
16 particular session of the House of Representatives?

17 A. I was.

18 Q. All right. Do you have any reason to doubt
19 the accuracy of the transcription of that session?

20 A. I do not.

21 Q. Okay. If you will look at page 4 of this
22 transcript -- the numbers are in the top right-hand
23 corner of each page.

24 A. Okay.

25 Q. It references the speaker being Speaker

1 yes.

2 Q. Okay. Did the district that ultimately got
3 enacted differ from what the district you had provided
4 input on?

5 A. I can't recall exactly if --

6 Q. Okay.

7 A. -- I can't recall exactly.

8 Q. All right. That's fair.

9 If you will look at page 5, this contains
10 some remarks by Representative Culpepper. Do you
11 remember who that was?

12 A. I do.

13 Q. Who is that?

14 A. Representative Culpepper was the chair of
15 the Rules Committee.

16 Q. Okay. All right. And he -- on this
17 particular page it appears that he's reviewing the
18 rules. It says here: (Reading)

19 These are pretty standard
20 rules that we have adopted for
21 previous extra sessions.

22 It looks like he was looking at the rules;
23 is that correct?

24 A. Yes.

25 Q. And if you'll flip the page, he references

1 Section 7 which allows for the Speaker to place a
2 resolution or a Bill on calendar without it being
3 referred to a committee. Do you recall that that was
4 the rule that was adopted for this particular process?

5 A. I don't personally recall but it says here.

6 Q. All right. Is it unusual in the normal
7 legislative process for the Speaker to be able to put
8 a Bill on the calendar without it going to a committee
9 or being referred to a committee?

10 A. Is it unusual?

11 Q. Yes.

12 A. Yes.

13 Q. Okay. And then it says that Section 8
14 allows for more than one reading to occur on the same
15 day without a suspension of the rules. Let me ask you
16 this. In -- let's say in 2000 -- in the 2010 short
17 session, you would have been in the House, correct?

18 A. That's correct.

19 Q. What would have been the rule for dispensing
20 with a third reading on the same day?

21 A. I don't recall because the rules change.

22 Q. Okay.

23 A. From session to session they change, so I
24 don't recall what it would have been.

25 Q. All right. Do you know what the rule is

1 this particular session?

2 A. I don't.

3 Q. Okay.

4 A. Not from memory.

5 Q. Do you know if it would be unusual to allow

6 a third reading to occur on the same day without

7 having to suspend the rules?

8 A. Would you repeat the question?

9 Q. Yes, ma'am.

10 Would it be unusual to allow a third reading

11 on the same day without having to suspend the rules?

12 A. Yes.

13 Q. Okay. And then if you will look at page 10,

14 it looks like in the middle of the page the Speaker

15 says that House will be in recess until five, and then

16 according to this transcript, you came back at

17 5:09 p.m. Do you recall that, coming back in the

18 evening for that session?

19 A. No.

20 Q. Okay. The Speaker then says, he brings the

21 House to order and he says: (Reading)

22 The staff will pass out the

23 Bills, and the intention is for you to

24 have until 6:00 to look at the Bill,

25 look at your precincts, and then we

1 will begin the process.

2 Do you recall that at all?

3 A. No, I do not.

4 Q. All right. Is it unusual for the members to
5 have less than an hour to review a Bill before they're
6 going to take a vote on it?

7 A. Is it usual?

8 Q. Is it unusual?

9 A. Unusual, yes.

10 Q. Particularly a Bill as big as a
11 redistricting Bill, correct?

12 A. Yes.

13 Q. All right. And then Senator Parmon, if
14 you'll look at page 31.

15 A. Okay.

16 Q. And I'm looking particularly in the middle
17 of the page at the remarks by Representative Michaux?

18 A. Yes.

19 Q. Do you recall him making remarks on the
20 House Bill at this time?

21 A. I do remember Representative Michaux making
22 remarks.

23 Q. All right. He says -- in the second
24 paragraph he says: (Reading)

25 I have a problem with, number

1 (EXHIBIT NUMBER 158 WAS MARKED FOR IDENTIFICATION)

2 BY MR. STRACH:

3 Q. And, again, this comes off the General
4 Assembly web site. It's a voting tally for a
5 particular Bill. Does this look -- does this format
6 look familiar to you?

7 A. It does.

8 Q. And this particular roll call transcript
9 concerns Senate Bill 133 from 2005, the Bill
10 reconfirming provisional voting, and I think we talked
11 about that Bill earlier that you talked about in your
12 declaration; is that correct?

13 A. That's correct.

14 Q. And do you recall -- the first page of this
15 exhibit is the House vote.

16 A. Yes.

17 Q. Is it fair to say based on what this sheet
18 displays that this was a party line vote?

19 A. Yes.

20 Q. All right. And then on the second page
21 shows the Senate vote. Is it fair to say that the
22 Senate vote was also a party line vote?

23 A. Yes.

24 Q. Senator Parmon, with respect to the process
25 followed by House Bill 589, do you contend that any

1 legislative rules were actually broken in that process
2 or violated?

3 A. I don't know what the rules as written for
4 this session really says, so I can't say that the
5 rules were broken, any rules were broken.

6 Q. Okay. Do you recall whether any amendments
7 were allowed to House Bill 589 when it was in the
8 Senate?

9 A. No.

10 Q. Okay. Do you recall an amendment being
11 allowed from Senator Josh Stein?

12 A. I don't recall.

13 Q. All right. Do you recall an amendment being
14 allowed from Senator Dan Blue?

15 A. I don't recall.

16 Q. All right. Do you remember how many days of
17 debate on the floor of the Senate there were on House
18 Bill 589?

19 A. To my recollection, one.

20 Q. Do you recall whether or not a third reading
21 was objected to on the first day so that another day
22 of legislative debate could be held?

23 A. I'm not sure.

24 Q. Okay. During the -- when I use the term
25 point of order, do you know what I'm referring to?

1 A. Yes.

2 Q. That's -- is that a way for a member of the
3 Senate, let's say, to object and point out a rules
4 violation?

5 A. Yes.

6 Q. Did you raise any points of order during the
7 debate on House Bill 589 in the Senate?

8 A. I did not.

9 Q. Okay. Do you recall if anyone else did?

10 A. I do not.

11 MR. STRACH: Swain, are you all going
12 to have questions?

13 MR. WOOD: Yes.

14 MR. STRACH: Okay. Then I'm done for
15 now and I'll --

16 THE WITNESS: I'd like to take a break.

17 MR. STRACH: Yes, let's please take a
18 break. That's a great idea.

19 THE VIDEOGRAPHER: Off the record at
20 2:12 p.m.

21 (RECESS TAKEN)

22 THE VIDEOGRAPHER: Back on the record
23 at 2:36 p.m.

24

25

1 A. That's correct.

2 MR. STRACH: Objection to form.

3 Q. All right. Now -- and I think the intent
4 here was to draw some comparison between the rules for
5 this extra session and the adoption of the 2003
6 Redistricting Rules and the series of events which
7 surrounded the adoption of HB 589. Based on your
8 experience, are the two situations comparable?

9 A. No, they are very different.

10 Q. Okay. In what way do they differ?

11 A. Operating under the rules for the regular
12 session that's adopted by the members of the General
13 Assembly is very different than the rules for
14 operating under the extra session where we can only
15 deal with a specific issue for which we were called
16 back into session. The rules dealing with regular
17 session outlines how Bills would be heard, the
18 committee process and that sort of thing, and extra
19 session would not have rules to that magnitude because
20 we could only focus on one issue.

21 Q. Okay. Now, and I know you weren't in the
22 General Assembly at the time that the original House
23 Bill 3 or the redistricting Bill for 2003 was enacted.
24 But do you know if there was committee hearings and
25 public input relating to the redistricting in the --

1 following the 2000 census?

2 A. Yes. As a member of the community that kept
3 up with redistricting and having been a part of
4 redistricting in the community, very much was aware
5 that a lawsuit had been filed based on redistricting
6 and that that lawsuit took quite a few years, a couple
7 years, I think. And I think we were called back in
8 session to deal with that lawsuit that had been filed.

9 Q. Okay. Now, with respect to House Bill 589,
10 do you -- was there a lawsuit involved with that piece
11 of legislation?

12 A. Not to my knowledge.

13 Q. Okay. Were -- were special rules enacted?

14 A. Not to my knowledge. The only -- the rules
15 that we were abiding under was the rules that had been
16 adopted by us as members of the General Assembly for
17 the operation of that session.

18 Q. Okay. Now, notwithstanding in -- in a
19 response to a question that you had earlier, you
20 indicated that none of the rules of the General
21 Assembly were violated in the enactment of 589; is
22 that correct?

23 A. The question as asked pertaining -- it said
24 to my knowledge, were any rules broken, and I think my
25 response was no. And my response to that was just

1 based on whether I remember any specific rules then --
2 written rules that -- but -- as far as the process,
3 that was a concern. But the written rules, I can't
4 recall whether we went back to see if any written
5 rules had been violated.

6 Q. But -- but they did violate the normal
7 protocol?

8 A. The process --

9 MR. STRACH: Objection.

10 A. -- and protocol.

11 Q. All right. How were the normal protocol
12 violated?

13 A. The normal protocol and process for a Bill
14 to be heard, it first would be referred to the
15 committee of substance that would have a hearing and a
16 committee hearing announcement to the public that that
17 Bill would be heard in committee, date and time, room.

18 And with the House Bill 589 that was not
19 done, and that was unusual for an election law Bill to
20 be heard in Rules during a recess of a session.

21 Q. Okay. Now, I'm just trying to get some
22 clarity on exactly what the process was. Initially,
23 HB 589, as I understand it, was a voter ID Bill?

24 A. Exactly, the -- originally 589 was a House
25 Bill that had proposed changes to the election law

1 requiring voters, eligible voters, to have obtained a
2 photo ID in order to be able to vote, and that
3 Bill 589 came over and it went to Rules.

4 Q. All right. Now, let me just ask you, did
5 the original 589 include provisions about any other
6 thing dealing with voting?

7 A. No. House Bill 589 dealt primarily with
8 voter ID for voting, photo ID for voting.

9 Q. Do you know if there were committee
10 discussions and public input as it related to the
11 original HB 589?

12 A. There were many public hearings, committee
13 meetings held on House Bill 589 with only provisions
14 voting to voter ID. And none of the provisions at
15 that time during the public opportunity to speak on
16 the Bill or committee meetings that we see the
17 provisions that came out in the Senate.

18 Q. All right. So when the House voted to --
19 and passed 589 and sent it over to the Senate for its
20 consideration, what happened to the Bill?

21 A. It went to the Rules Committee.

22 Q. Is that the normal positioning that that
23 Bill would end in?

24 MR. STRACH: Objection, foundation.

25 A. No, normally a Bill that passes the House

1 and comes to the Senate would be referred to the
2 committee of essence that would see that Bill. And in
3 the Senate it would have been a judiciary committee,
4 because we don't have an election law committee in the
5 Senate as the House does. So it would have gone to a
6 J committee for a committee hearing, it would have
7 been placed on the committee agenda, public notice
8 would have gone out that House Bill 589 was going to
9 be heard, the date, the time and the room.

10 Q. Okay. Do you know why the Bill went to the
11 Rules Committee rather than to the Judiciary
12 Committee?

13 A. Usually historically and procedurally when a
14 Bill goes to the Senate Rules Committee, it means that
15 essentially it's a dead Bill. As members, we refer to
16 it as the Bill graveyard.

17 Q. All right. Now, you indicated earlier
18 that -- that this process was unusual. Was that one
19 of -- and by "that" I mean referring this Bill to the
20 Rules Committee, was that one of the unusual and
21 irregular things that occurred with 589?

22 MR. STRACH: Objection.

23 A. With 589, it was.

24 Q. Okay. Now, were you a member of the Rules
25 Committee?

1 A. I was.

2 Q. All right. And what was your first -- well,
3 to the best of your recollection, what was your first
4 contact with HB 589 as a member of the Rules
5 Committee?

6 A. I first saw House Bill 589 on July -- I
7 can't recall the date.

8 Q. Okay. You need to look at your declaration?

9 A. Yes, all right. I have it, the date was
10 July 23rd.

11 Q. Okay. And do you recall what was contained
12 in the Bill, in 589, when you first saw it on July --

13 A. The 23rd.

14 Q. -- the 23rd, that's correct?

15 A. Well, when I saw the revised version of
16 House Bill 589 it contained several -- several areas
17 of new -- new legislation, proposed legislation. It
18 was a new Bill, basically, than the House 589, that
19 was calling for photo ID. This Bill 589 as it was
20 presented to us in the Rules Committee on July 23rd
21 had proposed eliminating same-day registration,
22 shortening early vote. The initial version had --
23 that would call for students -- parents not to be able
24 to claim them on their tax return if they're
25 registered other than where they lived. It also

1 contained a provision that eliminates same -- straight
2 party ticket voting, several things that we had never
3 ever seen before in 589.

4 Q. Okay. Was that inclusion of all of these
5 different provisions in the Bill, was that unusual?

6 A. It was, because it was a new Bill.

7 Q. Do you know how the other provision or these
8 additional provisions got introduced into 589?

9 A. I do not, because there certainly -- even in
10 the Rules Committee, they would look at the Bill and
11 have a PCS, a proposed committee substitute, and if
12 that's adopted, then it happened. This 589 when we
13 were presented to -- presented 589 as members of the
14 committee, these provisions were already drafted and
15 there had been no prior discussion in the committee.
16 These provisions were already agreed to by someone and
17 placed in there, and a motion was made to accept this
18 PCS before there was any discussion by members of the
19 committee.

20 Q. Tell us -- just describe the deliberations
21 or the conversations that members of the committee had
22 after this Bill was presented to them?

23 MR. STRACH: Objection. Irv, could you
24 be more specific as to which committee meeting
25 you're talking about?

1 MR. JOYNER: I'm referring now to the
2 Rules Committee.

3 MR. STRACH: But which Rules Committee
4 meeting are you speaking about, the one where the
5 Bill was initially distributed to members of the
6 committee or to any subsequent Rules Committee
7 meeting?

8 BY MR. JOYNER:

9 Q. At what point did -- what -- at what point
10 did you receive the 589 in its amended form?

11 A. The initial Bill 589 that we saw was on July
12 the 23rd at a recess of session, for a called meeting
13 of the Senate Rules Committee.

14 Q. Okay.

15 A. And that was on July 23rd.

16 Q. On that date and in that committee, were
17 there discussions of the contents of 589?

18 A. There attempted to be. Members like myself
19 who had never seen the contents of this Bill before
20 was asking how did all these provisions get put in the
21 Bill, where was the meeting held that there was
22 agreement or even discussion and there was very little
23 debate. Several members, including myself, raised
24 their hands to be recognized to ask questions, and we
25 were told we had to get back to session and was not

1 able to ask questions about the new provisions and
2 really the new Bill.

3 Q. Okay. Did an occasion occur when you were
4 able to ask questions about the Bill or that there
5 were further discussions about the contents of 589?

6 A. On the floor of the Senate the next day we
7 were able to debate and ask -- not so much ask
8 questions, but debate Bills and try to offer
9 amendments.

10 Q. Okay. And this would have been which date?

11 A. The 24th. Let me look at the records. But
12 the next day would have been the 24th. I don't see it
13 here. Let me see if I --

14 (WITNESS REVIEWS DOCUMENT)

15 I don't see the date in my declaration, but
16 it would have been the 24th, the next day.

17 Q. Okay. When the Bill was presented on the
18 24th, it would have been on the floor?

19 A. Yes.

20 Q. Okay. Was there an opportunity to have
21 dialogue about the Bill?

22 A. It was.

23 Q. Okay. How much time was given or allocated
24 to a discussion on the Bill?

25 A. I don't remember in time, but there was a

1 lot of discussion and many members spoke on the Bill
2 and some members tried to do amendments. In terms of
3 time, I'm not -- I can't recall.

4 Q. Do you recall if there were any time limits
5 placed on the ability of each person to speak?

6 A. Yes.

7 Q. And how much time was that?

8 A. Well, the rule says that a member can speak
9 up to 20 minutes on a Bill, and then you may have a
10 second opportunity to speak after that. And some
11 members after they spoke the first time, was not given
12 the second opportunity, as the rules say, to speak
13 again. And there -- and I know in one particular
14 instance I wanted to ask a question after my time had
15 expired, and your opportunity to ask a question is not
16 normally considered a part of your talking time,
17 debate time, and I was not allowed to ask a question,
18 because my time had been expired according to the
19 rules.

20 Q. Uh-huh. And this was on the 24th, right?

21 A. Yes.

22 Q. Let me just direct you back to the 23rd,
23 July the 23rd.

24 A. Uh-huh.

25 Q. Do you recall if public input was allowed on

1 the 23rd?

2 A. Absolutely not. There was no notice that we
3 were going to meet on Senate Bill -- I mean, House
4 Bill 589, because it happened in the afternoon during
5 a session. And, generally, the public -- we don't
6 have committees doing session, so there was not an
7 opportunity to do public notification or for the
8 public to be notified that there was going to even be
9 a committee meeting.

10 Q. On which day was the 589 finally enacted by
11 the -- by the Senate?

12 A. Best of my recollection, it was July 24th
13 when it passed on Senate floor.

14 Q. Do you recall the vote on that date, what
15 the division in the vote was?

16 A. It was a straight -- well, I would say it
17 was along party lines, all of the Republicans voting
18 for 589 and Democrats voting against 589.

19 Q. All right. I want to just direct you back
20 to House Bill 3, the redistricting Bill.

21 A. Yes, sir.

22 Q. Do you recall whether that vote fell on
23 party lines for the -- for its adoption? If you don't
24 recall --

25 A. I don't recall.

1 So it wasn't -- it was an ongoing effort
2 over a number of years even after the Voter Right Act
3 of 1965 we still had to -- have coalitions to work
4 together to encourage and inform people that they had
5 a right to vote and that they couldn't be fired from
6 their jobs because they registered.

7 Q. Okay. And over the years leading right up
8 until today, have you been continuously involved in
9 these voter registration and voter education efforts?

10 A. Right up until right -- 30 days before the
11 primary this time, I've been a part of registration
12 drives. And the reason I say up to 30 days before the
13 primary this time, because early One-Stop Voting was
14 done away with, was eliminated. So we had to
15 ensure -- all the folk that wanted to vote in the
16 primary had to be registered 30 days, 25 or 30 days
17 before the actual primary.

18 Q. And did you -- did you run into any problems
19 with that, or did people have any problems with
20 this --

21 A. Oh, people were very confused. Because
22 people weren't used to -- they thought they would have
23 extra time if they didn't get to register. They
24 thought they could actually go register and vote at
25 the same time, because that had become a thing that

1 people were getting accustomed to. Ran into several
2 people that we were able to register, but they
3 couldn't vote because of the time had been shortened
4 and they could not do early voting.

5 Q. Now, at some point you became a candidate
6 for elective office?

7 A. Yes, sir.

8 Q. When was that?

9 A. I became a candidate in 1989 for the office
10 of county commissioner in Forsyth County, and I was
11 elected in 1990.

12 Q. How did that come about?

13 A. Because of my years as a community organizer
14 and working in campaigns in Forsyth County, helping
15 other people get elected, the community -- well, it
16 was because of redistricting and single member
17 districts being established for school board, county
18 commissioner and the state house. A lawsuit was
19 actually filed and single member districts were
20 established.

21 And so after that was established for North
22 Carolina, people in this community said to me, well,
23 it's time for you to stop helping other folk and
24 become a target -- no, I just said -- but become a
25 part of the process, and so I was encouraged to run

1 conversation or contact with other African American
2 groups and organizations from around the state that
3 encountered the same type problems?

4 A. Absolutely. I mean, it was -- in the
5 eastern part of the state it was even worse in terms
6 of getting African Americans to vote, because the
7 fear, the intimidation that went on in communities.
8 And we have actually gone into other areas to help
9 people to register and help other groups register
10 people to vote, with the NAACP, student groups. Yeah,
11 so we did it not only in Forsyth County but across the
12 state.

13 Q. So then would the push -- or the push for
14 legislation around early voting, would that have been
15 an idea that originated from the African American
16 community?

17 A. Right, and it was a statewide effort.
18 Constituents from all over the state of North
19 Carolina, once the idea was brought up and it was
20 discussed -- we used to have a statewide organization
21 called the North Carolina Black Leadership Caucus, and
22 voting and education and these kinds of issues were
23 issues that were discussed. And ideas would come up
24 in these statewide meetings of efforts to get our
25 legislators to provide more opportunities, legally,

1 and to tear down some of the barriers that were in
2 place legally to prevent people from voting.

3 Q. All right. Now, in 1999 the early voting
4 legislation was passed. Did it make a difference?

5 A. It did make a difference. With the longer
6 voting times you saw a great increase in the number
7 of -- particularly African Americans that voted,
8 because you had an extended period of time to vote.
9 Prior to that, the turnouts among African Americans
10 and low income citizens were very low, but with
11 extended days and times . . .

12 And then also during early voting we saw
13 events come about called, like, Souls to the Polls
14 where African Americans and churches and other
15 community organizations made this an event where
16 families could go to the Board of Election together,
17 and it significantly increased the number of people
18 that voted, particularly on Sundays.

19 Q. Why was it difficult before early voting was
20 enacted for African American -- poor African Americans
21 to vote?

22 A. Several reasons. One -- one that comes to
23 mind is financial impact. People had to work, low
24 income people, many of them had to work five to six
25 days a week. Go to work at 7 in the morning, get off

1 served on Health. I served on Education

2 Appropriations and the Appropriations Committee.

3 Q. Okay. And in your capacity as a legislator,
4 did you sponsor any legislation to deal with voting
5 issues, voter registration issues and concerns?

6 A. Yes, sir, and I was proud to be one of the
7 sponsors of the One-Stop Early Voting which allowed a
8 person to register and vote the same day. That's a
9 piece of legislation I will always be proud of.

10 Q. Okay. Why -- why did you feel it was
11 necessary to pursue One-Stop One-Vote?

12 A. Similar to what I have said before is
13 because in the low income community, people had less
14 opportunities, because they worked and many times they
15 could not get off work in time enough to meet the
16 threshold for voting within a certain period of time.
17 This way, this was another opportunity that gave
18 people the opportunity to vote. It removed the
19 barriers of transportation. And because of being low
20 income and having to work five and six days a week,
21 that traditionally kept people from registering and
22 voting.

23 It gave people an opportunity to plan. It
24 was many people that said, well, I'm going to be off
25 Thursday, I can be picked up and taken to the polls.

1 So it increased the number of people that took the
2 opportunity, took advantage of the opportunity. And
3 not that people didn't want to vote, it was just that
4 the opportunities -- there were many barriers and the
5 opportunities weren't as great.

6 Q. Now, did you have any cosponsors for this
7 same-day registration?

8 A. I did.

9 Q. Okay.

10 A. And I -- it was four of us, but the only one
11 I can recall from memory, Representative Deborah Ross,
12 because we worked very, very closely together on this
13 legislation, contacting groups that had talked to us
14 about or provided more opportunities through
15 legislation for folk. I can't recall the names of the
16 other sponsors.

17 Q. Okay. And did this Bill have bipartisan
18 support?

19 A. My memories would say, yes, I think it did.

20 Q. Okay. You don't remember specifically who,
21 some of the names of the Republican members who voted
22 or supported this Bill?

23 A. No, sir, not that I can accurately call --
24 remember.

25

1 (EXHIBIT NUMBERS 159 AND 160 WERE MARKED FOR

2 IDENTIFICATION)

3 BY MR. JOYNER:

4 Q. Senator Parmon, I'm handing you what has

5 been marked as Exhibit 159 and 160.

6 A. Yes.

7 Q. Can you just describe what Exhibit 159 is?

8 A. Exhibit 159 shows the voting on -- on the

9 One-stop Voting sites, and it shows the number of

10 people that voted yes and no. It's House Bill 91.

11 Q. And does that document identify the names of

12 the legislators voting yay and those voting no?

13 A. It does.

14 Q. And among the legislators voting yay, are

15 there Republicans listed?

16 A. It is.

17 Q. And who are they?

18 A. Representative Justice, Representative

19 McComas and Representative Walker.

20 Q. Okay. Now, I want to just direct your

21 attention to Exhibit 160, and if you could just

22 describe what that document is?

23 A. It's a Senate vote on House Bill 91 showing

24 the yays and nays on this vote.

25 Q. And that's House Bill 91; is that correct?

1 A. Uh-huh, yes, sir.

2 Q. And does it show the -- or does it name
3 Republicans who voted in favor of that piece of
4 legislation?

5 A. It does.

6 Q. And who are they?

7 A. Senator Bingham, Senator Brunstetter,
8 Senator Hartsell and Senator Stevens.

9 Q. Now, by looking at that, am I to understand
10 that with one exception all of the Democratic senators
11 voted for that Bill?

12 A. That's correct.

13 Q. And the exception would be an excused
14 absence that appears on that document?

15 A. That's correct.

16 Q. Okay. And with respect to the --
17 Exhibit 159, does that document indicate that with two
18 exceptions all of the Democratic House members voted
19 for that Bill?

20 A. It does.

21 Q. And does it further indicate that the two
22 exceptions to that was Representative Hackney who was
23 the speaker and didn't vote?

24 A. That's correct.

25 Q. Okay. And Representative Womble --

1 A. That's correct.

2 Q. -- who had an excused absence?

3 A. That's correct.

4 Q. And who was Representative Womble?

5 A. Representative Womble is former

6 representative who should have been senator, of

7 Winston-Salem who at the time was representing

8 District 71.

9 Q. And he had an excused absence on that day?

10 A. On that day he did.

11 Q. Okay. Now, as a result of the HB 91,

12 same-day registration, what was the impact of that

13 legislation in the African American community?

14 A. We saw a greater increase in the number of

15 people who registered and voted on the same day. It

16 was just more participation. And I remember,

17 significantly, how people that was going to work --

18 had to go to work would be able to go vote and then --

19 register and vote and go to work, catch the bus.

20 Several times when we provided

21 transportation for people that were being -- said,

22 well, I can't go because I got -- I won't have a way

23 to work, I miss the bus. But this gave them an

24 opportunity to go register and vote and they didn't

25 have to worry about it, convenient, and that excited

1 people. It made people feel good about that they
2 actually had that opportunity and that window of time
3 in which to register and also vote.

4 Q. Now, what was your involvement with these
5 people for you to know that this is what they were
6 thinking and what they were saying?

7 A. My involvement never wavered in terms of
8 voter registration and education. There's not an
9 election, pre-election, where I'm not in the community
10 with some group and have been a candidate talking to
11 people, helping people to understand the importance of
12 voting, and letting people know about the
13 opportunities that have been made available to help
14 them vote more freely and, you know, and help do away
15 with intimidation of voting.

16 That is still -- and still some areas of
17 this state intimidation and fear is a part of the
18 reason that low income and African American citizens
19 don't vote. But just reassuring people that their
20 right to vote could be upheld in the courts until
21 recently.

22 Q. Okay. Now, I think Mr. Strach asked you
23 about out-of-precinct voting, Senate Bill 133?

24 A. Yes.

25 Q. What was your involvement with Senate

1 students not passing their grades and failing is
2 because they moved so many times from school to
3 school, and that we should be able to give those
4 citizens an opportunity to have their votes counted,
5 because they were legally registered and that -- that
6 they should be able -- their vote should count.

7 Q. And was there a conclusion that -- that the
8 out-of -- or banning out-of-precinct voting had a
9 disproportionate impact on African American voting?

10 A. Yes.

11 Q. Did you ever see any data, any reports or
12 anything that supported that, I guess what your
13 observations were here in Winston-Salem?

14 A. Yeah, in Forsyth County the reason we could
15 tell that it disproportionately affected African
16 Americans because after the canvas and the Board of
17 Election do the canvas and show the number of
18 provisional votes not counted, you could see that
19 those votes and precincts where African Americans had
20 cast provisional votes were -- were disproportionately
21 not counted and it was a higher number of not counted
22 provisional ballots.

23 Q. And do you know whether that experience was
24 replicated in other parts of the state?

25 A. Yes, sir.

1 dealing with straight ticket voting?

2 A. Not -- I don't recall any other legislation.
3 I think that may have been before.

4 Q. That was before you --

5 A. Right.

6 Q. Okay. Now, but you are familiar with
7 straight ticket voting?

8 A. Yes, sir.

9 Q. Is that -- what -- what use of that
10 provision of the law have you and members of your
11 organizations engaged in over the years?

12 A. Straight ticket voting has allowed people
13 and particularly African Americans who tend to vote
14 straight ticket Democrat because they favor
15 legislation coming from democratic members -- most of
16 the African American elected officials are Democrats
17 that -- so when they vote straight Democratic ticket,
18 if they hit the straight ticket, they know they've got
19 people that they want to elect.

20 With that provision being gone, I had just
21 in 2014 I don't know how many people that went in the
22 polls and only voted one office, because they were so
23 confused about who were Democrats and having to read
24 every name that's on the list. So it
25 disproportionately impacted a group of people who

1 historically voted Democrat.

2 Q. Now, would this have -- would this have been
3 the situation in other parts of the state as well --

4 A. Absolutely.

5 Q. -- or do you know?

6 Okay. And what kind -- have you had any
7 conversations with people around the state about the
8 impact of straight ticket voting on the African
9 American community?

10 A. It caused total confusion, because the
11 changes that occurred in 2014 has not been well
12 publicized. The public are not aware of many of the
13 election law changes, so when they go to the polls and
14 find out, well, okay, that they can't vote straight
15 democratic ticket, people are just totally confused
16 about what's going on.

17 Q. I'm sorry, go ahead.

18 A. And people were confused that there was not
19 Sunday voting anymore, people had made plans -- excuse
20 me. So the new election laws, period, has caused
21 confusion. It has provided, once again, those
22 barriers that we worked so hard to dismantle. And
23 it's an effort to suppress voters of African Americans
24 with all -- when you look at all of the new laws that
25 have been put in place, these are things that

1 going to have to go in and be faced with trying to
2 read everything on the sheet. Just the thought of
3 that was frightening to some people.

4 One lady related a story that this elderly
5 lady had voted -- been voting for years, but when she
6 learned that she was going to have to go in and name
7 by name, she wanted someone to write it down, asked
8 them would they write down the candidates that she
9 wanted so that she wouldn't make no mistake. But she
10 was terrified that she was going to have to be put to
11 doing that.

12 Q. I want to talk about this briefly, these
13 challenges, that's the part of the 589.

14 A. Right.

15 Q. Are you familiar with people coming in to
16 challenge individual voters in African American
17 communities?

18 A. All too familiar with it. I know instance
19 after instance where in certain low income precincts
20 where white males would appear wearing trench coats --
21 trench coats with badges, not necessarily saying
22 anything but just standing there when people come in.
23 They would be very intimidating with their hands in
24 their pocket looking at people, and it has a tendency
25 to keep people from voting.

1 And now that's a part of what's -- what can
2 happen. Anyone can appear in any precinct and walk up
3 to a person and ask for their ID, or who are you, are
4 you in the right precinct, and I see that's as
5 troubling in many instances. One, I can see your
6 elderly being intimidated, and I can see your younger
7 African Americans being aggravated and retaliating.
8 And I can see unintended consequences --

9 Q. All right.

10 A. -- from this -- this type of observation.

11 Q. Okay. Is there a history of -- surrounding
12 this -- these challenges within African American
13 communities?

14 A. Yes, it goes back many years. That's where
15 the idea of keeping eye on blacks that wanted to vote,
16 who was too big for their pants, you would have what
17 they call straw bosses or other white people that
18 would go to the polls to see who was voting, and would
19 report back to the factory boss who would then
20 threaten them. People would lose their jobs.

21 So, yeah, it's -- it's a historical pattern
22 that is being allowed to happen again that would
23 disproportionately impact low income citizens and your
24 elderly. I'm more concerned about your elderly
25 citizens, because they are the ones that has -- the