

12 number.

13 THE WITNESS: I don't have a percentage number,
14 an empirical number. I'd be happy to get that.

15 MS. HARRIS: If he says I don't know, will that
16 keep you from repeating the questions over and over
17 again?

18 MS. ROTHENBERG: I was asking a different
19 question.

20 MS. HARRIS: seemed like the same question to
21 me.

22 BY MS. ROTHENBERG:

23 Q. so how do you receive applications from the
24 DMV, which it's the DHSMV in Florida, right? Is that
25 the proper --

26

1 MS. HARRIS: They come in the mail.

2 MS. ROTHENBERG: You're not being deposed,
3 Ms. Harris. I'm asking Mr. Johnson.

4 MS. HARRIS: I'm trying to move this along.

5 MS. ROTHENBERG: But you're not giving
6 testimony today.

7 MS. HARRIS: I'm not. I'm just sitting here
8 chitchatting.

9 MS. ROTHENBERG: so we'll move things along if
10 you stop chitchatting.

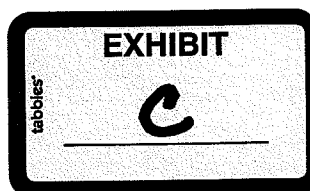
11 THE WITNESS: Just ask me your questions if you
12 don't mind, please.

13 BY MS. ROTHENBERG:

14 Q. I was trying to do that.

15 A. Just look at me and I'll answer your questions.

16 Q. If Ms. Harris can refrain from butting in.



17 How do you receive applications from the DHSMV
18 or the DMV, whatever you're comfortable with?

19 A. We receive them in the mail, like we do many
20 other groups' applications.

21 Q. So they're not transmitted electronically at
22 all?

23 A. Applications for registration?

24 Q. The applications, they're all transmitted in
25 the mail?

27

1 A. I don't know how you do an original signature
2 if --

3 Q. Okay. That was my question.

4 A. It's fundamental.

5 Q. Are applications from the DMV first sent to
6 Hillsborough County for processing, or do you receive
7 them from the Florida voter registration service?

8 A. The paper itself?

9 Q. Yeah.

10 A. We receive them from DMV, but the specifics of
11 that circuitry is not something that I'm intimately
12 familiar with.

13 Q. So you don't know --

14 A. I manage the people who manage those details.
15 I don't know exactly where they're mailed to first.

16 Q. So you don't know whether the Florida
17 registration -- voter registration service sends things
18 to you or you send things to them?

19 A. I don't know what the Florida registration
20 service is. That's not an organization. It's a system.

8 Q. Okay. Do you know how the state receives
9 information from Hillsborough County in order to verify
10 the identity of the person that's filled out the
11 application?

12 A. Who -- the name of the person, the kind of
13 delivery -- no, I don't.

14 Q. You don't know whether it's electronically
15 transmitted to the state?

16 A. I answered your question.

17 Q. Do you know whether it's electronically
18 transmitted to the state?

19 A. I answered your question. I'm really getting
20 very impatient with your questions.

21 Q. Okay. Who in your office is responsible for
22 supervising the people who input the information?

23 A. At what level? Who reports to me? Who
24 reports --

25 Q. If you could give me the chain of command, that

32

1 would be great.

2 A. Assistant Supervisor of Elections, Jim Reed;
3 and --

4 MS. HARRIS: He can answer.

5 BY MS. ROTHENBERG:

6 Q. Okay. And then below Mr. Reed?

7 A. The manager of this facility is Tim Bridge, and
8 Sharon Smith is the voter services manager.

9 Q. So does Sharon Smith oversee the people who
10 were doing the actual data entry of the --

11 A. Yes.

17 Q. Do you know whether the people who do the data
18 entry enter the data from the electronic image or from
19 the actual paper application?

20 A. Ask that again.

21 Q. When people are inputting data, do they do it
22 based on the electronic image or do they do it --

23 A. Paper.

24 Q. -- from the paper application?

25 A. Uh-huh.

34

1 Q. The answer is from the paper application?

2 A. Yes.

3 Q. Do you know how long it takes your office to
4 turn -- I'm sorry, strike that.

5 How long it takes your office to, from the time
6 they receive an application to the time that it gets
7 entered onto your system, what the general lag time is?

8 A. No, no.

9 Q. You don't know seasonally whether that varies
10 or not?

11 A. That's the answer to your question, because it
12 is depending on the volume of our --

13 Q. And do you know, when it's closer to election,
14 do things generally move faster?

15 A. There's no correlation because you have more
16 people -- when you're busier, you have more people. So
17 I'd have to give you a ratio of -- seriously, metrics
18 are important and we're trying to develop more and more
19 all the time.

20 Q. And does your office have a policy with respect

3 MS. HARRIS: I'm sorry. Objection.

4 BY MS. ROTHENBERG:

5 Q. so the employees who do the actual data entry
6 from the paper applications, are they trained in any
7 way?

8 A. The -- say that again.

9 Q. The people who do the data entry from the
10 applications --

11 A. Yes, they're trained.

12 Q. -- do they go through training?

13 A. Yes.

14 Q. who trains them?

15 A. This veteran staff that's here.

16 Q. And can you give me some --

17 A. In conjunction with the vendor -- our vendor
18 for that software in that whole process.

19 Q. Does Ms. Smith do the training?

20 A. She's manager of that department, but there are
21 others that do training as well, in addition to just
22 her.

23 Q. And do you know what the content of their
24 training is?

25 A. All the -- all the functions that are required

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1 to do the job according to the law, the statutes.

2 Q. Do they receive training in what to do if an
3 application is illegible or difficult to read?

4 A. Yes.

5 Q. And do you know what they're told to do?

6 A. well, we practice common sense, good judgment,
7 look at it to see if you can understand what it says.

21 to the number of days prior to election that all
22 applications have to be input into the system?
23 A. Yes. Yes, we do.
24 Q. what is that policy?
25 A. I don't know.

35

1 Q. okay. To your knowledge, has Hillsborough
2 county ever had any problems --
3 A. whatever the law is governs our behavior.
4 Q. okay. To your knowledge, has Hillsborough
5 county ever had any problems getting the information
6 entered by the deadline?
7 A. Problems in the sense that it was a legal
8 problem? No, we have not. It's a work challenge
9 because it's a big job.
10 I don't know what your question is, whether --
11 Q. Hillsborough county has always been able to
12 comply with the --
13 A. Yes.
14 Q. -- deadline?
15 A. We're in compliance. On my -- on my -- since
16 I've been here. I don't know about before.
17 Q. Right. And people are -- in your office are
18 working very hard to make that happen. A big crunch
19 right before the deadline, right?
20 A. My people work hard to get things done.
21 Q. Is the office generally busier just prior to a
22 deadline? Are people working longer hours?
23 MS. HARRIS: Busier than?
24 THE WITNESS: Well, it's back to how many
25 people we have, yes. It's more intense. That's
Page 30

8 If you can't, then you can't. And if you can, you can.

9 Q. Are they told to contact the person who
10 submitted the application?

11 A. Oh, yes. Yeah. Yes, yes. Yeah, we write
12 letters.

13 MS. ROTHENBERG: Miss Harris --

14 MS. HARRIS: Object to form.

15 THE WITNESS: We go to -- we go to great
16 lengths to err on the side of the voter when it
17 comes to placing a person in a position to vote,
18 cast a vote.

19 BY MS. ROTHENBERG:

20 Q. Once the application information is received by
21 the Florida voter registration system, does your office
22 receive feedback acknowledging whether that registration
23 has been completed?

24 A. Well, the law requires that it be complete, so
25 yeah, it's a team effort, but yes.

39

1 Q. But --

2 A. I don't know the particular form, but yes.

3 Q. Do you know whether you receive electronic
4 notice?

5 A. You know, I do not. But I'm sure Mr. Reed and
6 Ms. Smith do. The question I ask is, are we in
7 compliance with the law and are we doing things right.
8 That's generally my job. Not to operate the keyboards.

9 Do you understand what I'm saying?

10 Q. I do understand what you're saying.

11 A. Thank you.

12 Q. Do you have any idea how long it takes the
13 state to verify whether or not a person's information on
14 the voter application matches the information that's --
15 A. I don't.
16 Q. -- in the database?
17 A. No.
18 Q. Do you know whether your office receives notice
19 both that a registration has been completed and that a
20 registration has not been able to be verified? Does it
21 receive notice in both of those situations?
22 A. I don't know the specifics of that but, yes, we
23 would have to know so we could do our letter mailing
24 such as that.
25 Q. Do you know if a registration was not able to

40

1 be verified whether the --
2 A. Let me ask you. Is this a quiz about the
3 specifics of the inputter's job that I know? What is
4 your intent here?
5 Q. It's not a quiz. We're just trying to find out
6 as much --
7 A. It feels like a quiz. I just wanted to tell
8 you it feels like a quiz. And I'm answering you the
9 same way over and over again. And I think I'm more
10 frustrated than Ms. Harris is. So if you could just --
11 Q. I'm just trying to ask you as much information
12 as you know about -- all we're trying to do is find out
13 what Hillsborough County does and the mechanism in which
14 the, you know, the way --
15 MS. HARRIS: Objection. You're trying to find
16 out what he knows, not what -- because if you want

17 to know what Hillsborough County does, there are
18 some other people you probably need to talk to in
19 terms of who keys in what, how the mail comes in and
20 things like that.

21 BY MS. ROTHENBERG:

22 Q. Mr. Johnson, I'm not trying to quiz you. As
23 much information as you know about Hillsborough County
24 operates, that's helpful to us.

25 A. I know everything that I need to know to do my

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1 job as the supervisor of Elections, but I don't need to
2 know some of the specific nuances of the answers that
3 your questions are looking for.

4 Q. I'm not saying you do.

5 A. Just informational purposes. I'm just trying
6 to share with you that we could be here for weeks if you
7 want to know all the details of the job.

8 Q. I understand that. And I know that you don't
9 need to know everything, but to the extent that you do
10 know the answer to some of the questions --

11 A. I respect what you're trying to do. I mean --
12 yes.

13 Q. If you don't know, just say I don't know.

14 A. I do know. I just --

15 Q. That would be great.

16 MS. ROTHENBERG: Would you be able to read back
17 my last question?

18 (Record read by the reporter.)

19 BY MS. ROTHENBERG:

20 Q. So, Mr. Johnson, let me start again.

21 when a registration is not able to be verified,
22 do you know whether the Florida voter registration
23 system gives you the specific reason why the --
24 MS. HARRIS: Object to the form. He's already
25 answered that question.

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1 MS. ROTHENBERG: No, he has not --
2 MS. HARRIS: Objection to form.
3 Do not answer the question.
4 MS. ROTHENBERG: I did not finish my question.
5 MS. HARRIS: Finish, and then I'll say the same
6 thing.
7 BY MS. ROTHENBERG:
8 Q. Okay. Are you familiar with the different
9 categories of reasons for non-verification that the
10 Florida voter registration gives?
11 Let me rephrase that.
12 Do you know whether the Florida voter
13 registration system breaks down by category the reasons
14 why they can't verify an application?
15 A. Yeah. There are more than one reason why they
16 can't verify, yes.
17 Q. Does Hillsborough County say that it was unable
18 to be verified because of the birth date versus the name
19 versus the driver's license number not matching?
20 A. The verification according to section 6 is done
21 by the department, which is the Department of State.
22 Q. Does the state tell Hillsborough County the
23 specific reason why the application was not able to be
24 verified?
25 MS. HARRIS: Object to the form.

1 Has the State ever told you that?

2 THE WITNESS: Not me directly, no.

3 BY MS. ROTHENBERG:

4 Q. Do you know whether that information is
5 transmitted to anybody in your office?

6 A. I'm sure that it is, if it's required by law.

7 Q. Do you know whether somebody in your office
8 receives a specific reason that an application is not
9 able to be matched or verified?

10 A. I do not personally know that specifically, but
11 if it's required by law, I'm sure the department --

12 Q. If it's not required by law, do you know what
13 the Florida voter registration system transmits to your
14 office?

15 A. It wouldn't be something that wasn't required
16 by law.

17 Q. Does the Florida voter registration system
18 identify whether the match -- the failed match was a
19 result of a failed match with the DMV database as
20 opposed to a social security database?

21 MS. HARRIS: Objection to form. He's already
22 told you he has not seen the Florida databases. You
23 keep re-asking the same questions --

24 MS. ROTHENBERG: I'm asking different
25 questions.

1 MS. HARRIS: -- about the same system. He's
2 already told you he doesn't sit at the keyboard and

899887.txt
3 key in the information.
4 THE WITNESS: I think you want someone who
5 works the system.
6 MS. HARRIS: we'll be happy to have you talk
7 with the staff people that do that.
8 MS. ROTHENBERG: Okay.
9 BY MS. ROTHENBERG:
10 Q. Do you feel that it has been burdensome on your
11 office, that your office has had to expend a lot of
12 resources to comply with this particular statute?
13 A. subsection 6?
14 Q. Exactly.
15 A. No more than -- no, not in particular, no.
16 Q. Do you feel that it's diverted resources from
17 your office away from other office priorities at all?
18 A. No. As I said, we cross train and we work as a
19 team and we get our work done. No.
20 Q. Are you familiar with the matching or
21 verification problems that are most frequently
22 encountered by your office?
23 A. Again, the same -- your question is the same
24 question as all the rest of them. And matching -- it's
25 not a matching, it's a verification.

45

1 Q. okay. I'll rephrase.
2 Are you familiar with which verification
3 problems are the most common ones that your office sees?
4 A. I couldn't give you those metrics.
5 Q. More generally, is it driver's license numbers
6 that are entered into --
7 MS. HARRIS: Are you rephrasing? Object to the
Page 38

8 form. He's already answered. He doesn't know. He
9 just said.

10 THE WITNESS: There are several different ways
11 that -- there's all sorts of information. If you've
12 seen the application -- you've seen a motor
13 registration --

14 BY MS. ROTHENBERG:

15 Q. I have.

16 A. Then there's are all sorts of data that has to
17 be verified, and I'm sure that those significant fields
18 are the most commonly -- the most commonly incorrect.

19 Q. But you don't have any sense of the relative
20 errors that pertain to --

21 A. No, I don't, because it has nothing to do
22 with -- I don't need to keep up with those metrics. I
23 have plenty of other things to do to make sure we run
24 this office smoothly. which category of objections or
25 incompletes or whatever on registrations for -- that is

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1 not relevant to my job.

2 Q. Okay.

3 A. Thank you.

4 Q. Are you aware of whether any people in
5 Hillsborough County were forced to cast provisional
6 ballots since the implementation of this law because of
7 matching or verification issues?

8 MS. HARRIS: Object to the form. Forced to
9 file?

10 MS. ROTHENBERG: I'll rephrase.

11 THE WITNESS: Same question.

12 BY MS. ROTHENBERG:

13 Q. Are you aware of whether any people cast
14 provisional ballots as a result of verification issues
15 following the implementation of the statute?

16 A. Not specifically. Not a person -- not an
17 individual, no, I don't know of a specific case. I
18 can't think of a specific case, no.

19 Q. okay. so similarly, then, you wouldn't be able
20 to estimate how many people cast provisional ballots
21 because of verification issues?

22 A. No, we -- no. No, I don't have those metrics.
23 It's not something I carry around in my head.

24 Q. Do you know what your staff does after
25 receiving notification from the state that there was a

47

1 failed match? And this is in the period prior to
2 election day.

3 A. we have a process for notifying the voter and
4 doing our dead level best to get that voter registered
5 to vote appropriately.

6 Q. Do you know whether your office does data entry
7 checks on their own or whether they just send a notice
8 to the voter as soon as they receive the --

9 A. Do I know do we do data entry checks?
10 Proofing.

11 Q. Do you go back and proofread?

12 A. At every input point we proof. so any time
13 we're reviewing, receive something back, we proof as a
14 standard part of our operation.

15 Q. I just want to clarify. You said at any input
16 point, but when you receive the notification that there

17 was a failed match, you would then again do proofing?

18 A. We double-check. It's a mantra that we always
19 review and do our best to make sure things are right.

20 Q. And --

21 A. And from a visionary standpoint, from the top,
22 that's the instruction that I give to my staff, is make
23 sure it's right.

24 Q. Right.

25 A. And then we develop -- our team develops

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1 systems to make sure it's right. The commensurate
2 metrics that they need, with the commensurate staff that
3 they need, the technology, the equipment, and in
4 compliance with the law.

5 Q. So after you receive notice of a failed
6 verification, your office does then double-check the
7 data entry. At what point does your office send
8 notification to a voter that there was a failed match?

9 A. I can't give you that information off the top
10 of my head. I'll be happy to give you that or have you
11 speak with someone who can tell you our process. That's
12 a process that we follow, and I'm confident of the
13 process.

14 Q. And do you happen to know whether it's an
15 automated letter; if you receive a failed match, then
16 the applicant --

17 MS. HARRIS: Repeat the previous question for
18 me, please.

19 (Record read by the reporter.)

20 THE WITNESS: At what point does the office

21 send notification to the voter? At what point? You
22 want to know the precise time?

23 BY MS. ROTHENBERG:

24 Q. No. I mean -- and I think you answered this
25 question.

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1 MS. HARRIS: He did.

2 MS. ROTHENBERG: Then I won't repeat it again.

3 MS. HARRIS: Thank you.

4 BY MS. ROTHENBERG:

5 Q. My next question is: Do you know whether it's
6 an automated -- an automatically-generated letter once
7 you receive notification of a failed verification from
8 the Florida voter registration?

9 A. Yes, in that I don't dictate a new letter every
10 time we have a failed verification, yes.

11 Q. Is there an employee that makes a determination
12 whether or not to send out a letter, or does the system
13 automatically prompt a letter that goes out to the
14 applicant?

15 A. It's a -- we have a -- we have a database that
16 tells us which voters need to be notified and the
17 employee takes that information and, you know, it's not
18 a -- we're not an office on auto pilot, if that's what
19 you're asking.

20 Q. My question is: Once you receive the notice of
21 failed verification, your office, you said, goes back
22 and does -- checks the data entry. Is it then at that
23 point they say we weren't able to figure it out on our
24 own, we'll send out a letter; or is it once you get --

25 A. I don't know the answer to that question.

1 Q. Okay. Are you familiar with the letters that
2 are sent by your office? Have you seen copies of them?

3 A. Yes. I have one somewhere here if you'd like
4 to read it.

5 Q. Not right now, but thank you.

6 A. Okay.

7 Q. Are you familiar with whether the notices go
8 out in both English and Spanish?

9 A. No, I'm not.

10 Q. Okay.

11 A. That's a good question.

12 MS. HARRIS: Finally. Sorry.

13 THE WITNESS: How would -- and I'll tell you
14 the reason that that's a good question is because
15 it's -- it's a good question.

16 BY MS. ROTHENBERG:

17 Q. Okay. Do you know whether it tells people what
18 specifically failed to match with the database, whether
19 it was their birth date or name --

20 A. When we have that information.

21 Q. I'm sorry?

22 A. When we have that information, yes. I wish I
23 had the letter here.

24 MS. HARRIS: She has it. I sent her the same
25 letter. She knows the answer to that question.

1 THE WITNESS: Again, back to the division of
2 the offices make it easy for people to get

3 registered, as easy as possible within confines of
4 the law. And whatever correction needs to be made,
5 we try to help the voter as best we can to do that.

6 BY MS. ROTHENBERG:

7 Q. Do you happen to know what percentage of -- I'm
8 sorry.

9 MS. HARRIS: That's the letter.

10 MS. ROTHENBERG: Thank you, Ms. Harris. Let's
11 enter the letter that Ms. Harris handed me as
12 Johnson Exhibit 1.

13 (Exhibit No. 1 marked for identification.)

14 BY MS. ROTHENBERG:

15 Q. Mr. Johnson, this letter was the letter you
16 were just referring to? It might help if you look at
17 the letter. Is this the letter that you were just
18 referring to?

19 A. I don't know that it's the particular one,
20 but...

21 Q. Let's talk about the contents of this letter.
22 The letter is addressed to a Ms. Stephanie Desangles?

23 A. I don't know if this is a draft, a working
24 draft of the letter, so...

25 Q. Okay.

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1 A. It obviously wouldn't go out like this.

2 Q. Okay. But the content is the content of a form
3 letter prepared by your office, from what you
4 understand?

5 A. Yeah. This is a type of letter that we send to
6 help a person to complete their application.

7 Q. Okay. Now, I'm just going to read from the
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1 the -- as the law changes, we adjust the letters.

2 And typically, that's back to your proofing
3 question, someone will draft a letter and then we'll
4 all -- we'll get input from more than just one person.

5 Are you asking who the drafter of the letter
6 is?

7 Q. I am.

8 MS. HARRIS: Computer.

9 THE WITNESS: Depends on who's the expert in
10 that area. Different people in the office have
11 different levels of experience and expertise.

12 I don't draft them, if that's what you're
13 asking.

14 BY MS. ROTHENBERG:

15 Q. It's not what I'm asking. Do you know whether
16 there has been a specific form letter drafted by your
17 office to address the issues in subsection 6 of a failed
18 verification as a result of a failed match with the
19 social security --

20 A. I do not -- I do not know that specific.

21 Q. Okay.

22 A. But I'm certain that we have.

23 Q. Okay. To the extent that a form letter
24 addressing verification issues exists in your files, we
25 request their production.

1 A. Okay.

2 Q. Do you have a sense of the total number of

3 non-verified applications that have been returned to
4 your office by the Florida voter registration system
5 since 2006?

6 A. I do not.

7 Q. And you have no way of approximating either?

8 A. I really don't. I couldn't do that. I know
9 that we're current, so we're -- our office is in great
10 shape. We stay on top of it. I have no...

11 Q. Do you know whether anyone from your office is
12 part of any ongoing working groups or attends regular
13 meetings with respect to the Florida voter registration
14 system?

15 A. No, not -- any formal group?

16 Q. Formal or informal, that -- part of any group,
17 statewide group to address issues that counties are
18 having --

19 A. I'm not aware of any group that exists, no.
20 Not any formal group.

21 Q. Do you have an understanding of whether the
22 Florida voter registration system is able to match
23 applications or where somebody fills out a nickname and
24 the driver's license, uses the full name, for example --
25 MS. HARRIS: Object to form. He's already told

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1 you what he knows about the Florida voter
2 registration system --

3 MS. ROTHENBERG: Ms. Harris, I have not asked
4 this question yet.

5 MS. HARRIS: In general, he's answered this
6 question over and over again, and you just keep
7 rephrasing it.

8 MS. ROTHENBERG: This is a different question.
9 MS. HARRIS: If he tells you he's never seen
10 the Florida voter registration database --
11 MS. ROTHENBERG: This is not what the database
12 looks like, it's whether or not he knows whether one
13 particular instance is going to have a failed match
14 or not. I'll ask it again.
15 BY MS. ROTHENBERG:
16 Q. If you fill out an application using your
17 nickname, say you fill out an application and you write
18 Bud Johnson, but your driver's license says Buddy
19 Johnson on it, do you know if that will produce a failed
20 match?
21 A. I don't know that. Are you talking about in
22 the field for your name or the signature?
23 Q. whether it will come back from the Florida
24 voter registration system saying that there was a failed
25 match.

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1 A. I don't do the verification.
2 Q. Do you have any idea whether -- say you were
3 submitting your application using the last four digits
4 of your social security number and your application has
5 your last name as Johnson, J-o-h-n-s-o-n, and for some
6 reason your social security record doesn't have the H in
7 your name, so it's Jonson. Will that produce a failed
8 match?
9 A. I don't know.
10 Q. You have no idea whether they would be able
11 to make a match --

12 MS. HARRIS: Object to the form.
 13 THE WITNESS: I don't like these. You have no
 14 idea. That language is really bothersome to me,
 15 really is offensive, I'll be honest with you.
 16 BY MS. ROTHENBERG:
 17 Q. I don't mean to be.
 18 A. well, but some of your language, "sense of,"
 19 "no idea," it's like --
 20 I thought we were doing a fact-finding --
 21 Q. I am.
 22 A. Let's --
 23 Q. I'm just trying to find out what your general
 24 knowledge --
 25 A. I'm finding myself just not enjoying the

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1 language.
 2 Q. okay. well, I will try to use language that
 3 you enjoy.
 4 A. Thank you.
 5 Q. If somebody fills out an application prior to
 6 book closing date that produces a failed match and they
 7 are able to correct that information after the book
 8 closing date, will this person be able to be on the
 9 rolls or will they cast a provisional ballot?
 10 A. A provisional ballot is always available for
 11 any voter. I can't speak to the specific situation
 12 without specific content.
 13 Q. I guess my question is whether it's considered
 14 a new application after book closing date or it's
 15 considered the correction of the application prior to
 16 book closing date so the person will be on the regular

17 rolls and not --

18 A. I have to look at the statute for that
19 specific --

20 Q. Okay. Can you give me the terms for how
21 Hillsborough County classifies the various statuses of
22 voters, you know, whether -- ones I can think of are
23 active, inactive, not eligible. Can you tell me
24 what terms you use?

25 A. Those would be fine, but I don't have the

62

1 glossary off the top of my head, no.

2 why do you ask?

3 Q. It's just fact-finding.

4 A. But why do you ask?

5 Q. I was just going to ask you about the
6 various --

7 A. It's -- I mean --

8 Q. I was going to ask further questions about
9 these various categories and --

10 A. Why would you ask?

11 Q. -- I wanted to use the correct term. I wanted
12 to use the correct term, using language you enjoy.

13 A. Whatever's statutory is what I enjoy. A sense
14 of the other stuff is not in the statute.

15 Q. How does Hillsborough County determine that an
16 individual is no longer eligible to vote?

17 MS. HARRIS: Objection to form.

18 BY MS. ROTHENBERG:

19 Q. I'll give an example. If somebody's moved out
20 of the state, how do you --

21 A. Provide a specific and I can research the
22 specific and give you an answer. Voting is very
23 individualized. Moving and death, determination of
24 med -- mental inadequacy, all those are different
25 circumstances. So be specific.

63

1 Q. How does your office receive information that
2 somebody is a convicted felon?

3 A. How do we --

4 Q. How does your office come into that
5 information?

6 A. What's the point of your question? You want
7 like the secretarial --

8 Q. We're trying to find --

9 A. What are you after? What are you after? Let
10 me get the person who does the process --

11 Q. Okay.

12 A. -- and I'll have them explain it to you.

13 Q. Can you identify the person?

14 A. I told you about five times already that Sharon
15 Smith runs the voter services department and she has for
16 about 18 years.

17 Q. Great. We may need to speak to Ms. Smith.

18 A. I'll be happy to have you talk to her.

19 MS. HARRIS: Wonderful.

20 THE WITNESS: I'll talk to you about what
21 management is as opposed to line job, you know, is a
22 big difference. And you don't seem to have any
23 appreciation for what the Supervisor of Elections'
24 role is in the state of Florida by the nature of
25 your questions, and particularly the language.

16 Board of County Commissioners at all.

17 BY MS. ROTHENBERG:

18 Q. I appreciate the clarification. Thank you.

19 So when somebody whose driver's license or the
20 last four digits of their social security number have
21 not been verified and they show up at the polls on
22 election day, will their name be in the register?

23 A. Say that again.

24 Q. If somebody who, prior to the election, has not
25 been verified with either the DMV database or the social

76

1 security number database, will that person's name appear
2 in the register on election day?

3 A. It could.

4 Q. Okay. Do you know how the people working at
5 the polls would know that that person's information has
6 not been matched or verified --

7 A. Are you talking about in the -- what -- are you
8 talking about in the database or in the precinct books
9 or what are you --

10 Q. If prior to arriving at the polls the person's
11 driver's license or social security number have not been
12 matched to the DMV database or the social security
13 number database when they arrive at the polls that day,
14 how will the poll workers know that that person's not
15 yet been matched or verified?

16 MR. WINSOR: Objection to form.

17 BY MS. ROTHENBERG:

18 Q. Do you understand what I'm saying?

19 A. I do, but it's one of those questions, again,
20 that's --

21 Q. It's not -- I'm sorry, go ahead.
22 A. The form of the question, really, I have to
23 answer it in 20 different ways.
24 Q. Okay. So is there no standard from precinct to
25 precinct regarding how the poll workers know that that

77

1 person has not been matched? will that show up in a
2 standard way?

3 A. That's not my point at all. The State does
4 the -- theoretically, they should be in the book and
5 verified.

6 Q. Okay. But if they're not verified, are they
7 then -- are they not in the book?

8 MS. HARRIS: Objection to form. Don't answer
9 the question.

10 You've got to be clear. You mean early voting?
11 Election day?

12 MS. ROTHENBERG: I mean on election day.

13 MS. HARRIS: Don't answer the question.

14 BY MS. ROTHENBERG:

15 Q. On election day if somebody shows up at the
16 polls and they have not yet been verified, so they're
17 not on the rolls as an active voter, how does the poll
18 worker know this?

19 MR. WINSOR: Objection to form.

20 MS. HARRIS: Don't answer the question.

21 Move on. Let's just move on.

22 THE WITNESS: Can I help you with your
23 question?

24 BY MS. ROTHENBERG:

25 Q. Is there a separate list maintained at the

78

1 polls of individuals who have not been able to be
2 matched or verified with either the DMV or the social
3 security databases?

4 A. Not that I'm aware of, no.

5 Q. Are these people in the books with a notation
6 next to their name that says the person's not been
7 matched or verified with the --

8 MR. WINSOR: Object to the form.

9 THE WITNESS: Your questions are just
10 incredible.

11 BY MS. ROTHENBERG:

12 Q. Okay.

13 A. They're incredible. They really are.

14 Q. Let's try a hypothetical. Say I show up at --

15 A. Now we're going to move to the hypothetical?

16 Q. You said it's an individual thing, so I'm
17 trying to make it easier for you.

18 If I show up on election day --

19 A. It's not that it's hard, it's just that the
20 questions are not well written.

21 Q. If I show up on election day and I -- you are
22 the poll worker and I come to you --

23 A. I really don't want to pick up on the
24 condescension thing we had yesterday, so that's the
25 reason I make that comment.

79

1 Q. Mr. Johnson, I'd prefer if you would refrain
2 from making speeches. You're under oath. Please, just
Page 67

3 answer the questions.
4 If I show up at -- on election day --
5 A. That wasn't a speech.
6 Q. -- and you are the poll worker --
7 A. That was not a speech.
8 Q. Mr. Johnson, I'd appreciate it if you'd just
9 answer the questions.
10 If I show up on election day and you're the
11 poll worker and I show my photo ID, but my information
12 has not been yet matched or verified with the DMV or the
13 social security database, what will happen to me?
14 MR. WINSOR: Objection to form.
15 MS. HARRIS: Objection to form.
16 MR. WINSOR: This is Allen Winsor. I believe
17 I'm the only one on the phone, so I won't identify
18 myself when I make objections. Is there anyone else
19 on the phone?
20 MS. HARRIS: No.
21 MR. WINSOR: Okay.
22 BY MS. ROTHENBERG:
23 Q. Mr. Johnson, you can answer.
24 I'm sorry?
25 A. Did you hear the objection to form?

80

1 Q. I did, but you still answer the question unless
2 you're instructed not to answer.
3 MS. HARRIS: You -- don't answer.
4 MS. ROTHENBERG: What is the basis for that
5 instruction?
6 MS. HARRIS: He's not a poll worker. You're

7 asking a hypothetical that makes no sense.
 8 MS. ROTHENBERG: In his knowledge about what
 9 poll workers -- as a supervisor of Elections, about
 10 what goes on at the polls --
 11 MS. HARRIS: Are you directing the question to
 12 him now?
 13 MS. ROTHENBERG: I'm addressing your objection.
 14 I'm asking what he knows about what a poll worker
 15 would say to somebody whose identity has not been
 16 matched or verified.
 17 THE WITNESS: As I said to you yesterday, I'd
 18 be happy for you -- to bring in, when they're
 19 available, the field worker, the hands-on person
 20 that handles all the situations. My responsibility
 21 is the direction, the vision, and not the absolute
 22 minutia and the detail of the -- of the worker.
 23 BY MS. ROTHENBERG:
 24 Q. So is your answer I don't know?
 25 A. I'm not answering.

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1 MR. WINSOR: Objection to form.
 2 THE WITNESS: I'm not answering.
 3 MR. WINSOR: Same objection. It's the same
 4 question.
 5 MS. HARRIS: And I said don't answer the
 6 question.
 7 BY MS. ROTHENBERG:
 8 Q. Mr. Johnson, do you know what would happen to
 9 me if I showed up on election day and my information had
 10 not yet been matched or verified?
 11 MR. WINSOR: Objection to form.
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12 MS. HARRIS: Objection to form.

13 BY MS. ROTHENBERG:

14 Q. Okay. Yes or no? Objection to form you can
15 still answer the question.

16 I'm just -- I take it you haven't given a lot
17 of depositions. When somebody objects to the form, you
18 still answer the question unless you're instructed not
19 to answer.

20 MS. HARRIS: Don't answer the question.

21 MS. ROTHENBERG: Can you give me the basis?

22 MS. HARRIS: If you have a New York resident
23 come here on election day and vote, does he know
24 what would happen --

25 MS. ROTHENBERG: I will clarify the question.

82

1 BY MS. ROTHENBERG:

2 Q. If I were a Florida resident -- or let's take
3 my uncle, who's a resident of Hillsborough County. If
4 my uncle goes to the polls, he -- let's say my uncle,
5 who was born in 1939, the social security database has
6 his record as having been born in 1938, you haven't been
7 able to match his identity. My uncle shows up, there
8 hasn't been a match. What happens to my uncle?

9 MR. WINSOR: Objection to form. There's way
10 too many variables there.

11 BY MS. ROTHENBERG:

12 Q. You can answer the question.

13 MS. HARRIS: Don't answer the question.

14 BY MS. ROTHENBERG:

15 Q. Is your answer I don't know?

16 A. I don't want to give you a speech, so...
17 MS. HARRIS: Just don't answer the question.
18 I'm advising you not to answer the question.
19 BY MS. ROTHENBERG:
20 Q. Is there someone in your office who can tell me
21 what will happen to the person when they show up at the
22 poll and their identity has not been able to be matched
23 or verified?
24 A. Given that the law recently changed and with
25 the assumption that proper training to your very

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1 specific and individualized question has been trained
2 down to the staff here for those very specific
3 situations that you ask about, yes.
4 Q. And can you identify who the person best --
5 A. The same persons that I mentioned to you
6 yesterday. It would be the director, the manager of
7 that department, Sharon Smith.
8 Q. okay. Thank you.
9 A. or Chuck Smith, either one.
10 Q. okay. I appreciate that. Thank you.
11 Do you know whether somebody who's working at
12 the polls on that day has access to the Hillsborough
13 County database?
14 A. On what day?
15 Q. On election day.
16 A. How do you define election day? Like the
17 Tuesday? The first Tuesday in --
18 Q. Exactly.
19 A. You're not talking about early voting?
20 Q. No. I'm talking about on the actual -- the
Page 71

21 first Tuesday in November, election day.

22 MR. WINSOR: Could you -- is it possible for
23 the questioner to speak up or maybe move the speaker
24 phone a little closer? I can hear the witness,
25 but --

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1 MS. ROTHENBERG: Yeah. The phone is next to
2 the witness.

3 THE WITNESS: Could you repeat your question?

4 BY MS. ROTHENBERG:

5 Q. Sure. Does somebody who works at the polls on
6 election day have access, whether electronic or
7 otherwise, to the Hillsborough County database?

8 A. At the expense of giving you a speech, I can --
9 we don't -- are you speaking of a live connection to the
10 database? Are you speaking of a digital pre-produced
11 record? Are you speaking of a paper record? It depends
12 on what --

13 Q. Is there an electronic connection to this
14 office on the day of election?

15 A. A live electronic connection?

16 Q. Sure. Is there a live electronic connection?

17 A. No.

18 Q. What sort of access to your database does a
19 poll worker have on --

20 A. Historically, there's been a paper record, a
21 poll book, a precinct list; and in larger precincts we
22 do that with a recording, with a disc that we will do
23 several days in front of the election in the larger
24 precincts, but it's not a live connection to the

25 database --

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1 Q. okay.

2 A. -- as would be the case.

3 Q. Do you know whether a poll worker would know
4 the reason why a person failed to be verified or matched
5 on election day? Is that information at the polls?

6 A. Do I know whether a poll worker would know --

7 MR. WINSOR: Objection to form.

8 THE WITNESS: No.

9 BY MS. ROTHENBERG:

10 Q. Does a poll worker have access on election day
11 to the reason why somebody failed to be verified or
12 matched with the DMV --

13 A. I don't know.

14 Q. -- or the social security database?

15 A. I don't know.

16 Q. Okay. Mr. Johnson, I'm handing you what your
17 counsel produced yesterday afternoon. I'm going to mark
18 this for identification as Johnson Exhibit 3.

19 (Exhibit No. 3 marked for identification.)

20 BY MS. ROTHENBERG:

21 Q. Do you recognize this document?

22 A. I haven't seen this final product. I know what
23 it is.

24 Q. Okay. It reads in both English and Spanish.

25 I'm going to read the English version. The English side

86

1 says, "Notice of Rights to Provisional Ballot Voters,
2 section 101.048 and 101.049 FS, Hillsborough County,
Page 73

3 Florida."

4 A. Are you going to read to me --

5 Q. I'm going to read the first couple sentences.

6 "You have voted a Provisional Ballot and have
7 the right to present additional written evidence
8 supporting your eligibility to vote to the Supervisor of
9 Elections not later than 5 p.m. of the third day
10 following the election. You may provide written
11 evidence to either the Supervisor of Elections Main
12 office at 601 East Kennedy Boulevard, 16th floor, Tampa,
13 Florida 33602 or the Robert L. Gilder Elections Service
14 Center at 2514 Falkenburg Road, Tampa, Florida 33619.
15 If you do not present additional written evidence
16 supporting your eligibility to vote, the Election
17 Canvassing Board will determine your eligibility to vote
18 based on the information you provided on the Provisional
19 Ballot Voter's Certificate and Affirmation."

20 Is this all familiar to you, everything that I
21 just read?

22 A. The process, uh-huh.

23 (Exhibit No. 4 marked for identification.)

24 MS. ROTHENBERG: Okay. And I'm just going to
25 go ahead and enter what's marked for identification

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1 as Johnson Exhibit 4. This was also produced by
2 your counsel yesterday afternoon.

3 BY MS. ROTHENBERG:

4 Q. Do you recognize this?

5 A. Uh-huh.

6 Q. And it reads on the top, "Provisional Ballot

7 voter's Certificate and Affirmation, Section 101.048(3)
8 and 101.049 Florida Statutes, Hillsborough County,
9 Florida."

10 And I'm just going to turn to the back of that
11 document. In eight boxes down it reads as one of the
12 reasons for provisional ballot, it says, "Check All That
13 Apply." Quote, "There is an indication on the precinct
14 register that the voter's FL DL #, FL ID Card # or SSN
15 is not yet verified by the Department of State in
16 conjunction with the DHSMV."

17 Does that look familiar to you?

18 A. Is it on there? I've seen that envelope.

19 Q. Okay. Great.

20 A. I have seen the envelope.

21 Q. Okay. So I just want to go back to Johnson
22 Exhibit 3, which is the Notice of Rights. Do you know
23 whether this information is also posted somewhere at the
24 precincts?

25 A. I don't know.

88

1 Q. Okay. Is there a policy in Hillsborough County
2 regarding having bilingual poll workers at the polls?

3 A. Is there a policy -- say that again.

4 Q. Is there a -- does Hillsborough County have a
5 policy about having bilingual poll workers at the polls?

6 A. In accordance with the law, section 5.

7 Q. Okay.

8 A. And as many as we -- we try to be in abundance.
9 This is an original Hispanic community in Florida.

10 Q. I didn't hear your last answer. The original
11 Hispanic community in Florida?

12 A. Yeah. Large Latino population.

13 Q. Okay.

14 MS. HARRIS: We also have that envelope in
15 Spanish. I don't know if it was in that packet I
16 gave you.

17 MS. ROTHENBERG: Thank you. I note that
18 counsel's represented that the provisional ballot
19 letter certificate and affirmation is also provided
20 in Spanish.

21 BY MS. ROTHENBERG:

22 Q. Do you know whether poll workers are instructed
23 to say anything to the voters about what they need to do
24 to ensure that their vote is counted, or do they just
25 hand them these materials?

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1 MR. WINSOR: Objection to form.

2 THE WITNESS: Do I know if they're instructed
3 to say anything?

4 BY MS. ROTHENBERG:

5 Q. Or to not say anything?

6 A. No. We're instructed to accommodate the voter
7 in every possible way, to educate as long as we can, as
8 much as we can.

9 Q. So if a voter has questions, then the poll
10 worker will answer those questions to the best of their
11 ability?

12 A. If they know the answer to the question.

13 Q. Okay. I want to introduce what I'm marking for
14 identification as Johnson Exhibit 5.

15 (Exhibit No. 5 marked for identification.)

16 BY MS. ROTHENBERG:

17 Q. Are you familiar with this document?

18 A. It's a training document.

19 Q. Are you generally familiar with its contents?

20 A. You just -- we have lots of training documents.

21 And I don't want to give you a speech again, but I have

22 very qualified people who handle training. And I

23 establish the vision, the direction for our

24 organization.

25 Q. Is Miss Smith the person who is most familiar

90

1 with the content of this document in your office?

2 A. She would be familiar with this, yes.

3 Q. Great.

4 A. I just want to make sure you haven't slipped

5 anything in here that's not part of our --

6 Q. Okay.

7 MS. HARRIS: I do want to point to you that the

8 documents that I sent you are based on our current

9 system, which we're in the process of transitioning

10 to the new system.

11 THE WITNESS: Which is entirely different --

12 MS. HARRIS: Which will change next week.

13 BY MS. ROTHENBERG:

14 Q. So, Mr. Johnson, then this will not be the

15 training manual that's used for this current election,

16 this coming election?

17 MS. HARRIS: No.

18 THE WITNESS: Right. Correct.

19 MS. ROTHENBERG: Okay. Thank you. I request

20 production of --

25 the forthcoming manual about what poll workers are

92

1 supposed to tell people whose IDs have not yet been
2 matched or verified with the social security or the DMV
3 databases?

4 A. No, I don't.

5 Can I say strike that when I want to strike
6 something?

7 Q. I'm afraid that's just me.

8 A. why do you get different rules than I do?

9 Q. Those are just the rules.

10 A. okay.

11 Q. when I say strike that, it's for the purpose of
12 clarifying.

13 A. Scribner's error.

14 Q. what can poll workers tell the voter on
15 election day about what type of information needs to be
16 verified?

17 MR. WINSOR: Objection to form.

18 THE WITNESS: I don't know. That's an essay
19 question. I don't know.

20 BY MS. ROTHENBERG:

21 Q. okay. we'll break it down.

22 If it's a birth date that has not been able to
23 be verified, can a poll worker tell the voter that the
24 birth date was the information that could not be
25 verified?

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1 A. I don't know the law on that. whatever the law
2 says is the way they would be trained.

3 Q. Okay. If the problem with my application was
4 that I transposed the driver's license number and I
5 bring my actual driver's license to the poll on election
6 day with my official and correct Florida driver's
7 license number, do you know whether I would be able to
8 submit my driver's license that day as the additional
9 written evidence that's required by -- according to this
10 notice --

11 MR. WINSOR: Objection to form.

12 BY MS. ROTHENBERG:

13 Q. -- Johnson Exhibit 3?

14 MS. HARRIS: Objection to form.

15 THE WITNESS: I can answer the back side of
16 your question because if you -- they have three days
17 to provide the evidence.

18 BY MS. ROTHENBERG:

19 Q. Right.

20 A. But no, I don't --

21 Q. I guess I just want to clarify my question for
22 you. Can I provide that written evidence at the polls
23 rather than --

24 A. I don't know that.

25 MR. WINSOR: Objection to form.

94

1 THE WITNESS: Isn't that a canvassing board
2 function?

3 MS. HARRIS: She's asking --

4 THE WITNESS: I'm afraid of giving a speech
5 again.

6 BY MS. ROTHENBERG:

16 a valid Florida driver's license and the problem was
17 with the matching of their driver's license with the DMV
18 database -- strike that. I'm sorry.

19 If someone comes in with a valid Florida
20 driver's license and the problem is that they have not
21 been able to -- their identity has not been verified
22 with the DMV database, what does your office do with the
23 written evidence that they present or the driver's
24 license that they present?

25 MR. WINSOR: Objection to form.

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1 MS. HARRIS: Thank you.

2 THE WITNESS: Do you mind if she repeats that?

3 MS. ROTHENBERG: Go ahead.

4 (Record read by the reporter.)

5 THE WITNESS: Our responsibility is to give
6 three days for the person to bring evidence in to
7 verify that they are -- that is, they're valid.

8 BY MS. ROTHENBERG:

9 Q. And when they come in with written evidence,
10 what happens to that written evidence?

11 A. My vision, my instruction and to my staff is to
12 make sure that we follow the law at every step. And
13 I'll be happy for you to talk with Mr. Smith or Mrs.
14 Smith with regard to the conversation, the scripting. I
15 don't have that memorized.

16 Q. Does your office accept faxed written evidence
17 such as a driver's license?

18 A. I don't know the answer to that.

19 Q. What hours is this office open in the three
20 days following the election for people to come in and

21 present written evidence?

22 A. Our normal business hours.

23 Q. Which are?

24 A. 8:00 to 5:00. We don't change our hours.

25 Q. I note that on Johnson Exhibit 3 there's no

98

1 mention of the hours that these offices are open. Are
2 they posted or provided on some other form?

3 MR. WINSOR: Can you speak up, please?

4 BY MS. ROTHENBERG:

5 Q. Sure. I just wanted to note on Johnson Exhibit
6 3 there's no mention of the office hours, and I was just
7 wondering whether that's provided on some other
8 document?

9 MR. WINSOR: Whether that's provided on what?

10 MS. ROTHENBERG: Whether the office hours are
11 provided on some other document.

12 THE WITNESS: Yes.

13 BY MS. ROTHENBERG:

14 Q. What document is that?

15 A. On any document where the hours of operation
16 would be pertinent.

17 Q. Is that presented to a voter on election day --

18 A. I don't know.

19 Q. -- ballot?

20 A. I don't know.

21 Q. Okay.

22 A. If on those documents they're printed, I don't
23 know.

24 Q. Do you know approximately how far the furthest

25 absolutely convinced in your opinion that person was an

113

1 eligible voter but the number on the driver's license
2 did not match the number on the application, would you
3 vote to have that person's vote count?

4 MR. WINSOR: Objection to form.

5 MS. HARRIS: Objection to form.

6 MR. WINSOR: When?

7 THE WITNESS: I don't have any -- I don't do
8 hypotheticals.

9 BY MS. ROTHENBERG:

10 Q. would the Canvassing Board consider any other
11 documents other than a driver's license or a social
12 security card? For example, the person came in with a
13 valid copy of their U.S. passport and presented that as
14 written evidence, would you consider that?

15 A. There's a list of -- I think the statutes have
16 a list, I believe.

17 MR. WINSOR: Objection to form.

18 MS. HARRIS: Yeah, because --

19 THE WITNESS: Again, that's not a function that
20 I perform.

21 BY MS. ROTHENBERG:

22 Q. Are the Canvassing Board meetings transcribed?

23 A. No. No, I don't think there's any statute that
24 calls for that.

25 Q. Are they recorded in any matter?

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1 MS. HARRIS: Minutes are taken.

2 THE WITNESS: We take minutes.
Page 97

3 MS. ROTHENBERG: Ms. Harris, I remind you
4 you're not testifying today.

5 MR. WINSOR: Repeat the question.

6 MS. ROTHENBERG: I'm reminding Ms. Harris that
7 she is not testifying today and she is not to answer
8 my questions.

9 MS. HARRIS: I didn't answer it.

10 MS. ROTHENBERG: You did.

11 MS. HARRIS: I clarified.

12 MS. ROTHENBERG: No, you answered before he got
13 a chance to answer.

14 MS. HARRIS: He said transcribed and I want to
15 make sure. Don't get upset. We're having fun here.

16 BY MS. ROTHENBERG:

17 Q. Do you know what percentage of people who cast
18 provisional ballots come in with additional evidence in
19 the three days following the election?

20 A. I don't.

21 MR. WINSOR: Objection to form.

22 BY MS. ROTHENBERG:

23 Q. Do you maintain records of the written evidence
24 that is presented by voters?

25 A. I don't know. You mean after the determination

115

1 is made? I don't know that there's any requirement in
2 the statutes to maintain the evidence. I don't know.
3 That's a good question.

4 (Exhibit No. 6 marked for identification.)

5 BY MS. ROTHENBERG:

6 Q. I'd like to show you a document I marked for

7 identification as Johnson Exhibit 6.

8 Do you recognize this document?

9 MS. HARRIS: He's never seen it.

10 MS. ROTHENBERG: Okay. I just want to note for
11 the record that this was a document that was
12 produced by counsel, I believe, on Monday night.

13 And on the second page there's a statement that
14 there is a listing of all applicants who have a
15 record as being unmatched in the database, and
16 counsel has not yet produced this listing.

17 THE WITNESS: Can I ask you a question?

18 MS. HARRIS: Objection. I forwarded that
19 information to your co-counsel.

20 THE WITNESS: Why is it important to state when
21 you received the document? I'm not sure why
22 you're --

23 MS. HARRIS: Particularly when it's not true.
24 You did that yesterday.

25 MS. ROTHENBERG: No, it is true. This I

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1 received on Monday night.

2 MS. HARRIS: No. I have forwarded you the
3 document that you just said on page 2, I forwarded
4 to your counsel.

5 MS. ROTHENBERG: I did not personally receive
6 the document, so thank you. That clarifies. I just
7 wanted to make a record.

8 THE WITNESS: I was just wondering what is the
9 point of mentioning that?

10 MS. ROTHENBERG: This is not the time or the
11 place for this. We can discuss this off the record
Page 99

16 Q. Do you recall any specific conversations you've
17 ever had with Mr. Smith or Ms. Smith or Mr. Reed about
18 subsection 6?

19 A. We have had conversations about the issues
20 mentioned and contained in that.

21 Q. Have you ever had conversations with any of
22 them about the impact on Hillsborough County voters?

23 A. Impact? What do you mean by impact?

24 Q. Whether subsection 6 will --

25 A. Economic impact?

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1 Q. I'm clarifying for you.

2 whether subsection 6 will make it more
3 difficult for Hillsborough County voters who are
4 eligible voters to have their votes counted?

5 A. Have we had conversations about that? No, not
6 that I recollect.

7 Q. Have you ever inquired as to whether they were
8 receiving notices from the Florida voter registration
9 system that the Florida voter registration system was
10 unable to verify any Hillsborough County voters?

11 A. Have I ever --

12 Q. Have you ever inquired as to whether they were
13 receiving notices?

14 MR. WINSOR: The same individual?

15 MS. ROTHENBERG: I'm sorry?

16 MR. WINSOR: Are you talking about the same
17 individual?

18 BY MS. ROTHENBERG:

19 Q. Yes. With Mr. Smith or Ms. Smith or Mr. Reed.

20 A. No. I've inquired about the broad