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NO. D-1-GN-15-000374

LAURA PRESSLEY)	IN THE DISTRICT COURT
Contestant)	
)	
)	
VS.)	TRAVIS COUNTY, TEXAS
)	
)	
GREGORIO "GREG" CASAR)	
Contestee)	201ST JUDICIAL DISTRICT

ORAL DEPOSITION OF

DANA DEBEAUVOIR

MAY 11, 2015

ORAL DEPOSITION OF DANA DEBEAUVOIR, produced as a witness at the instance of the Contestee GREGORIO "GREG" CASAR, and duly sworn, was taken in the above-styled and numbered cause on May 11, 2015, from 9:44 a.m. to 12:24 p.m., before KATHERINE A. BUCHHORN, Certified Shorthand Reporter in and for the State of Texas, reported by machine shorthand, at the offices of County Clerk's Courthouse Conference Room, Room 222, Heman Marion Sweatt Courthouse, 1000 Guadalupe, Austin, Texas 78701, pursuant to the Texas Rules of Civil Procedure and the provisions stated on the record or attached hereto.

Pressley vs. Casar
Dana Debeauvoir - May 11, 2015

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18 ALSO PRESENT:

19 Laura Pressley, Ph.D.
20 Abbe Waldman

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S T I P U L A T I O N S

The attorneys for all parties present stipulate and agree to the following items:

The deposition of DANA DEBEAUVOIR is taken pursuant to Notice;

That all objections will be made pursuant to the Texas Rules of Civil Procedure;

That the original transcript will be submitted for signature to the witness' attorney, SHERINE E. THOMAS, and that the witness or the witness' attorney will return the signed transcript to Sympson Reporting within 20 days of the date the transcript is provided to the witness' attorney. If not returned, the witness may be deemed to have waived the right to make the changes, and an unsigned copy may be used as though signed.

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1 PROCEEDINGS

2 THE REPORTER: Are there any special
3 stipulations today or just by the Rules?

4 MR. COHEN: Just regular stuff.

5 (Witness sworn.)

6 DANA DEBEAUVOIR,
7 having been first duly sworn, testified as follows:

8 EXAMINATION

9 BY MR. HERRING:

10 Q. Would you state your name for the record?

11 A. My name is Dana DeBeauvoir.

12 Q. And Ms. DeBeauvoir, you are the county clerk of
13 Travis County, right?

14 A. Travis County Clerk.

15 (DeBeauvoir Exhibit No. 1 marked)

16 Q. (BY MR. HERRING) And let me hand you a copy of
17 what I have marked as Exhibit 1, which I believe is your
18 resume.

19 A. (Moved head up and down.)

20 Q. And is that what that is?

21 A. Yes, sir.

22 Q. And that's current?

23 A. Yes, it is.

24 Q. Okay. And I just want to ask you -- it's a
25 lengthy resume. I just want to ask you a few points

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1 from it. Your educational background, just very
2 briefly, college and your master's.

3 A. Right. I have a college degree from the
4 University of Texas at Arlington. It's a dual in
5 sociology/social work; and I have a master's degree from
6 the LBJ School of Public Affairs, 1981.

7 Q. And you've been a county clerk since when?

8 A. I was elected in '86 and took office January 1,
9 1987.

10 Q. Right. And do you have any idea how many
11 elections you have presided over since then?

12 A. We keep meaning to add it up, but a couple of
13 hundred, at least.

14 Q. And I assume it would be -- I mean, you would
15 have city, county, state, federal, school district, bond
16 issues, referendum. Referenda, sometimes. Have I left
17 anything out?

18 A. Primaries.

19 Q. And primaries. And runoffs.

20 A. Runoffs; special, uh-huh.

21 Q. So I mean, if you -- and if you added up all
22 the candidates --

23 A. Oh.

24 Q. -- on the ballots, for all those years, it
25 would be thousands.

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1 A. It would be thousands. It would be thousands
2 of candidates.

3 Q. You have great experience in elections.

4 A. Yeah.

5 Q. All right. And you've also won, I see from
6 your resume, awards from various bodies, local and
7 national, for your work in elections.

8 A. Yes.

9 Q. Is that a fair statement?

10 A. Yeah.

11 Q. And I need you to answer out loud --

12 A. Yes.

13 Q. -- so we can make sure we have it.

14 Let me just see. One of them was the
15 National Association of County Recorders, Election
16 Officials and Clerks.

17 A. Yeah.

18 Q. And I can't pronounce the acronym, so I'll just
19 leave it at that. And you won, in 2009, Public Official
20 of the Year.

21 A. I did win that incredible award.

22 Q. All right. And then also, the same year, the
23 National Association of Election Officials awarded you
24 the 2009 Minute Man Award for developing effective
25 security practices that were effective, inexpensive, and

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1 easy for election officials to adopt; is that correct?

2 A. Yes, I did.

3 Q. And then in 2005, you were the national
4 recipient of the Election Center's Best Practices Award
5 for your work in risk analysis to implement security
6 measures for electronic voting systems; is that right?

7 A. Yes, I did.

8 Q. Let's see. You also serve as -- on the board,
9 the Standards Board, it looks like, of the United States
10 Election Assistance Commission.

11 A. I am a current member, yes.
12 Recently appointed.

13 Q. And how long have you been on that?

14 A. I was with the original group; so since
15 two-thousand -- late 2003.

16 Q. Okay. And that came into existence because of
17 the --

18 A. The beginnings of --

19 Q. -- the Help America Vote --

20 A. -- the Help America Vote Act.

21 Q. -- which was enacted 2002; is that right?

22 A. It was written in 2002, it started in 2003, and
23 the act was fully implemented as of January 1, 2006.

24 Q. And you have also been an international
25 election observer and monitor in a series of elections

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1 around the world, the most famous, I suppose, being the
2 South African election that ended Apartheid in 1994, was
3 it?

4 A. April of 1994.

5 Q. And you have done similar functions in Bosnia
6 and Kosovo?

7 A. Bangladesh. Yes, I've done several
8 assignments.

9 Q. Okay. You've also -- am I correct, you -- I
10 guess you still do -- you serve as chair of the
11 Elections Legislative Committee for the County and
12 District Clerk's Association?

13 A. Yes, I do.

14 Q. And that's been true since 1995?

15 A. Yes. Twenty years.

16 Q. Wow. All right. And then you've also been a
17 member of the Election Center's Postal Task Force for
18 By-Mail Voting, since 2005.

19 A. Right. I'm -- I'm no longer current on that,
20 but I just left that one.

21 Q. Okay. And you made a variety of presentations
22 on developing security procedures for a DRE environment
23 and that sort of thing, across Texas and elsewhere,
24 right?

25 A. Yes. We've -- we've -- it's sort of become our

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1 pet project, over the years, to teach people about how
2 to improve security with DRE systems.

3 Q. Very good. Since you've been in office, what
4 types of voting systems have you worked with?

5 A. I've done paper ballot elections. I inherited
6 a punch card voting system from the County, when I was
7 first elected. I operated that for three years. Then
8 we had -- I purchased an Optical Scan Central Count
9 system. We operated that until approximately 2000. And
10 then in 2000, we brought in Hart eSlate.

11 Q. And you brought in the Hart eSlate system after
12 the Secretary of State had certified that?

13 A. Yes.

14 Q. And explain, briefly, the certification
15 process; in other words, what the Secretary of State
16 does, relative to the certification -- by the way, the
17 Secretary of State is the chief election officer, under
18 the Election Code for the Texas; is that correct?

19 A. It is.

20 MR. COHEN: Objection; form.

21 A. That is correct.

22 MR. HERRING: Sorry?

23 MR. COHEN: Form objection.

24 Q. (BY MR. HERRING) Let me -- let me ask that
25 again, then. Who is --

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1 A. Okay.

2 Q. -- the chief election officer in the State of
3 Texas, under the Election Code?

4 A. The Secretary of State provides guidance and
5 instructions on all election law and procedure, and they
6 are the ones we turn to for any instructions; so they
7 are the chief officer for elections for the state.

8 Q. And that would be true not just for you, as the
9 chief election administrator for Travis County, but for
10 election administrators across the state of Texas?

11 A. All county clerks, election administrators, and
12 anybody else who conducts elections.

13 Q. And going back to the certification process, in
14 general, what does the Secretary of State do to certify
15 election systems?

16 A. They're first going to follow the federal
17 standards that are established by the Standards Board of
18 the EAC.

19 Q. That's -- the EAC is Elections --

20 A. Elections Assistance Commission.

21 THE REPORTER: One at a time, please.

22 THE WITNESS: Sorry.

23 A. Elections Assistance Commission.

24 Q. We just have the to be careful not to talk over
25 each other.

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1 A. Right.

2 Q. You will know my questions before I finish
3 them, but -- okay. It's the way we always have it
4 happen in depositions, so don't worry about it, but...

5 So the EAC is the -- that's the
6 commission -- can I help you?

7 A. I'm looking for a tissue.

8 Q. Oh.

9 (Discussion off the record)

10 A. All right. So what does the Secretary of State
11 do, in terms of certified election equipment?

12 Q. (BY MR. HERRING) Yes.

13 A. All right. First of all, they're going to
14 follow all the federal standards, so they're going to
15 look at what the system has been through, in terms of
16 all the federal qualifications, testing, all of that.
17 And then they are going to put the system through an
18 additional layer of state testing, which involves
19 calling in a set of experts; and they have a cadre of
20 folks that they pull from. Those folks will then look
21 at the software coding, and then they'll put it through
22 a series of tests for the system itself, and then they
23 will put the vendor that's selling it through a series
24 of question and answer.

25 And after that piece is finished, then the

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1 panel of -- it's usually two computer science-type or
2 software engineer-type folks, and then a third person
3 who is knowledgeable about Texas election law. It's --
4 it's a panel. And it could be more than that, but
5 it's a -- it's a minimum of three people. And then they
6 will go over all their notes and they will give the
7 system a rating and they will decide if it needs to have
8 anything upgraded, repaired, fixed, added, anything like
9 that. And then depending on their final answer, the
10 Secretary reviews their final report, accepts or rejects
11 their recommendation, and then lets the company know
12 whether they're certified in Texas.

13 Q. And so that would be true, say, for the eSlate
14 system, from the beginning -- from the beginning, in
15 each version of the eSlate system?

16 A. Yes. There -- there have been some
17 recognitions that upgrades, over the years, don't
18 necessarily have to start at zero and repeat the whole
19 process; but, yes, you -- you have to step through
20 everything, for every new system.

21 Q. So if we looked at the eSlate system, there
22 would be some of the earlier versions that may not be
23 certified now; but the current versions all would have
24 been through this, or the predecessors would have
25 been --

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1 A. That's correct.

2 Q. -- through this?

3 Okay. Who made the choice, in Travis
4 County, to go to the eSlate system? Who -- who made the
5 decision?

6 A. Ultimately, it was Travis County Commissioners
7 Court. A group of approximately 45 Travis County
8 citizens from all walks of life, under my direction,
9 studied that issue for at least two years. Worked very
10 hard, and they arrived at the conclusion, after doing
11 research beforehand, deciding what we needed. And then
12 they compared that needs assessment to what was
13 available in the market; reviewed the available systems;
14 judged that this -- that the Hart eSlate was the best of
15 the available systems, and then made that recommendation
16 to the Commissioners Court, along with me. And
17 Commissioners Court accepted that recommendation and
18 decided to purchase it.

19 Q. And that was roughly 2000, 2001, that time
20 frame?

21 A. Roughly. It might have even been late '99.

22 Q. All right. And then that's what we've used,
23 eSlate, since then?

24 A. Since then.

25 Q. So this system has been through, as you've

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1 said, many, many elections?

2 A. Many elections.

3 Q. And are you comfortable and confident in its
4 security, based on that experience?

5 A. The way we run it, yes.

6 Q. And its efficiency?

7 A. Yes.

8 Q. Overall, for that time period, has it been a
9 good system?

10 A. Yes. Yes.

11 Q. Do you know how many other jurisdictions use
12 the eSlate, in Texas?

13 A. A bunch.

14 Q. I think I read, over 100 counties?

15 A. That would be right.

16 MR. COHEN: Objection; form.

17 Q. (BY MR. HERRING) Does that sound right?

18 A. A bunch of counties.

19 Q. Maybe --

20 A. One hundred sounds reasonable.

21 Q. You're aware that one of the issues that
22 Ms. Pressley has raised in this election contest is, she
23 has questioned whether the CVR, the cast vote record, is
24 a ballot image, for purposes of the Election Code and
25 the regulations that the Secretary of State has issued.

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1 Are you aware that she has raised that -- that issue?

2 A. I'm aware of that, yes.

3 Q. And as far as you are concerned, based on your
4 understanding from the Secretary of State, is the CVR,
5 the cast vote record, a ballot image or not, for
6 electronic voting systems?

7 A. It's the same thing. Yes, it is the image.

8 Q. It is a ballot image?

9 A. It's a ballot image.

10 Q. And have you -- before Ms. Pressley came up
11 with her different interpretation, had you ever heard
12 anyone say it was not a ballot image?

13 A. No. No.

14 Q. So is that an interpretation that is
15 consistent, in your experience, in your dealings, with
16 the Secretary of State?

17 MR. COHEN: Objection; form.

18 Q. (BY MR. HERRING) Is it or is it not consistent
19 with what the Secretary of State has instructed your
20 office that a CVR is a ballot image?

21 A. It's consistent with the Secretary of State,
22 the CVR and ballot image are the same thing.

23 Q. And is that true or is that not true of the
24 United States Election Assistance Commission?

25 A. Their terms are also the same. It's consistent

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1 with the Election Assistance Commission, that ballot
2 image and CVR are the same thing.

3 Q. Do you have any question in your mind, but that
4 ballot image equals CVR, in electronic voting systems?

5 A. No, I do not have any question.

6 Q. And has the Secretary of State, indeed, handed
7 out, distributed, various advisories, over the years,
8 that say the same thing?

9 A. Many advisories.

10 (DeBeauvoir Exhibit No. 3 marked)

11 Q. Let me show you what has been marked as Exhibit
12 3 and ask you if that is, indeed, the type of election
13 advisory you received from the Texas Secretary of State?

14 A. It is the copy of the advisory I received, yes,
15 it is.

16 Q. And this one is -- is -- I guess they come
17 out -- they're numbered; is that right?

18 A. That's correct, they are. Yes. Advisory.

19 Q. This is one is numbered Election Advisory
20 No. 2012-03.

21 A. Uh-huh.

22 Q. 2012-03.

23 A. Correct.

24 Q. And I'll ask you to turn to, oh, about four
25 pages from the back of that document. And it's a

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1 glossary that begins with "Audit Logs." Do you see
2 that?

3 A. Yeah.

4 Q. And you see the second term that's defined in
5 that -- in that glossary, is the term "Ballot Image"?

6 A. Yes.

7 Q. Would you read the definition of that?

8 A. "Ballot Image. Electronically produced record
9 of all votes cast by a single voter."

10 Q. And then the next definition or defined term or
11 phrase is "Cast Vote Record." Would you read that
12 definition?

13 A. "Cast Vote Record. Permanent record of all
14 votes produced by a single voter whether in electronic
15 or paper copy form. Used for counting votes. Also
16 referred to as ballot image when used to refer to
17 electronic ballots."

18 Q. And is this definition in this advisory, this
19 2012 advisory, consistent with what you've known and
20 what you've been informed by the Secretary of State
21 since you started using the eSlate system?

22 A. Yes, it is.

23 (DeBeauvoir Exhibit No. 4 marked)

24 Q. (BY MR. HERRING) Let me show you what's been
25 marked as Exhibit 4 and ask you if that's another

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1 document issued to the county election officers and
2 other political subdivision officials, by Keith Ingram,
3 Director of Elections?

4 A. Yes, it is.

5 Q. And what's the date on that?

6 A. April 1st, 2014.

7 Q. And let me ask you to turn to numbered page 12.
8 They're numbered in the lower right-hand corners. And
9 does that have the same definitions we just went through
10 in the election advisory, for "ballot image" and "cast
11 vote record"?

12 A. "Ballot image" and "cast vote record" are the
13 same.

14 (DeBeauvoir Exhibit No. 5 marked)

15 Q. (BY MR. HERRING) Let me show you what's been
16 marked as Exhibit 5 and ask you if that is a document
17 from the U.S. Election Assistance Commission, again, a
18 Glossary of Key Election Terminology?

19 A. Yes, it is.

20 Q. And does that also have a definition of "cast
21 vote record"?

22 A. Yes, it does.

23 Q. And that's on page 10 of this exhibit; is that
24 right?

25 A. Yes, it is.

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1 Q. And what is the definition of "cast vote
2 record"?

3 A. "Cast vote record. Permanent record of all
4 votes produced by a single voter whether in electronic,
5 paper, or other form. Also referred to as ballot image
6 when used to refer to electronic ballots."

7 Q. And is that consistent with the definitions
8 that you've had all along, since you've had the eSlate
9 system, from Secretary of State?

10 A. Yes, it is.

11 Q. Is that a standard meaning of the term, that
12 particular term, across the United States?

13 A. It is the standard meaning of the term.

14 Q. And, indeed, that's issued by the -- well, let
15 me ask.

16 You mentioned you are on the Board of
17 Standards for the commission. Is that a term that you
18 and your board have worked with, through the years,
19 that --

20 A. Yes, it is.

21 Q. -- that definition?

22 A. Since we developed the first standards, yes.

23 Q. Ms. Pressley has asked the Court, in one or
24 more of her pleadings, to have an election with paper
25 ballots. How long has it been since we had a completely

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1 paper ballot election in Travis County?

2 A. I don't remember exactly, but I'm thinking
3 sometime in the '80s. A very small election, and it
4 would have been -- I'm not sure, but I think it would
5 have been side by side with some larger election, a
6 little add-on piece.

7 Q. So in the larger election, the general process
8 would have been --

9 A. Regular procedure: punch card or optical scan.

10 Q. In those days?

11 A. Yeah. And then it would have been some buddied
12 extra that needing something, that was perhaps added on
13 late. Could have been a MUD.

14 Q. Suppose that the Court said, "Well, you're
15 going to have to have a complete paper ballot system."
16 What would that require your office, you, Travis County,
17 the other jurisdictions, to do?

18 A. Well, it would be huge. We are completely --
19 we have no infrastructure any longer to do a paper
20 ballot election. We don't have even ballot boxes
21 anymore. So we would have to start over from scratch
22 for everything we would need.

23 Travis County is no longer the 200,000
24 registered voters from back in the 80's that it once
25 was. We are now over 600,000 registered voters. And we

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1 typically now use vote centers. So trying to conduct a
2 paper ballot election in our new world of convenience
3 voting calls for levels of security for those paper
4 ballots, for inventory control, and for the balancing
5 that you're required to do every day. And to maintain
6 those stocks, I'm -- the levels of security needed for
7 all those key steps are mind-boggling.

8 Q. So it would be expensive to convert?

9 A. Very expensive, to keep the paper levels high
10 enough and, mostly, the security levels there to protect
11 that paper inventory.

12 Q. Would you need a new training system for
13 everyone?

14 A. Absolutely. All-new training systems. All new
15 training manuals; all new packets, what we call the
16 "kits," that go out into the individual vote centers;
17 preparation materials to conduct the election.

18 Q. Ballot boxes?

19 A. Yeah, ballot -- certainly, ballot boxes, yeah.
20 Multiple ballot boxes.

21 Q. What are some of the security issues with paper
22 ballots that you don't have with an electronic voting
23 system?

24 A. The -- it's like handling dollar bills. And
25 the serial number that's on each dollar bill has to be

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1 maintained on a list such that as you hand out a dollar
2 bill to a voter, the serial number for that dollar bill
3 gets crossed off the list as having been used. All
4 right?

5 That serial number is never connected to
6 the voter or the voter's name. All right? But the
7 serial number gets crossed off, and it has to go
8 through -- this process has to go through a system
9 whereby we account for the fact that we've used one
10 ballot, so we've -- we've used it, out of the inventory,
11 and we have to manage to retrieve, from the central
12 inventory, a replacement ballot for that, because the
13 next voter needs to have that ballot available; bring it
14 back out to the vote center; resupply it into the
15 inventory and account for its serial number, both
16 including into the inventory at the location, and its
17 subtraction from the inventory at whatever central
18 county is.

19 And the closer you get to election day,
20 there would be a reduction of any kind of central
21 inventory so that -- such that, on election day,
22 everything would be decentralized out into the vote
23 centers, and you would have very little central
24 inventory left. It would all be distributed.

25 Q. So you have a security issue with just the

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1 number of paper ballots that have to be distributed --

2 A. Yes.

3 Q. -- I assume. And do you have a logistics issue
4 with how many ballots are printed for the election and
5 how many go to different voting locations?

6 A. Yes, we do have a logistics issue. We have a
7 policy in Travis County, and have for many, many, many
8 years, that we don't under-order our ballots, based on
9 projections of turnout. Many counties do that to save
10 money. We don't do that here. We order 100 percent of
11 ballots. That actually translates into ordering a
12 little more than 100 percent so that you can make sure
13 that your inventory at one location accounts for the
14 fact that somebody from that particular area might go
15 vote someplace else; and so you have a suitable
16 inventory at all of your locations, for wherever that
17 voter might turn up.

18 Q. And I seem to recall, from the paper ballot
19 days, you also had issues of high turnout in --
20 unanticipated high turnout --

21 A. Correct.

22 Q. -- in one precinct and not in another and
23 having to then transfer paper ballots, with the
24 security --

25 A. Correct.

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1 Q. -- transfer, as well.

2 A. Right. And for security, we use law
3 enforcement. That's constables and sheriffs. So a
4 third party that is accountable to the public.

5 Q. And I recall from -- from those days, that we
6 used to have a problem of potential voter fraud with --
7 because so many people have to handle the ballots --
8 with the very simple over-voting technique --

9 A. Uh-huh.

10 Q. -- which is, "I don't want Candidate A to win,
11 so I'll -- his name has been filled in. I'll put --
12 I'll fill in Candidate B's name." And then you've got
13 an over-vote and an invalid vote. Isn't that what used
14 to be --

15 A. Paper ballots have their problems, that they
16 are susceptible to handling errors.

17 Q. The way our electronic voting system works in
18 Travis County, is it safer and more secure against voter
19 fraud or election fraud, than a paper ballot system?

20 A. In my opinion, the way we run it here, it is
21 far superior to paper ballots. It's far -- far more
22 accurate and secure.

23 Q. Are you able to estimate the potential cost --
24 if, say, in this case, Ms. Pressley says, "Well, let's
25 have another election for District 4, and let's have

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1 only paper ballots," do you have any kind of way to give
2 me a rough estimate of what the cost would be?

3 A. I'm -- I don't think I do, right this minute,
4 no. It's -- it's -- it would be -- it would be a
5 completely different world that we would have to start
6 from zero to build.

7 Q. And would it say time to even develop such a
8 system?

9 A. Yes, it would.

10 Q. Are we talking a week or are we talking months?

11 A. Oh, months. We would have to go through
12 purchasing requirements, in order to put out bids to buy
13 everything that we would need. We would have to redo
14 all of the election management software project --
15 products that we have. I -- I -- and at this point, I
16 can't even think through the list of things that we
17 would have to redo.

18 Q. Now, there has been some discussion of
19 upgrading or changing from eSlate, which we've had for,
20 I guess, 13, 14 years, whatever the number is, to a new
21 system. And that's, I assume, an ongoing evaluation
22 that all election administrators make. Have you looked
23 at that possibility, down the line?

24 A. Yes, we have.

25 Q. And have you seen any -- any cost estimates or

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1 bids or financial numbers, for replacing the Hart eSlate
2 system, completely, with a different system?

3 A. Yes. Yes.

4 Q. And what's the ballpark range of what that
5 would cost?

6 A. We have an estimate that if we were to --
7 making some assumptions, if we were to replace the
8 existing system we have with something similar, say,
9 another Hart system that had some similar qualities, the
10 cost of that system would be approximately 14 million.

11 Q. \$14 million?

12 A. \$14 million.

13 Q. Okay. Another argument that Ms. Pressley has
14 raised, as to why she thinks the election outcome was
15 not valid, is the changes between the general election
16 and the runoff election day, of some voter locations.

17 A. Yeah.

18 Q. Are you familiar with her making that argument?

19 A. I am.

20 Q. And to begin with, let me go back to the point
21 you mentioned previously; and that is, we use voting
22 centers in Travis County, correct?

23 A. Correct.

24 Q. And I think in Ms. Pressley's deposition, we
25 had a question as to whether, for the runoff election

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1 for city council, for District 4, there were either 135
2 or 136 voting centers; but approximately 135 or 136
3 voting centers were available to anyone who wanted to
4 vote in those runoff elections, correct?

5 A. Correct.

6 Q. And so if I were a resident of District 4 and I
7 wanted to take off my lunch hour -- I work downtown and
8 want to take off my lunch hour and go to a voting
9 center, I can go anyplace in the county and vote at one
10 of those centers, correct?

11 A. Any place --

12 MR. COHEN: Objection form.

13 A. -- that's convenient for you, you can vote.

14 Q. (BY MR. HERRING) Suppose I were a voter in
15 District 4 and I was wanting to take off and vote when I
16 was downtown working, at lunch. Where could I vote?

17 A. There are a lot of places to vote. I would
18 need to have a list in front of me; but, typically,
19 we've got City Hall. There are some places around the
20 university. There are lots of schools around, that have
21 locations. I mean, there are multiple places.

22 Q. In fact, if I wanted to drive, I could vote at
23 any one of the 136 --

24 A. You know --

25 Q. -- locations. True?

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1 A. -- that's correct.

2 MR. COHEN: Objection; form.

3 Q. (BY MR. HERRING) Could I vote at any one of
4 the 136 locations, if I wanted to take off and drive at
5 lunch?

6 A. You absolutely could vote anywhere you wanted.

7 Q. Okay. And if I were taking a child to school
8 and the school was outside of District 4, could I vote
9 in a voting center near a school?

10 A. You can stop -- drop the child off, stop, go in
11 and vote. Absolutely.

12 Q. All right. So in no sense was any resident of
13 District 4 limited to voting at the locations within
14 District 4?

15 MR. COHEN: Objection; form.

16 A. No one was limited to a single voting place,
17 under a vote center scenario.

18 Q. (BY MR. HERRING) Now, explain -- explain
19 why -- strike that.

20 Is it -- is it common practice, between a
21 general election, whether it's a primary election and a
22 runoff or some other runoff -- of course, it's the first
23 time we've had the runoff for city council this way --

24 A. Right.

25 Q. -- but is it common practice, between the first

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1 election day and the runoff election day, to change
2 locations for voters, to consolidate or to modify?

3 A. It is common practice to reduce the footprint
4 of the election, for a runoff election.

5 Q. Why?

6 A. It's to save money. Typically, the turnout is
7 so much lower for runoff elections, that most elections,
8 most jurisdictions, cut back, for the runoff.

9 Q. And going back to our listing elections
10 earlier, for this -- in this instance, the November 4th
11 election, of course, had that entire ballot --

12 A. Yeah.

13 Q. -- correct?

14 A. Correct.

15 Q. So city, county, state, federal. We had a
16 ballot, constitutional --

17 A. Constitutional amendment, uh-huh.

18 Q. -- amendment. School district?

19 A. Uh-huh.

20 Q. And then the runoff election, as I recall, had
21 only two categories. It would have had city council,
22 mayor, and then it would have had the school district
23 runoff, as I --

24 A. Uh-huh. Uh-huh.

25 Q. -- recall, correct?

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1 A. Uh-huh. That's correct.

2 Q. So you had a vast reduction in the number of
3 candidates on the ballot?

4 MS. THOMAS: Objection; form.

5 Q. (BY MR. HERRING) Is that right?

6 A. We had very much fewer candidates on the
7 ballot. It was a much, much shorter ballot.

8 Q. And how does -- how did you go about deciding
9 which locations to make that -- that more cost-efficient
10 footprint, which locations to consolidate or -- or
11 close?

12 A. Right. This was the first time we ever did it,
13 because this was the first time we ever had to deal with
14 this election. So we used a variety of sources to
15 advise us how to do this.

16 Certainly, we consulted with the City.
17 They were our main source to advise us which way to go.
18 We did look at turnout patterns. We talked to people in
19 the community. We made our best judgment.

20 Q. So you received input from as many sources
21 as you could?

22 A. As possible.

23 Q. And if Ms. Pressley had wanted to come to you
24 and say, "No, I don't think that you should close a
25 particular voting location," would you have listened to

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1 her?

2 A. Absolutely.

3 Q. Did she do that?

4 A. No.

5 Q. And it's also true, isn't it, that the city
6 council has a role in approving the election locations
7 for the runoff? Is that right?

8 A. Yes, they do.

9 Q. And did they have a public notice and posting
10 and hearing, to allow citizen input on where the voting
11 locations would be?

12 A. Yes. In addition to the opinions we recruited
13 and asked for, the City has a public process to ask for
14 opinion.

15 Q. Okay. And Ms. Pressley has testified that she
16 did not, and her campaign did not, appear before the
17 city council to protest or question or challenge or make
18 suggestion or provide any input whatsoever to the
19 council, concerning the voting locations for the runoff.
20 Is that your understanding?

21 A. I'm not aware of any additional input.

22 Q. Okay. Do you also consolidate voting
23 locations, change voting locations, say, in a party
24 primary, between the primary election day and the runoff
25 day?

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1 A. Pretty commonly, yes.

2 Q. Same process, generally?

3 A. Generally, yes.

4 Q. And is that true for election jurisdictions
5 throughout Texas?

6 A. Yes, it is.

7 Q. And do they all follow that same, generally,
8 standard process?

9 A. Yes, they do.

10 Q. Now, in Ms. Pressley's deposition, I asked her
11 about a couple of locations. The Highland Mall location
12 and then the Airport Boulevard location. And it turned
13 out, it would -- according to Google Maps, it would take
14 about three minutes to drive from the one location to
15 the other.

16 MR. COHEN: Objection; form.

17 Q. (BY MR. HERRING) And Ms. Pressley said that
18 that's voter disenfranchisement, to have to drive three
19 minutes.

20 MR. COHEN: Objection; form.

21 Q. (BY MR. HERRING) In your -- in your opinion,
22 is that -- is that disenfranchisement, to drive for
23 three minutes?

24 MR. COHEN: Objection; form.

25 A. None of the places that we used for the -- for

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1 the runoff election, are inconvenient, nor represented
2 any particular obstacle or barrier for voters. We
3 believe everything was fair and equitable, in the
4 distribution of those vote centers for the runoff
5 election.

6 MS. THOMAS: Objection; form.

7 Q. (BY MR. HERRING) Since we've got some -- a
8 series of objections, why don't we ask you a related
9 question.

10 Do you have an opinion concerning whether
11 the voting locations used in the runoff, were fair and
12 reasonable?

13 A. Do I have an opinion? Yes, I have an opinion.

14 Q. And what's the opinion?

15 A. Yes. The opinion is --

16 MR. COHEN: Objection; form.

17 A. -- they were all very much reasonable,
18 ADA-compliant, fully accessible, well-known, well-used,
19 and fully advertised; so they were fair and equitable.

20 Q. (BY MR. HERRING) Did you receive any input
21 from anyone, to the effect of, "Well, we ought to change
22 some voter locations in District 4 to effect the outcome
23 of the election"?

24 A. I received nothing. No input.

25 Q. And would you have -- if somebody came to you

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1 and said, you know, "I really want this candidate to
2 win" -- in any of these elections -- "and so we ought to
3 change voting locations," what would you have done?

4 A. I would have been insulted and told them that
5 that is a completely inappropriate role for the county
6 clerk to play.

7 Q. Based on -- strike that.

8 You've had quite a few interactions with
9 Ms. Pressley, concerning the election, correct?

10 A. I have.

11 Q. She filed a series of complaints against you
12 and your office, with the Secretary of State, correct?

13 A. Correct.

14 Q. The Secretary of State rejected those
15 complaints; is that correct?

16 A. The Secretary did.

17 Q. Do you have -- after you have been through this
18 whole process, viewed her complaints, do you have any
19 question in your mind, but that the election results
20 certified for the runoff was the true outcome of the
21 election? Do you have any doubt about that?

22 A. No question at all. We are very clear of the
23 outcome. It's been manually recounted. There's no
24 question.

25 Q. And Mr. Casar received 1200 and any one more

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1 votes than Ms. Pressley?

2 A. Correct.

3 Q. Thank you for your patience.

4 MR. HERRING: I'll pass the witness.

5 We'll play musical chairs here, and Mr. Cohen will ask
6 some questions.

7 THE WITNESS: Okay.

8 Do you want to take a break?

9 MS. THOMAS: I was going to say, how long
10 have we been going?

11 (Simultaneous speaking - unreportable)

12 MR. HERRING: Let's take a little break.

13 MS. THOMAS: Can we take a break, just
14 because it's a good stopping point?

15 MR. HERRING: Yeah. That's great.

16 THE WITNESS: Okay. All right.

17 (Recess 10:23 a.m. - 10:38 a.m.)

18 (DeBeauvoir Exhibit Nos. 6 - 12 marked)

19 EXAMINATION

20 BY MR. COHEN:

21 Q. Good morning, Ms. DeBeauvoir.

22 A. Good morning, again.

23 Q. We have known each other --

24 A. Many years.

25 Q. -- since you started -- the first time you ran

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1 for election. I think --

2 A. Yeah.

3 Q. -- I was a big supporter of you then --

4 A. You are.

5 Q. -- and I have been ever since.

6 A. I know. And I'm a fan of yours.

7 Q. That's good. Okay. So I know that you -- what
8 you want to do is make sure that you have the true
9 results of every election that you're in charge of,
10 correct?

11 A. That's correct.

12 Q. And that you want to be able to verify the
13 results of the election if someone challenges that.

14 A. Correct.

15 Q. Okay. And so we are here because someone
16 challenged them --

17 A. Uh-huh.

18 Q. -- and we just -- we're not sure that we had a
19 system in place that really actually verified it. Okay?

20 A. I understand.

21 Q. All right. So I'm going to show you -- and you
22 have said that, in your opinion, a cast vote record is
23 the same as an image of a ballot, correct?

24 A. Yes --

25 Q. And is that --

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1 A. -- it is.

2 Q. -- because what everybody else told you, or do
3 you actually believe that?

4 A. I actually believe that.

5 Q. And you believe that's the best way to
6 double-check the computer's compilation of the votes on
7 election day?

8 A. I believe it's the only way to know, yes.

9 Q. The only way. Okay. So I'm going to show you
10 what's marked as Exhibit 10. It's a little bit out of
11 order.

12 MR. COHEN: Would you give Mr. Herring a
13 copy of his --

14 MS. PRESSLEY: Okay. Is this it?

15 MR. COHEN: Yeah. It's the cast vote
16 record.

17 MS. PRESSLEY: Okay.

18 Q. (BY MR. COHEN) What is that, Exhibit 10?

19 A. It looks like an election day report.

20 Q. Is that a cast vote record?

21 A. Yes, I believe it is. This is --

22 Q. So on election day -- let's go through this. I
23 know we all know this, but --

24 A. Uh-huh. Okay.

25 Q. Okay. So the voter comes in. They sign in

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1 twice, right? They show their ID, and if they have a
2 proper -- well, if they don't have a voter's
3 registration certificate, they show some ID and sign
4 next to that, correct?

5 A. Correct.

6 Q. And then they go to the next person -- at least
7 I do in my poll, because I don't have a voter ID card
8 when I vote; and then I sign for a number, right, that
9 I'm going to feed into the machine?

10 A. More or less correct. That's okay.

11 Q. Yeah. And when I do that, what does the
12 machine show me, in order for me to decide who I'm going
13 to vote for? It doesn't show me that, correct? It
14 doesn't show me Exhibit 10?

15 A. Okay. Let --

16 Q. Is that correct?

17 A. Your question is confusing to me.

18 Q. Okay. Let me help -- then tell me what --

19 A. Okay.

20 Q. -- so I can get you to understand.

21 A. All right. You -- you were talking about the
22 sign-in process, so --

23 Q. Yeah.

24 A. -- you only sign once --

25 Q. Yeah. Okay.

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1 A. -- and then you go over to the station that
2 issues you your access code.

3 Q. Yeah.

4 A. It's a four-digit code. Okay. The access code
5 is what you're going to take over to the voting booth --

6 Q. Right.

7 A. -- enter the access code, and the entire ballot
8 is going to come up for you.

9 Q. Right.

10 A. Okay? So I'm just walk -- walking through.

11 Okay. So the ballot -- you're going to
12 work through the ballot, marking the ballot.

13 At the end of your ballot, there is --

14 Q. Let me stop you there, because I want to go
15 through the process --

16 A. Okay.

17 Q. -- a little bit slower than that.

18 So I'm looking at a ballot. I'm not
19 looking at that, at Exhibit 10, am I?

20 A. No.

21 Q. Okay. Am I looking more like -- especially in
22 this election, like Exhibit 7 -- tell me what Exhibit 7
23 is.

24 MR. HERRING: Can I have a copy of
25 Exhibit 7?

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1 MS. THOMAS: Yes. Yes. I'm sorry.

2 A. This is what a by-mail ballot would look like.

3 Q. (BY MR. COHEN) Okay. That's --

4 A. This is sort of like an optical scan ballot.

5 Q. Okay. And that says -- it says "Sample Ballot"
6 on the side of it.

7 A. Okay. This is what a by-mail ballot looks
8 like.

9 Q. Okay.

10 A. Our sample ballots don't look like this. I
11 realize it says that on the side.

12 Q. Yeah.

13 A. This is what a by-mail ballot looks like. It
14 looks like an optical scan ballot.

15 Q. Okay. And then I'll show you, marked
16 Exhibit 8, and what is that? I thought that was
17 what a --

18 A. Same thing.

19 Q. That's what a mail-in ballot looks like. You
20 said that -- is that correct?

21 A. By mail, yes, uh-huh.

22 Q. Okay. All right. And then when a person goes
23 to vote at the machine, No. 7 and No. 8 are -- it may be
24 a little bit different, but that's what they look at, in
25 deciding whether -- what -- who they want to vote for;

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1 is that correct?

2 A. Similar.

3 Q. Yes. Okay. It certainly isn't Exhibit 10 that
4 they see.

5 A. That's not correct. That's what I keep trying
6 to tell you.

7 Q. Okay. They do see Exhibit 10 when they vote?

8 A. Uh-huh. Uh-huh. What will happen is, is that
9 after you've voted, the last screen that you will see is
10 what's called a "summary screen." And this information
11 is contained on the summary screen, so it looks almost
12 exactly like this.

13 Q. So it --

14 A. This part is going to be missing; but what
15 you'll see on the summary, is this.

16 Q. Okay. So if I -- when I go in and I decide who
17 to vote for and I mark who I vote for, then the computer
18 says, "This is who you vote for. Are you sure you want
19 to vote for them?" Is --

20 A. Yes.

21 Q. -- that correct?

22 A. Yes.

23 Q. Okay.

24 A. Do you want -- this -- it will say, "Here are
25 your selections," and it will give you a last

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1 opportunity to change it.

2 Q. Okay. Right. And if you don't change it,
3 that's who you vote for?

4 A. Correct.

5 Q. Okay. But when you make your decision, you're
6 looking at Exhibit -- something like Exhibit 8 or 9, not
7 something like Exhibit 10?

8 A. No.

9 MS. THOMAS: Objection, form.

10 A. No. This is your final chance. It'll look
11 like this.

12 Q. (BY MR. COHEN) Okay.

13 A. It's a -- it looks like the summary screen.

14 Q. Exhibit No. 8 or 9 is what shows up in your
15 face when you try to decide who you want to vote for,
16 correct?

17 A. You voting. The process, yes.

18 Q. Yes. Okay.

19 A. Correct.

20 Q. And so you don't see No. 10 when you're
21 deciding who to vote for. You see No. 10 to make sure
22 that who you marked on Exhibit 8 is what you really want
23 to do; is that correct?

24 MS. THOMAS: Objection --

25 A. No.

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1 MS. THOMAS: -- form.

2 Hang -- just -- let me just get the
3 objection in, and then you can answer.

4 Q. (BY MR. COHEN) You still have to answer the
5 question. You said "No"?

6 A. Oh, excuse me. No. It's -- it's not. This is
7 a part of the final decision process, and you still have
8 the chance to change it, and it does look exactly like
9 the summary screen.

10 Q. Okay. So when you see that, it's asking you if
11 you want to change --

12 A. It is asking you --

13 Q. -- what you did on --

14 THE REPORTER: Wait. One at a time.

15 Q. (BY MR. COHEN) Hold on. It -- when you see
16 Exhibit 10, it's asking you if you want to change what
17 you marked on Exhibit 7 or 8?

18 A. Correct.

19 Q. Okay. And you're saying -- it's your opinion,
20 I guess -- or the electronic system tells you that the
21 ballot is -- the last chance, this No. 10, your last
22 chance to change, is -- is what you considered to be the
23 ballot -- the image of the ballot?

24 A. Correct.

25 Q. Okay. And then Exhibit 10 is somehow preserved

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1 somewhere in the voting machine?

2 A. Multiple places.

3 Q. Okay. Where is it --

4 A. Multiple redundancy.

5 Q. Where is it preserved?

6 MS. THOMAS: Objection; form.

7 You can answer as --

8 A. It is preserved twice on the eSlate and once in
9 the JBC. I think that's correct. Or it may be the
10 opposite. It may be twice in the JBC and once in the
11 eSlate. And when -- I need to correct my answer. It's
12 twice in the JBC and once on the eSlate.

13 Q. (BY MR. COHEN) Okay. What is the JBC?

14 A. Judge's Booth Controller. It's the device that
15 stores the inventory of unvoted ballots, the inventory
16 of voted ballots, and the access codes that qualify --
17 once a qualified voter is ready to vote, they give the
18 voter, so they can start the process.

19 Q. Okay. So Exhibit -- versions of Exhibit 10,
20 depending -- depending on that the voter verified what
21 their choices were --

22 A. Yeah.

23 Q. -- are in the JBC in two places?

24 A. Two places.

25 Q. Where in -- where would we find them?

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1 A. It would be in -- in --

2 MS. THOMAS: Objection; form.

3 A. -- in medium stored on the JBC. And it's two
4 different kinds of medium. One of them looks kind of
5 like a disk, and one of them looks like -- I think,
6 something like a flash drive.

7 Q. (BY MR. COHEN) And what kind of program is
8 that?

9 A. I don't know.

10 MS. THOMAS: Objection; form.

11 Q. (BY MR. COHEN) You don't know? Is it a
12 Microsoft kind of function -- system or --

13 A. No.

14 MS. THOMAS: Objection; form.

15 Q. (BY MR. COHEN) Okay.

16 A. It was proprietary.

17 MR. HERRING: Mr. Cohen?

18 MR. COHEN: Yes.

19 MR. HERRING: I don't want to clutter up
20 the record with objections. Can I ride on her
21 objections to form, or do you want me to --

22 MR. COHEN: That's fine.

23 MR. HERRING: -- lodge independent --

24 MR. COHEN: That's fine, because, really
25 she's not representing a party and won't be able to make

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1 objections at the trial --

2 MR. HERRING: Well, that's why I'm --

3 MR. COHEN: -- so I understand.

4 MR. HERRING: That's why I'm asking.

5 MR. COHEN: That's -- that's fine. If you
6 want her to make objections for you, I will accept that.

7 MR. HERRING: Well, for her objections to
8 form, I just want to be able to stand on those and have
9 your rule 11 agreement that I can.

10 MR. COHEN: You can stand on those.

11 MR. HERRING: Okay.

12 Q. (BY MR. COHEN) Okay. Now, you have a website
13 that talks about the E-voting system, correct?

14 A. Correct.

15 Q. Is this Exhibit No. 6 an accurate picture of
16 the website page?

17 A. I believe so, yes.

18 Q. Okay. And do you see where I have marked --

19 MS. THOMAS: Objection; form.

20 Go ahead.

21 Q. (BY MR. COHEN) Do you see where I have marked
22 on there -- that's probably why she's objecting; there's
23 a mark on there that I made, that shows what I'm talking
24 about. I don't want to go over the whole page. I just
25 want to go over that line. And what does it say?

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1 A. It says -- you want the fourth item. "Captures
2 an image of each ballot cast so that electronic or
3 manual counts can be" -- "recounts can be conducted."

4 Q. And you think No. 10 is what you're talking
5 about there, correct? Exhibit No. 10? Is that what
6 you're talking about?

7 A. This is the paper version of it, yes. They're
8 referring to the electronic image of it. This is the
9 paper part of it.

10 Q. This is -- this is --

11 A. This is the --

12 Q. -- a copy of the --

13 A. -- yeah.

14 Q. -- electronic image?

15 A. They're saying an electronic image, yeah.

16 Q. But this is a copy of the electronic image --

17 A. That's correct.

18 Q. -- is that what you're saying?

19 A. That's correct.

20 Q. So do you think -- really think people thought
21 that this is what their ballot would look like, what you
22 were talking about?

23 MS. THOMAS: Objection; form.

24 A. Yes. Why not? Yes. It says their -- that's
25 the -- office and who they picked.

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1 Q. (BY MR. COHEN) Well, it doesn't say "Official
2 Ballot" on it, does it?

3 MS. THOMAS: Objection; form.

4 You can answer.

5 A. I don't think I ever really noticed.

6 Q. (BY MR. COHEN) There's a lot of other things
7 that the statutes require to be on the ballot, that are
8 not on Exhibit 10. Isn't that true?

9 MS. THOMAS: Objection; form.

10 A. I don't know.

11 Q. (BY MR. COHEN) You don't know what the law
12 requires to be on a ballot?

13 MS. THOMAS: Objection; form.

14 Q. (BY MR. COHEN) It's okay if you don't. I
15 mean, most people don't, I'm sure.

16 MS. THOMAS: Objection; form.

17 A. I know that there are huge differences between
18 what the law says for paper ballots and what the law
19 says for electronic. And I'd have to have the law in
20 front of me, to make the distinction between the two.

21 Q. (BY MR. COHEN) Do you think there's a
22 description in the law, of what needs to be on an
23 electronic ballot?

24 MS. THOMAS: Objection; form.

25 A. I think it would take a thorough reading of the

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1 code, to make those distinctions. No, I don't think
2 it's in one place.

3 Q. (BY MR. COHEN) Okay. But there is a place
4 where a ballot is defining what has to be on a ballot --

5 A. Paper ballot.

6 Q. -- somewhere?

7 A. -- yes.

8 Q. Yes. Does it say "paper ballot"?

9 A. Probably.

10 Q. Okay. But you could be wrong about that?

11 MS. THOMAS: Objection; form.

12 A. I don't think so.

13 Q. (BY MR. COHEN) Okay. Is this a paper ballot,
14 Number 7 --

15 A. Yes.

16 Q. -- and 8?

17 A. Yes.

18 Q. This is a paper ballot?

19 A. That's what it look -- that's what a paper
20 ballot looks like. This is a representation of a paper
21 ballot. That's why it said it's by mail.

22 Q. Okay.

23 (DeBeauvoir Exhibit No. 13 marked)

24 Q. (BY MR. COHEN) I'm showing you what's marked
25 as Exhibit 13.

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1 MR. COHEN: Do we have another copy of
2 this for him?

3 MS. PRESSLEY: Sure do.

4 Q. (BY MR. COHEN) Do you know what that is?

5 A. Yes.

6 Q. What is that?

7 MS. PRESSLEY: What number is that?

8 MR. COHEN: 13.

9 MS. PRESSLEY: All right.

10 A. This document, Exhibit 13, looks like one of
11 the tally sheets that we used for the recount.

12 Q. (BY MR. COHEN) Okay. And it's got your --
13 that little red thing over there --

14 A. Uh-huh.

15 Q. -- that's -- that's your "DD"?

16 A. Yes.

17 Q. Okay. So do you have any question about
18 whether that's an accurate version of what you used for
19 the recount?

20 A. I don't think so.

21 Q. You think it is?

22 A. I think it is.

23 Q. Okay.

24 MS. THOMAS: Objection; form.

25 Q. (BY MR. COHEN) Okay. I'll show you what's

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1 marked as Exhibit 12. If you want to look through that
2 and see what...

3 A. All right.

4 Okay.

5 Q. Does that look, to you, like the audit log from
6 the runoff election?

7 A. I believe so.

8 MS. THOMAS: Objection; form.

9 THE WITNESS: I'm sorry.

10 A. I believe so.

11 Q. (BY MR. COHEN) Okay. Now, Let me get back to
12 one thing. Do you -- is there -- does the eSlate system
13 have a tally capability?

14 A. Yes.

15 Q. Could the eSlate system make a copy of the
16 voter's action on the actual ballot, that it looks at it
17 when it makes a choice?

18 A. Not like --

19 MS. THOMAS: Objection; form.

20 THE WITNESS: I'm sorry.

21 MS. THOMAS: Go ahead.

22 A. Not like this.

23 Q. (BY MR. COHEN) Okay. It cannot make a copy of
24 this?

25 A. No.

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1 MS. THOMAS: Objection; form.

2 Q. (BY MR. COHEN) Okay. Can it make a copy of
3 something that -- where the ballot is marked?

4 MS. THOMAS: Objection; form.

5 A. No.

6 Q. (BY MR. COHEN) Okay. What version of the
7 eSlate system are you using right now?

8 A. I don't remember. We'll have to look it up.
9 It might say on here, someplace. I don't remember.

10 Q. You don't remember. Okay.

11 And as you updated the -- with the new
12 versions of the eSlate system, did you have some group
13 of scientists and election experts verify that there
14 was -- that the update was appropriate?

15 A. Yes. We go through a procedure, through the
16 Secretary of State's office; and the main verification
17 is called "hash code testing."

18 Q. That goes -- you do that every time you
19 incorporate an update into your system; is that correct?

20 A. Every time.

21 Q. Okay. Let's take a look at the -- what does
22 the Tally -- what does the Tally portion of the eSlate
23 system do? What is that function?

24 A. Tally is a separate module that is only used
25 for election night, to tally results from by-mail early

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1 voting, in-person mail voting, and then election night.
2 And it's -- it's just -- as I said, it's a separate
3 module, it tallies the votes for election night, and
4 then it's also used to communicate those results to the
5 general public and to media, in a nutshell.

6 Q. So -- but it's not the official tally, correct?

7 A. It's not -- no.

8 Q. No.

9 A. It is for unofficial results on election night.

10 Q. Got you. Okay. Now, let me go back. I forgot
11 to ask you a question about Exhibit 13.

12 This is -- you'd say this was a tally of
13 the mail-in votes, correct? That it --

14 A. I'm sorry --

15 MS. THOMAS: Objection; form.

16 A. -- I can't tell. I would say this is not
17 by-mail ballots. It's the wrong numbers. This is just
18 a general tally.

19 Q. (BY MR. COHEN) Okay. Let me see. So you've
20 got -- the totals -- not the cumulative total, but the
21 totals at the bottom there --

22 A. Uh-huh.

23 Q. -- I believe -- and you have to correct me if
24 I'm wrong -- or if you don't know, that's okay --
25 whether or not those 240 to 240 shows that the mail-in

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1 ballots --

2 A. I see what you're saying.

3 Q. -- were equal?

4 A. You are correct.

5 Q. Okay.

6 A. I'm sorry.

7 Q. Thank you. I just needed to clear that up.

8 That's what I thought it said.

9 A. Yes. Sorry.

10 Q. Thank you.

11 So what security have you put in place to
12 prevent any kind of mistakes or -- intentional or
13 otherwise, in the tally of the voting?

14 A. It's a lengthy list.

15 MS. THOMAS: Objection; form.

16 Q. (BY MR. COHEN) Okay. We're -- we're here to
17 hear it.

18 A. Okay. I need a little notepad.

19 MS. THOMAS: This is for what purpose?

20 THE WITNESS: Just for me to remember
21 which ones I'm telling him, for right now.

22 MS. THOMAS: Okay. This is going to be to
23 me.

24 MR. COHEN: I won't look at it. I won't
25 take it from her. Okay.

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1 A. Gosh.

2 Q. (BY MR. COHEN) Do you know what? Let's do
3 this. Let me keep going, and we'll take a break and you
4 can go back to your office and, you know, make -- have
5 that answer to this question, once it gets --

6 A. Okay. It's also on our website. I mean, it's
7 a rather lengthy list.

8 Q. Okay. What I want to ask you -- how they just
9 work. That's --

10 A. Okay. Okay. I can --

11 Q. -- that's the problem.

12 A. -- do that, too.

13 Q. Okay. Okay. Do you feel comfortable sitting
14 here and doing it, or would you --

15 A. I do. I think --

16 Q. -- rather take some time --

17 A. -- I can get everything --

18 Q. Okay.

19 A. -- if you'll just give me just a --

20 Q. Sure. No.

21 A. -- couple of minutes.

22 Q. Take as long -- I don't want you to be at a
23 disadvantage, in answering the question. That's all.

24 A. If I forget something, we'll fill it in.

25 That's okay. I really am --

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1 Q. I don't know, myself.

2 A. -- here to help. I'm --

3 Q. I don't know.

4 A. --- here to help.

5 Q. I don't know the answer. That's why I'm
6 asking.

7 A. Okay. Lets see.

8 Oh, I keep thinking of others. Okay.
9 Let's start with these. These are the basic ones.

10 Q. Okay.

11 A. All right. All right. The -- let's see.
12 Where should I start?

13 Let's -- all right. This is for Tally, so
14 we're going to -- we're going to talk about election
15 night. There are procedures that -- that we use all
16 around the election, that come to the fore, election
17 night. Okay?

18 One of the -- one of the basic things we
19 use is numbered seals so that you -- it's a way to prove
20 up chain of custody. All right? So seals is a piece of
21 chain of custody. We're going to come back to chain of
22 custody, but numbered seals are important because they
23 can tell -- it tells you, has anything happened prior to
24 the last stage of when this thing was either opened or
25 looked at. All right? So we use a lot of seals.

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1 And we always have multiple people
2 verifying the seal number of who put it on the last
3 time, and then there's -- on -- on the list of those
4 seal numbers and who changed them. It's an envelope, so
5 we keep the seal numbers all together.

6 Law enforcement, Ds and Rs in the counting
7 station. And it's a -- it's a group effort to watch
8 over those seal numbers. And that includes both at the
9 polling place, when everything is sealed up; at the
10 receiving substation, when the verifications are made --
11 and I'm going to get to that next -- and then at the
12 counting station, when everything is brought in by law
13 enforcement.

14 Q. Can I stop you right there for a second? When
15 you say --

16 A. Sure.

17 Q. -- everything is brought in by law
18 enforcement --

19 A. Enforcement.

20 Q. -- what are you talking about?

21 A. All right.

22 Q. What is brought in?

23 A. The -- the paperwork. And you're going to
24 mostly think about that as the sign-up sheets and any
25 paperwork -- affidavits, any paperwork describing what

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1 went on in a polling work -- polling place that day; the
2 actual ballot box, which looks like a card.

3 Q. Is that the --

4 A. I'm trying --

5 Q. -- MBB?

6 A. I mean, it's basically all the paperwork, the
7 sign-up sheets, and the ballot box, are going to be
8 brought in, by law enforcement, from the substation. At
9 the substation, what happens is, is that the election
10 judge from the polling place makes an official surrender
11 of the entire JBC through a process where they have to
12 step through to make sure everything is there; that it
13 checks out before they leave so that, if we have
14 questions, we've got them right there, to answer. Then
15 it's sealed back up again, given to law enforcement, and
16 they take it downtown.

17 Q. Okay. So there's a ballot box, did you say,
18 just now?

19 A. Correct. The -- the --

20 Q. What does --

21 A. -- the judges bring in the ballot box and
22 the --

23 Q. What does that look like?

24 A. -- and the medium is --

25 Q. What -- is that called the "MBB"?

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1 A. The JBC. It's JBC.

2 Q. Okay.

3 A. It's about this big and about this high
4 (indicating). It's a gray box.

5 Q. Okay. I'm sorry. I didn't mean that. I mean,
6 what's in it?

7 A. It's the ballot box, and it was what I had
8 talked to you earlier about --

9 Q. Okay.

10 A. -- about it contains the inventory of unvoted
11 ballots, the inventory of the voted ballots, and the
12 mechanism for issuing a access code for the voter to
13 gain access to the ballot. So that's --

14 Q. When you say --

15 A. -- what a JBC --

16 Q. -- "ballot," you're talking about --

17 A. Electronic ballot.

18 Q. -- Exhibit 10?

19 A. I think the electronic --

20 Q. So in -- in this ballot box is --

21 A. This -- this is only -- okay. No, I'm not
22 talking about Exhibit 10.

23 Q. Okay. What is -- what's wrong with Exhibit 10?

24 A. Okay. Exhibit 10, this is a copy of either the
25 summary page or the CVR, which is -- if you're talking

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1 about the summary page, that's one screen of what the
2 voter is going to see at the tail end of their voting.

3 If you're talking about the CVR, it looks
4 like this, but the voter isn't going to see a CVR.

5 Okay?

6 Q. Okay.

7 A. All right.

8 Q. The voter never sees a CVR.

9 A. No. Only if it's --

10 Q. And -- and --

11 A. -- printed out, after the fact, for recount
12 purposes. The voter is going to see this, which is the
13 summary screen; and it looks like a CVR.

14 Q. Would you tell me what the difference between
15 the summary screen and the CVR is?

16 MS. THOMAS: Objection; form.

17 A. The summary screen is a method by which a voter
18 can make a final decision. It tells them what they've
19 selected so far and this is, sort of, a last chance,
20 "Are you sure you got everything correct?" before they
21 hit the final cast ballot button.

22 Okay. A CVR is the electronic capture of
23 those choices. It's the image of the ballot.

24 Q. (BY MR. COHEN) Okay. So the -- let me get
25 this right, because I'm having trouble with this. I'm

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1 not an election law expert, I must confess.

2 The CVR is a computer's rendition of what
3 Exhibit 10 says, for each voter; is that correct?

4 MS. THOMAS: Objection; form.

5 A. We have a definition of CVR. I mean, it --
6 it -- it's not -- it's not special. It's -- the CVR
7 is -- it looks -- it is this. It's the electronic
8 record of the votes and action -- or the votes and
9 choices made by a voter, and it looks like this.

10 Q. (BY MR. COHEN) And the only difference, you're
11 saying, is, the voter doesn't see it in this form?

12 A. They do see it in that form.

13 Q. So what is the difference between a CVR and
14 Exhibit 10?

15 MS. THOMAS: Objection; form.

16 A. A summary screen is the method by -- is the
17 last screen that a voter is going to see when they're
18 voting, that gives them a last chance to make any
19 corrections in those. So it's still an active voting
20 screen. All right.

21 Q. (BY MR. COHEN) So you're saying the difference
22 is, this -- that the -- this is what the voters see --

23 A. Voting, yes.

24 Q. -- while they're voting --

25 A. Right.

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1 Q. -- and a CVR is a copy -- is a computerized --

2 A. -- is a final version.

3 THE REPORTER: One at a time, please.

4 A. -- of that.

5 THE WITNESS: Okay. I'm sorry.

6 THE REPORTER: I can only get one at a
7 time.

8 THE WITNESS: Sorry.

9 Q. (BY MR. COHEN) Say that -- I'm sorry. I don't
10 want to put words in your mouth, because I don't know.

11 A. This is -- this is -- if you're talking about a
12 summary screen, this is an active voting screen that
13 is -- that a voter sees. Okay?

14 It -- as a CVR, this is -- it looks just
15 like the summary screen, but it's an actual image of
16 what the voter finally selected.

17 Q. It's not a copy of what the voter says -- saw
18 when he pressed that this -- "I'm okay with what I
19 already" --

20 A. Uh-huh.

21 Q. -- selected, right?

22 A. Uh-huh.

23 Q. It's not a --

24 A. It is.

25 MS. THOMAS: Objection; form.

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1 Q. (BY MR. COHEN) Okay.

2 A. It is a copy of it.

3 Q. The CVR is an actual copy of what the -- the
4 screen that voter sees --

5 A. Well --

6 Q. -- when it decides not to make any changes; is
7 that correct?

8 MS. THOMAS: Objection; form.

9 A. I don't think I can draw that direct a
10 parallel, no, because it's after they've -- no.

11 Q. (BY MR. COHEN) Okay. Well, let's try this a
12 different way.

13 A. You're -- you're asking me an engineering
14 question.

15 Q. Yeah. Okay. Well, if you can't answer it,
16 that's fine. You just tell me that. I don't know
17 whether it's an engine -- I don't how much you know.

18 Okay. So what I'm trying to figure out
19 is -- I got to the point where I'm always at, where the
20 computer has asked me if I -- what my selections are,
21 my -- what I really want to do, and I push a button and
22 say yes.

23 A. Right.

24 Q. Okay. How does that turn into something that
25 you count when you're counting the votes?

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1 MS. THOMAS: Objection; form.

2 A. It's an electronic capture of what you last saw
3 on your screen.

4 Q. (BY MR. COHEN) It's a picture of it? An image
5 of it?

6 A. An image of it, yes.

7 Q. Okay. And the computer makes that image?

8 A. That's correct.

9 Q. Okay. And -- okay. And then that image goes
10 where?

11 A. It's stored --

12 MS. THOMAS: Objection; form.

13 THE WITNESS: Sorry.

14 A. Stored in several places, but at least three
15 places.

16 Q. (BY MR. COHEN) Okay. And that's what you told
17 me. Two of them in the...

18 A. Right.

19 Q. And then where -- what do you do with those
20 images of Exhibit 10?

21 MS. THOMAS: Objection; form.

22 A. They are saved and backed up, and they're
23 kept -- if it's a federal election, they are kept for
24 22 months. All of the electronic and physical
25 documentation is kept for 22 months.

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1 The actual equipment, once we've gone
2 through all of the auditing and the canvass and
3 everything is final, then it's all zeroed out, sent back
4 to the warehouse and prepared for the next elections.

5 Q. (BY MR. COHEN) And do you do some kind of
6 computerized verification that you have zeroed out the
7 equipment so there's no more votes that remain inside
8 it?

9 A. Yes, we do.

10 Q. Okay. We didn't see that for this election, in
11 your records. I don't know whether it was --

12 MS. THOMAS: Objection; form.

13 Q. (BY MR. COHEN) -- an oversight -- I -- I don't
14 know if it was an oversight --

15 MS. THOMAS: It doesn't --

16 Q. (BY MR. COHEN) -- but do you have that for
17 this election?

18 MR. COHEN: Can you wait until I finish
19 the question, please? Okay.

20 Q. (BY MR. COHEN) Do you -- do you have it as an
21 over -- any of that -- zero tapes? Is that what they
22 call them, "zero tapes"?

23 A. Yeah.

24 Q. Okay. They don't have -- do you have zero
25 tapes for this election, for the runoff?

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1 MS. THOMAS: Objection; form.

2 A. They were made available and were sitting right
3 there at discovery, and we have no idea why y'all didn't
4 look at them.

5 Q. (BY MR. COHEN) Okay. It's -- I wasn't here,
6 so that's a good answer.

7 A. They were right there.

8 Q. All right. And so there are zero tapes --

9 A. Yes.

10 Q. -- for these machines?

11 And were there zero tapes done for these
12 machines in the next prior election they were used in?

13 A. I'm sorry. Would you say that again?

14 Q. Okay. As I understand it, what we want to do
15 is, we want to make sure, when we use the machines,
16 there's no other votes --

17 A. Correct.

18 Q. -- in them. And when we're finished using the
19 machines, there's no votes left in there.

20 A. Correct.

21 Q. Okay. So what I want to know is, do you have
22 some zero tapes for these very -- these same machines,
23 the last time they were used, before the runoff
24 election?

25 A. I would think so, yes. I think so.

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1 Q. And do you have zero tapes -- do you do the
2 zero taping again, before you use the machines for the
3 next election?

4 A. Yes.

5 Q. So it's before and after?

6 A. Correct.

7 Q. And are you saying that the before ones were
8 also made available --

9 A. Correct.

10 Q. -- at discovery? Okay. I didn't see them, so
11 that why I was curious.

12 All right. Let's go back to Exhibit
13 No. 12. What does the error code -- well, first of all,
14 what is the log used for, Exhibit 12 used for? What's
15 the purpose of it?

16 A. Oh, let's see. Well, these logs are used for
17 several purposes.

18 Q. Okay.

19 A. In general, they're going to track every single
20 step, everything that's happening at the counting
21 station on election night. So every time something's
22 turned on, every time something's turned off, every time
23 an entry happens.

24 Q. In the central counting place --

25 A. It is.

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1 Q. -- like --

2 A. It is. It's required by law. So if you want
3 to know, oh, well, somebody did this, or what time was
4 this precinct run, or how long did it take this precinct
5 to get from here to here, this is an incredibly helpful
6 log. There's any numbers of things, any number of
7 questions, that this type of log will answer. And it's
8 used for all kinds of questions, you know, either in the
9 course of counting the ballots on election night or,
10 especially, afterwards. It's a -- it's a useful audit
11 log for a lot of reasons.

12 Q. Okay. So would the audit log -- for instance,
13 when you stop using it for a little while, will it show
14 the time that you stopped using it?

15 A. Uh-huh, uh-huh, uh-huh.

16 Q. And then when you start using it again, it will
17 show you, okay, we're on it again?

18 A. Yes, it will.

19 Q. Okay.

20 A. Everything.

21 Q. All right. And there's a bunch of error codes,
22 I noticed, in -- in this. And --

23 A. Okay.

24 Q. -- well, let's look at the --

25 MS. THOMAS: Objection; form.

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1 Q. (BY MR. COHEN) -- first page.

2 MS. THOMAS: Wait for a question.

3 MR. COHEN: I haven't asked the question
4 yet.

5 MS. THOMAS: I know. I said, "Wait for a
6 question," before she starts --

7 MR. COHEN: Oh. Okay.

8 MS. THOMAS: -- to answer.

9 Q. (BY MR. COHEN) Okay. So on the first page,
10 you'll see -- well, first of all, who is the tally
11 administer that took care of this log?

12 MS. THOMAS: Objection; form.

13 A. We never have just one person, because
14 there's -- it's chain of custody and because we -- you
15 know, we -- we observe what we call "clean counting."
16 So it'll be Julian and then at least two other people.
17 I would have to go back and look, to see who was on the
18 list.

19 Q. (BY MR. COHEN) Okay. Would you mind -- you're
20 going to get a copy of this deposition. Would you mind
21 filling their --

22 A. I can --

23 Q. -- names in, please?

24 A. -- do that.

25 Q. All right. And then because it just says -- in

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1 the left-hand corner -- column, after the number, where
2 it's -- where it numbers the entries, it says "User."

3 A. Yeah.

4 Q. And it just says "tally" and then "admin."
5 "Admi." It doesn't identify which tally administrator is
6 making the entry.

7 A. Okay.

8 Q. So is there some way to figure out who it was?

9 A. Uh-huh.

10 Q. How would we do that?

11 A. We'll be happy to tell you. In fact, I -- we
12 may already have said that.

13 Q. No. I --

14 A. I don't remember.

15 Q. If you have, please tell me you have; and if
16 not --

17 A. Sure.

18 Q. -- then let me know. Okay.

19 Now -- so if you look -- let's see
20 where -- how do I get -- direct you here?

21 MS. PRESSLEY: Date and time exhibit.

22 Q. (BY MR. COHEN) Okay. So look on the first
23 page, and you see 12/05/14. They're all -- I guess the
24 time is going to be the easiest way. 10:03:18 a.m. It
25 says "Cross File Setting." Do you see that?

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1 A. Yes.

2 Q. Okay. Where is the logout? It says "login."
3 I don't see where anybody logged out, from the
4 beginning.

5 MS. THOMAS: Objection; form.

6 A. Yeah.

7 Q. (BY MR. COHEN) Do you know if that's -- why --
8 why there isn't something that says -- I mean, I would
9 expect it to say "logged out, 10:13" and --

10 A. Right. Right.

11 Q. -- "logged in at 10:20," or something like
12 that; but I don't see where it was ever logged out.

13 A. Right.

14 Q. So how did -- when -- when was it logged in?

15 A. Don't know.

16 MS. THOMAS: Objection; form.

17 Q. (BY MR. COHEN) You don't know?

18 A. No.

19 Q. Okay. That's fine.

20 THE REPORTER: One at a time, please.

21 Q. (BY MR. COHEN) Okay. Let's go to page --
22 well, let me ask you just a few other questions before
23 that.

24 What is an MBB?

25 A. It's the mobile or removable device that stores

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1 ballot information. Balloting. It's in the JBC.

2 Q. Okay. So when you send ballot --

3 A. It's the ballot box.

4 Q. When you take it from the precinct and it's all
5 checked before it goes into the police officer's
6 hands --

7 A. Uh-huh.

8 Q. -- and then the police officer brings it to the
9 central counting area, did -- the MBB will be in there?

10 A. Correct.

11 Q. And then someone will open up the ballot box
12 and use the MBB information to tally the votes; is that
13 correct?

14 A. The ballot box --

15 MS. THOMAS: Objection; form.

16 THE WITNESS: Sorry.

17 A. The ballot box gets opened at the substation
18 when the official surrender is made. So law enforcement
19 only carries the ballot box, which is the MBB, which is
20 this little card.

21 Q. (BY MR. COHEN) Okay. And they take that to
22 the central counting place --

23 A. Right. It's in --

24 Q. -- and then --

25 A. -- a locked bag, along with all of the

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1 paperwork.

2 Q. And then that's what's -- on -- the information
3 on that computer chip --

4 A. Uh-huh.

5 Q. -- is what your office uses to figure out who
6 got what votes?

7 A. Correct.

8 Q. Okay. And how do you go about doing that?

9 A. First step is the seals. I mentioned the list
10 of seals. The first step is, the seals get checked.
11 Are we sure we have all of the ballot boxes? Is there
12 two in this particular precinct, or is it just one? Are
13 there any special exceptions that we need to think
14 about? Do the number of names on the sign-up sheet
15 match the number of ballots on the card?

16 And are there any other checks that we go
17 through?

18 Any affidavits, with anything special we
19 need to consider, like was there an emergency situation,
20 where they have paper ballots that we have to take into
21 consideration? Anything else. All of that is
22 double-checked.

23 Then once we are clear of what -- what
24 picture we have, then the ballot card, the -- there's a
25 number on the MBB, as well. It gets written down by the

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1 counting station judges. Those judges make sure it's
2 properly received and checked off. Then it goes to the
3 counting station piece of it --

4 Q. Okay.

5 A. -- and it gets put into a reader that reads the
6 card and puts it into the database -- it's a simple
7 database -- the database and tally, that says, okay,
8 for -- for this vote center, we have this many votes
9 attributed to these precincts. It saves it up.

10 We feed through a number of cards before,
11 typically, we accumulate it and then produce, for the
12 public and media, a cumulative total. It may not be the
13 final one. So it's -- and we do that multiple times
14 during the night.

15 Q. How do you know that the computer properly
16 recorded the votes on the MBB?

17 A. Well, a number of ways. There are audits that
18 are done that night, okay, to compare what comes out of
19 Tally with -- with what went into Tally. In other
20 words, the -- an independent confirmation of what was
21 the copy, or the information that was on the MBB, to
22 make sure it came out of Tally correctly. So we do that
23 audit. And that is a proofing audit that's done before
24 the results are released.

25 Then we also do after-election-night

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1 audits, prior to the canvass, where we go back and we
2 confirm every detail we can find. Many of these details
3 that we've just talked about, about them, you know --
4 there are -- I mean, it's about -- elections are about
5 human beings. There can be any number of stories. We
6 go back and we confirm all of that, prior to the
7 canvass.

8 An audit is -- it is far-ranging. It
9 doesn't really have any boundaries, per se. We check
10 whatever we need to check. Then when the canvass is
11 prepared, that's the final. That's the official
12 results.

13 Does that -- does that help you?

14 Q. So if I -- if I voted for Ms. Pressley but it
15 recorded -- but the computer said I voted for Mr. Casar,
16 how are you going to find that out?

17 A. Well -- all right. That gets back to the
18 things that we were going to talk about earlier. There
19 are three different tests that we perform, that would --
20 that would catch that prior or during voting. The first
21 test that's going to -- and so let me tell you what the
22 three tests are.

23 Q. Okay.

24 A. Hash code testing, parallel monitoring, and
25 logic and accuracy testing.

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1 We -- and I've taught this all around the
2 country. I believe that if you employ those three tests
3 with electronic voting, you have covered -- protected
4 yourself against the criticisms about electronic voting,
5 if you use those tests.

6 Hash code testing says you are using the
7 software that is properly certified to be used in your
8 state for that particular system and that there is
9 nothing else resident on that software. No. 1.

10 No. 2, logic and accuracy testing,
11 especially if you do it by hand with as much permutation
12 and volume as you can possibly manage, tells you the
13 general mistakes that could get made, before every
14 election. A lot of jurisdictions don't take it L & A
15 seriously. We take it extraordinarily seriously.

16 It will tell you that you have every
17 candidate in the proper precinct; that you don't have
18 them in the wrong precinct; that every race has all the
19 candidates it's supposed to have, through every
20 permutation and combination that you can of. And we're
21 talking 900 formats in Travis County. It's a lot.

22 It also has component to it about proofing
23 so that you know you've got it spelled correctly and
24 pronounced correctly on the audio. So L & A testing,
25 incredibly important.

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1 And then finally, the one thing that we've
2 added here in Travis County, for years, that,
3 unfortunately, most places don't use, and it's called
4 "parallel monitoring." And it addresses the kind of
5 threat attack that says that, "Oh, well, in electronic
6 voting systems, there may be something embedded in the
7 software that I don't know about, that somebody planted
8 in there, and that it's going to pop up at some unknown
9 moment."

10 So the way parallel monitoring works is,
11 you say, okay, we're going to test against this. We're
12 going to -- we're going to trick the system into
13 thinking that -- okay.

14 Well, the way it works is, at the very
15 last minute, we go into our inventory of unit -- systems
16 of -- or pieces of units that are designated to go out
17 into the field for election day -- we also perform it
18 for early voting, too -- and we say, okay, this random
19 unit -- set of units right here, we're going to -- we're
20 going to pick them out and we're going to say, okay,
21 this group, we're going to keep for parallel monitoring.
22 And we're going to send something else out into the
23 field, but we're going to -- we're going to keep this
24 and we're going to vote it randomly, during the day,
25 according to a known set of data, all day long, under

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1 camera, so that this -- this set of equipment thinks
2 it's out in the field. It thinks it's behaving, you
3 know, normally. I mean, it -- in other words, it -- it
4 doesn't know it's being specially observed. And it
5 doesn't know it's been randomly picked out of what's
6 been sent to the field.

7 So all day long, it's voted; and it's,
8 typically, staff. It's kind of a fun thing. People go
9 in with a list of candidates they're supposed to vote.
10 It's double-checked so that we make sure we don't have
11 human error, which was our number -- it is our No. 1
12 problem. And then at the end of the day, we go in and
13 compare the known data of entry to what that system
14 actually produces back out when you ask for a report
15 from it. And you can tell if anything -- a Trojan
16 horse, a something or other that was going to cause
17 something to flip -- you can tell if that had happened
18 or, you know, was -- if there is any record of that. So
19 you know, did anything go wrong during the day. You can
20 catch it at the time it happens. You can catch it
21 whenever you run the report. So parallel monitoring,
22 incredibly important.

23 Those -- with those three tests, that's
24 how we know.

25 Q. Okay. So, basically, that tells you that the

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1 software that you're using is not subject to some of the
2 viruses or Trojan horses that you feed into it, correct?

3 A. It's -- it --

4 MS. THOMAS: Objection; form.

5 A. -- doesn't say it's not subject to it. It
6 says, for this election, we're going to go
7 evidence-based; and we've proven, for this election,
8 it's functioning correctly.

9 Q. (BY MR. COHEN) And none of the things that
10 you -- that you were looking for existed?

11 A. Correct.

12 Q. Okay. You are aware that hacking in this --
13 in -- of computers has gotten completely pervasive? In
14 other words, they're hacking into the Department of
15 Defense records. They're hacking, you know, well, Sony.
16 My God, you know.

17 A. Yes. I'm aware of those -- all of those
18 stories.

19 Q. Yeah. So how do you know that your computers
20 haven't been hacked?

21 A. Well, for one thing, you have to have a
22 pathway, to hack.

23 Q. Yeah?

24 A. There is no pathway.

25 Q. What do you mean?

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1 A. Sony, the Department of Defense, all of those
2 web-based situ -- circumstances that you look at --
3 looked at, they all have a pathway.

4 eSlate voting system in Travis County has
5 no pathway. It's not connected to the Internet. It's
6 not connected to anything. It's a closed system.

7 Q. So you feel --

8 A. So, first of all, you'd have to have a pathway.

9 There are still ways to get pathways, but
10 we have thought that through and we've done everything
11 we can to shut off any of the other pathways. You have
12 to have a pathway.

13 Q. Okay. So based on your belief that you have to
14 have a pathway -- and I am certain -- probably no one
15 pretends a lot more about computers than I do, but I'm
16 just -- I -- personally, I'm just -- this has never --
17 personally, I'm just amazed at all of the hacking and
18 computer manipulation --

19 A. Scary.

20 Q. -- that's going on. And it's really scary if
21 it's affecting who we elect to be our politicians. Do
22 you agree with that?

23 A. Absolutely. Couldn't -- couldn't agree you
24 more.

25 Q. Okay. And so you're doing your very best to

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1 prevent that from happening?

2 A. Yes.

3 Q. Okay. All right. So now let's go to -- what
4 page am I on? -- in the log, in Exhibit 12, page 5.

5 A. Okay. Is this page 5?

6 Q. Yeah. So if you look at the entry of
7 12:19 p.m., it says "Open Election."

8 MS. THOMAS: Objection; form.

9 A. "Open Election."

10 MS. THOMAS: Okay.

11 A. Okay.

12 Q. (BY MR. COHEN) Do you see that?

13 A. Yes, I do.

14 Q. There's a logoff before that --

15 A. Uh-huh.

16 Q. -- but I don't see a login.

17 A. Right.

18 Q. So how does --

19 A. Well --

20 Q. -- someone do that?

21 A. -- it's right after that.

22 MS. THOMAS: Objection to form.

23 A. It's right after it.

24 Q. (BY MR. COHEN) Where is -- where is the
25 logoff? I'm --

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1 A. It says "Open Election," "User Login."

2 Q. Okay. So what does "Open Election" mean? Why
3 is that -- what --

4 A. I don't --

5 Q. -- does that actually tell me?

6 A. -- we'd need to ask somebody who's more
7 familiar with the report.

8 Q. And you're going to give me the names of those
9 people?

10 A. Yes, sir.

11 Q. And then later on, down at about 12:30, it says
12 "Invalid/Corrupt MBB." What does that mean?

13 A. Oh, you can have an MBB that's -- doesn't read
14 right, just like any -- I mean, it can happen. That's
15 why we have multiple redundancy.

16 Q. Okay. So what do you do when you get a correct
17 MBB?

18 A. You pull one of other mediums.

19 Q. Like what?

20 A. Well, there are two in the JBC and then there's
21 one, each, in any of the eSlates.

22 Q. You pull a different MBB?

23 A. Yes.

24 Q. Oh, okay. But it's still an MBB you're looking
25 at?

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1 A. Correct.

2 Q. Okay. And look -- I'm just -- further down, a
3 little bit, it says "MBB Not Closed." Do you know what
4 that means?

5 A. No. I'm sorry.

6 Q. "MBB User Action"? Do you know what that
7 means, right --

8 A. I'm sorry. I don't.

9 Q. -- right below it?

10 A. Right. I don't.

11 Q. "MBB Inserted"?

12 A. Well, that would mean that the ballot box got
13 inserted into the reader.

14 Q. You say -- you mean -- you think that means
15 from some other source, not the one that was corrupt?
16 Or do they put it --

17 MS. THOMAS: Objection; form.

18 Q. (BY MR. COHEN) -- the corrupt one, back in?

19 A. I don't -- I can't --

20 Q. You don't know?

21 A. I can't tell if it's --

22 Q. Okay.

23 A. -- a different BB -- MBB.

24 Q. Do you know what the data column at the bottom
25 of the page means? "603 CVRs." What does that mean to

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1 you?

2 A. That's -- I don't. It's an ID number that
3 could have to do with the MBB, but I don't.

4 Q. Oh. Okay. And "Poll Ballot Now," what does
5 that mean?

6 A. "Ballot Now" is the by-mail program. So this
7 would have been a by-mail --

8 Q. This MBB would --

9 A. -- ballot card.

10 Q. Oh, this MBB was a by-mail --

11 A. Exactly.

12 Q. -- card? So you just look at the ballots that
13 came in, right?

14 A. Correct.

15 Q. That's how you determine what should have been
16 on the MBB?

17 A. (No verbal response.)

18 Q. Why would --

19 MS. THOMAS: Objection; form.

20 Q. (BY MR. COHEN) Why would there be an MBB on a
21 mail-in ballot?

22 A. Oh, because they're tallied separately. Then
23 you load them all together and then you put them into
24 Tally. You take that ballot box and put it into Tally.

25 Q. I've got you.

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1 A. They're processed as one unit.

2 Q. And you preserve the mail-in ballots when you
3 do that?

4 A. Correct.

5 Q. That's one of the -- Exhibit 7 or 8?

6 A. Yes, but --

7 Q. Okay.

8 MS. THOMAS: Objection; form.

9 A. -- you don't preserve this. You preserve this.

10 Q. (BY MR. COHEN) How do you make this 10, from
11 7?

12 MS. THOMAS: Objection; form.

13 Answer if you can, but --

14 A. It's complicated. This is what gets saved.

15 This does not -- this does not get saved. It -- and the
16 reason is because we have the paper. There's no need to
17 create this image, because we have the paper.

18 This is what gets saved, to be counted.

19 This is the format that you use, to put into the
20 database, to count it.

21 Q. (BY MR. COHEN) Okay. And what you save,
22 though, is the paper thing that came in the mail --

23 A. Correct.

24 Q. -- through the mail --

25 A. Yes.

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1 Q. -- that looks --

2 A. Yes.

3 Q. -- like Exhibit 7?

4 A. It is the paper ballot.

5 Q. Okay. Please turn to the next page. What does
6 it mean that an MBB is not closed?

7 A. I'm sorry. I don't know.

8 Q. Okay. So we've got a couple of those on this
9 page. And then what does it mean, at 12:31:35, that --
10 it's a "Duplicate polling place."

11 A. We have -- I'm -- I'm going to give you a
12 little bit of information here. We have multiple MBBs
13 that come from our early voting locations. That's
14 standard. And the system is always going to tell you if
15 it has more than one ballot box, wherever it is.
16 Sometimes that's okay and you want to say, yes, it's a
17 duplicate.

18 So given that -- and Randalls Research is
19 an early voting location.

20 THE REPORTER: I'm sorry. Randalls
21 Research what?

22 THE WITNESS: Randalls Research is an
23 early voting location.

24 A. That's as far as I can get you --

25 Q. (BY MR. COHEN) Okay.

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1 A. -- with that answer.

2 Q. Okay. But you would not count a duplicate --

3 A. No. Well, yes, if it's -- if you're expecting
4 five --

5 MS. THOMAS: I'm going to object. He
6 didn't finish his question.

7 THE WITNESS: I'm sorry.

8 MS. THOMAS: Let him ask the question.

9 THE WITNESS: I'm sorry.

10 Q. (BY MR. COHEN) You would only -- are you
11 telling me that you would only count the duplicate
12 polling place information if it was an early voting MBB?

13 A. No.

14 MS. THOMAS: Objection; form.

15 A. No. You could have two ballot boxes from an
16 election day polling place. But you would have a record
17 that you -- you were expecting two ballot boxes;
18 therefore, you would accept two. Right. We have
19 records to -- to accept that. But Tally doesn't know
20 anything. It's only a database. So it's going to ask
21 you, "Oh, wait. I've already counted one ballot box
22 from this location. Why are you giving me another one?"
23 That's what that means.

24 Q. (BY MR. COHEN) Okay. That's what that entry
25 is telling you?

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1 A. Yeah.

2 Q. Okay. Let's turn to page 8, at 3:24. Do you
3 have any reason why there's two hours between a logoff
4 and a login?

5 A. Nothing would be happening then.

6 Q. Okay.

7 A. Quiet.

8 Q. Page 9. I'm curious what this means. These
9 things just seem irregular to me, so you have to clear
10 them up.

11 MS. THOMAS: Objection --

12 THE REPORTER: I missed it. Can you --

13 Q. (BY MR. COHEN) It seems irregular to me, to
14 have "Vote Adjustment Precinct"; so please tell me what
15 that means.

16 A. "Vote Adjustment Precinct."

17 MS. THOMAS: Objection; form.

18 A. I see.

19 Q. (BY MR. COHEN) You see it all the way down
20 that page, on page 9, correct?

21 A. Yes, I do. Hang on. I'm sorry. We would have
22 to ask. I don't know.

23 Q. Okay. On page 14, at 4:45, it says "MBB
24 already read by Tally" --

25 MS. THOMAS: Hang on just a second.

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1 Q. (BY MR. COHEN) Oh, I'm sorry. You're not
2 there yet?

3 MS. THOMAS: She's not there.

4 Q. (BY MR. COHEN) Page 14. Are you there?

5 A. Yeah.

6 Q. Do you see at 4:15:45?

7 A. Yes.

8 Q. "MBB already read by Tally."

9 A. Right.

10 Q. What does that mean?

11 A. Well, that's telling you, "Are you sure you're
12 not making a mistake?" We -- the -- Tally thinks it's
13 already read this card.

14 Q. And so did -- what -- can you tell from
15 the audit log what happened as a result of that inquiry?

16 A. I'm sure somebody who knows these might be able
17 to tell, but I can't.

18 Q. Okay. That's fine.

19 Let's go to page 22. On page 22, here we
20 are, again, with an "Invalid/Corrupt MBB."

21 A. Uh-huh.

22 Q. And the audit log doesn't ever tell us what
23 happens because they found a corrupt MBB.

24 MS. THOMAS: Can you tell us where you
25 are?

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1 THE WITNESS: Here it is.

2 MS. THOMAS: Okay.

3 Q. (BY MR. COHEN) Yeah. It's the second from the
4 top. I'm sorry.

5 A. Okay.

6 Q. I haven't seen anywhere in this audit log
7 what -- where it tells you what it did when it found a
8 corrupt MBB. Do you -- is that...

9 A. Yeah. There would be other documentation that
10 will tell you what happened. I can't tell you.

11 Q. Where would that documentation be?

12 A. In the counting station records.

13 Q. The county what?

14 A. In the counting station records --

15 Q. Okay.

16 A. -- of that night.

17 Q. And you have produced that for us?

18 A. Yes.

19 MS. THOMAS: Objection; form.

20 It all depends on what was covered by the
21 order, so I don't know -- I can't say. So I'll have to
22 go back and check. I just don't recall, and I didn't
23 want her to be committing to something that she --

24 THE WITNESS: Okay.

25 MS. THOMAS: -- didn't know about. So

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1 I'm --

2 THE WITNESS: Okay.

3 MS. THOMAS: -- going to have to go back
4 and look.

5 MR. COHEN: Okay.

6 Q. (BY MR. COHEN) You don't know whether you
7 produced this or not?

8 I mean, I think what your lawyer is
9 telling me is, your answer is that if you were --

10 A. That it should have been --

11 Q. -- required to produce it --

12 A. -- produced, yeah.

13 Q. -- you did.

14 A. Yeah. Yeah.

15 THE REPORTER: One at a time.

16 Q. (BY MR. COHEN) Okay. All right.

17 A. And that's what I'm thinking: This is so
18 basic, it's there.

19 Q. Okay.

20 THE REPORTER: Please let him finish.

21 THE WITNESS: I'm sorry. Sorry.

22 Q. (BY MR. COHEN) Again, on page 23, if you go
23 down by 8:42, there's another "Invalid/Corrupt MBB," and
24 we still don't know what happened to that MBB.

25 A. Same thing.

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1 Q. Okay. And then there's another one a little
2 further down, again. And then there -- it says "MBB
3 already read by Tally." Do you see that? There's three
4 of those in a row.

5 A. Uh-huh. Uh-huh.

6 Q. Do you have any idea what that -- what happened
7 as a result of that?

8 A. I'm sorry. I don't.

9 Q. Okay. You don't have to know everything.

10 All right. Now let's go to page 26. And
11 I know this is a little repetitious, but we're going to
12 get there.

13 When you see -- at 8:53, there's another
14 invalid or corrupt MBB, and I'm supposing your testimony
15 is still that you don't know what happened --

16 A. No.

17 Q. -- with that MBB.

18 A. I don't remember.

19 Q. Okay. And again, on the next page, there's two
20 more of those "Corrupt/Invalid MBBs."

21 A. Same answer.

22 Q. Same answer.

23 And then on page 29, there's another one.
24 It's about four or five lines down.

25 A. Same answer.

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1 Q. All right. Okay. And then on page 42 -- I
2 know it seems silly to you, but it's not.

3 A. It's all right.

4 Q. On page 42, you'll see, at 10:12, another
5 corrupt MBB; and you're not going to be able to tell me
6 what happened to that MBB?

7 A. Same answer.

8 Q. So you don't know when -- when we see --

9 A. I don't remember what -- I mean, corrupted MBBs
10 are a little unusual. We seem to have had a little
11 trouble that night --

12 Q. Yeah.

13 A. -- but I -- I -- I mean, you put it in once and
14 maybe it -- you know, you put it in a second time and it
15 reads just fine. You know how that is.

16 Q. Well, so you answered -- you answered my -- one
17 of my questions was going to be, after I went through
18 all of these, it's a little unusual to have so many
19 invalid MBBs in an election tally, isn't it?

20 A. I've never heard of so many --

21 Q. Okay.

22 A. -- but perhaps we need to ask. There could
23 have been something --

24 Q. If you've never heard of so many --

25 A. Yeah. Well --

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1 Q. -- I'm sure nobody has, correct?

2 A. Yeah. It --

3 MS. THOMAS: Objection; form.

4 A. I suspect there's something wrong with the
5 reader, not the MBBs.

6 Q. (BY MR. COHEN) Okay. So you think -- your
7 suspicion is that there was something wrong with the
8 reader that night?

9 A. Correct.

10 MS. THOMAS: Objection; form.

11 Q. (BY MR. COHEN) And then later on, it says,
12 "Duplicate polling place," later, down on that page 42.
13 And I believe you testified already as to what that
14 meant to you, but you don't know with this particular
15 one. Is there any particular one, that was the --

16 A. Duplicate -- are you saying "Duplicate polling
17 place"?

18 Q. Yeah, yeah.

19 A. Yes, I'm -- I'm unsure what it is.

20 Q. And the next page -- have you ever seen this
21 many "Duplicate polling places" on one of your logs?

22 A. Uh-huh.

23 Q. That's pretty common?

24 A. Yeah.

25 Q. Okay. Because there's a bunch of them on the

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1 next page and on the next page. Are you sure you've
2 seen this a lot, on the --

3 A. Yeah. Yeah. It's not unusual.

4 Q. Okay. It's not unusual to have a lot of
5 "Duplicate polling place" entries on the audit log,
6 correct?

7 A. No, it's not.

8 Q. All right. Let's see. This is page 57, second
9 to the last page. If you will look on the bottom, it
10 starts out January 13th, 2015, and it goes through
11 July 5th, 2015.

12 MS. THOMAS: I'm sorry. Say that again.

13 THE WITNESS: I think he means these dates
14 here.

15 Q. (BY MR. COHEN) Page 57. You see, at the
16 bottom?

17 A. Okay.

18 Q. And it goes on to the next page, all the way
19 till February 5th, 2015, at 11:17 a.m.

20 A. I am not --

21 MS. THOMAS: Can you repeat the question?

22 I don't --

23 A. We're not finding it.

24 Q. (BY MR. COHEN) You don't find, on page 57 --

25 A. Huh-uh. 57 --

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1 Q. 1/13 is the date, 2015.

2 MS. THOMAS: You were -- said something
3 like "July," so that's what I was...

4 A. Oh. Okay. So 1/13. Okay.

5 Q. (BY MR. COHEN) Do you see that?

6 A. Yes.

7 Q. It says "user logoff"?

8 MS. THOMAS: Uh-huh.

9 A. Okay.

10 Q. (BY MR. COHEN) Why is someone going in and out
11 of the MBBs for two weeks, so far after the election?
12 It's about seven days with no activity at all; just
13 logging in and out of the machine. Do you have any
14 idea?

15 A. Well, we do -- as I mentioned, we do a lot of
16 audits. We will be preparing canvass reports. I think
17 there's a lot of reasons. And the machine is going to
18 keep track of any time we go in and out.

19 Q. Well --

20 A. You would have to ask them what they were
21 doing.

22 Q. Okay.

23 A. It's public information.

24 Q. The first logoff was 1/13/2015, correct?

25 MS. THOMAS: Objection; form.

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1 Q. (BY MR. COHEN) Do you see what I'm referring
2 to there?

3 A. It says that.

4 Q. Okay. It was -- it wasn't logged in again for
5 another week. Can you explain that?

6 A. Two weeks.

7 Q. Two weeks. Yeah. Can you explain that?

8 A. No activity.

9 Q. Okay. Wait. Do you know what a DRE is?

10 A. I'm sorry. Can you say it again?

11 Q. A DRE?

12 A. DRE? Direct-recording electronic.

13 Q. Yeah. What is that? Explain it for us.

14 A. It's a voting system. Direct-recording
15 electronic says that you're using an interface, an
16 electronic interface, to record your choices. There's
17 not a -- there's not a piece of paper. It's
18 direct-recording electronic.

19 Q. So that goes right into the computer and
20 there's no copy of a ballot cast?

21 A. Correct.

22 Q. Okay.

23 A. Not a paper copy.

24 Q. Not a paper copy.

25 A. Uh-huh.

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1 Q. But in the system that you're using, the hard
2 system, there is a paper copy, correct?

3 A. No.

4 MS. THOMAS: Objection; form.

5 Q. (BY MR. COHEN) Okay. There's no paper copy of
6 the...

7 A. (Moved head side to side.)

8 Q. Okay. So when you do the recount, what do you
9 look at to verify that the computer accurately recorded
10 the votes?

11 A. Well, I'm not sure which answer you're looking
12 for. It's -- you can print out copies of the cast vote
13 records; so we did that. There are other ways to
14 confirm the cast vote records without printing out, so
15 I -- I don't know which one you want.

16 Q. Well, let me ask you this: Which one did you
17 do in this runoff election?

18 A. Both.

19 Q. Okay. What is the other one?

20 A. When we were talking about the list of security
21 steps that we go through and the audits that we go
22 through, that's that lengthy list of all those audits.
23 All the comparisons, the simple ones, like number of
24 names to number of votes; you know, any -- anything that
25 happened in the precinct; any affidavits that say, okay,

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1 perhaps we had a fleeing voter; perhaps we had one of
2 our voting machines that went down. Any story in the
3 precinct, you're going to include that. Spoiled
4 ballots; any surrendered by-mail ballots. Anything
5 that's going to be what you would call a "reconciling
6 item," all of those would be considered as part of the
7 audit. So that's what you would do, other than printing
8 out and hand-tabulating the cast vote records.

9 Q. And so you printed out and tabulated the cast
10 vote records?

11 A. Yeah. Correct.

12 Q. That's what the computer said the people voted?

13 A. Correct.

14 Q. That's what the computer says --

15 A. That's correct.

16 Q. -- the CVRs that were created at the time of
17 the election, that's -- that's what the computer says,
18 correct?

19 A. Correct. Well, both. The hand tally and the
20 computer agreed.

21 Q. The hand tally of the computer records?

22 A. Correct.

23 Q. Yeah. Okay. So -- so the computer is creating
24 a record; and if someone complains about the results,
25 then you can count what the computer said?

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1 A. Right.

2 Q. I'm sorry. How does that -- how are you
3 double-checking your computer when you're just counting
4 what the computer said?

5 A. Well, because there are a lot of other audits
6 that go into proving what went into it and was correct
7 to begin with.

8 Q. So you double-check with all different kinds of
9 things, to see if there's something that happened that
10 would make the computer record unreliable?

11 A. Correct.

12 Q. Is that what you're saying?

13 A. Correct.

14 Q. Okay. So you go through a bunch of tests. You
15 find that -- nothing unusual that would make you
16 question the computer record; and so then you take the
17 computer record as true. Am I saying it correct?

18 A. No.

19 Q. Did I get that right?

20 A. No.

21 Q. Okay.

22 A. No.

23 Q. That's what I thought you said. So you have a
24 computer record, okay? And it's -- and you make copies
25 of what the computer says each voter voted for --

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1 MS. THOMAS: Objection; form.

2 Q. (BY MR. COHEN) -- is that correct?

3 A. We normally wouldn't print out --

4 Q. The CV --

5 A. -- CVR records --

6 Q. Okay. How would you normally --

7 A. -- at all.

8 Q. -- do it?

9 A. Normally, we would follow our audit procedures
10 for reconciling all of the particular categories that
11 might happen to a ballot, everything, you know, from --
12 from the beginning, including watching over the parallel
13 monitoring. All of those tests and controls that we put
14 in place.

15 Q. So normally, you would just make sure nothing
16 unusual happened; is that correct?

17 A. Well, I wouldn't --

18 MS. THOMAS: Objection; form.

19 A. I would categorize it as a little bit more
20 tightly controlled than that, but okay.

21 Q. (BY MR. COHEN) Okay. And in this case, you're
22 not -- you're not only -- you didn't see anything
23 unusual that happened on the ground --

24 A. Everything balanced. We're talking fact-based.

25 Q. Yeah. What do you mean by "everything

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1 balanced"?

2 A. Balanced.

3 Q. What do you mean by that?

4 A. The number of ballots voted matched the number
5 of people who were voting, in that entire picture.

6 Q. Okay. I --

7 A. That's what we're looking at.

8 Q. -- got that. But you don't know whether the
9 computer accurately recorded who those people voted for,
10 do you?

11 MS. THOMAS: Objection; form.

12 Q. (BY MR. COHEN) Except what the computer tells
13 you.

14 MS. THOMAS: Objection; form.

15 A. I have every reason to believe that the system
16 operated correctly and accurately.

17 Q. (BY MR. COHEN) Okay. But you really don't
18 know.

19 MS. THOMAS: Objection; form.

20 A. I have every reason to believe the system
21 operated accurately and correctly --

22 Q. (BY MR. COHEN) That's because you have --

23 A. -- meaning --

24 Q. -- the same amount of votes --

25 A. -- because I have lots of --

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1 THE REPORTER: One at a time, please.

2 MR. COHEN: I'm sorry.

3 Q. (BY MR. COHEN) Go ahead. I'm sorry. I didn't
4 mean to cut you off. I thought you were done.

5 So that's because you have the same amount
6 of votes -- one example is -- as the votes that were --
7 that the computer says were cast. You have the same
8 amount of people signing in.

9 MS. THOMAS: Objection; form.

10 A. Oversimplification.

11 Q. (BY MR. COHEN) Okay. Let me charge at it this
12 way. You -- because of the systems that you have put in
13 place that you think is the best way to be sure of
14 this --

15 A. Uh-huh. Uh-huh.

16 Q. -- you think -- you have no reason to believe
17 that the computer recorded the votes the way the people
18 voted. Is that what you're saying?

19 MS. THOMAS: Objection; form.

20 A. I have every reason to believe the system
21 behaved accurately and correctly. I have no indication,
22 evidence, to show anything otherwise.

23 Q. (BY MR. COHEN) Okay. And you don't -- you
24 don't have any evidence to show that the computer
25 accurately recorded who everybody voted for?

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1 MS. THOMAS: Objection; form.

2 A. Every voter has a summary screen to verify what
3 their choices were, before they cast the vote record. I
4 think we've got every reason to believe it's an
5 accurate, fair representation of what everybody voted.

6 And I -- I recognize that there are people
7 who still want to grind that; but if we can just say,
8 right now, I have every reason to believe that it is a
9 fair and accurate system.

10 Q. (BY MR. COHEN) Okay.

11 MS. THOMAS: Mark, we've been going for an
12 hour, so when you're at a stopping point, just let us
13 know.

14 MR. COHEN: We could. I'm just -- yeah,
15 okay. If you want to take -- it won't be much more.
16 Like --

17 MS. THOMAS: Oh, that's fine. Yeah. I
18 mean --

19 MR. COHEN: If you want to go through
20 lunch or something and just take a short break right
21 now, that's fine.

22 THE WITNESS: I'm good.

23 MS. THOMAS: What time it is it now?

24 MR. COHEN: Okay. Because -- it's 11:48.

25 MS. THOMAS: Do you think we can get

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1 done --

2 THE WITNESS: Like 12:30, a quarter of
3 1:00. That way -- unless Mr. Herring is going to have
4 some more questions.

5 MR. HERRING: If I have any, it will be
6 brief.

7 MS. THOMAS: You shall not.

8 MR. COHEN: Okay. Well, let's take a --
9 how much of a break do you want to take?

10 THE WITNESS: I'm good.

11 MS. THOMAS: Do you want -- okay. If
12 she's ready to go, then let's go. We'll --

13 MR. COHEN: Well, let's take a five-minute
14 break.

15 (Recess 11:47 a.m. to 11:57 a.m.)

16 Q. (BY MR. COHEN) Take another look at
17 Exhibit 12, and then I'll be finished with this exhibit.

18 A. Okay.

19 Q. Go back to the second to the last page, 57. We
20 were talking about all of these -- let me know when
21 you're there.

22 See down at the bottom there, where it
23 says at -- on January 13th, at 2:11, the user logged
24 off?

25 A. Yes.

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1 Q. And then -- and February 5th, the user logged
2 in.

3 A. Uh-huh.

4 (Sotto voce discussion between
5 Ms. Pressley and Mr. Cohen.)

6 MR. COHEN: I've got it. Okay. That's
7 why I didn't get the question right.

8 Q. (BY MR. COHEN) All right. Let's go up a
9 little bit higher and see 12:43, where it says
10 "Viewed/Printed Report."

11 A. Yes.

12 Q. On 1 -- on January 6th? Do you see that?

13 A. I do.

14 Q. Okay. This computer had a lot of really
15 important stuff on it that shouldn't be open to anybody
16 to have access to it, or anything like that, correct?

17 MS. THOMAS: Objection; form.
18 Mischaracterizing --

19 Q. (BY MR. COHEN) -- except the people that
20 were --

21 A. Yeah. Mischaracterizing. I --

22 Q. (BY MR. COHEN) You don't -- okay. So what I'm
23 curious about is, there's a week between the last thing
24 that was done on this log, audit log, and the logoff.
25 Would you call that a security way to handle it, the

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1 best way to handle that, from a security point of view?

2 A. I would not make that --

3 MS. THOMAS: Objection; form.

4 A. Yeah, I would not make that characterization at
5 all.

6 Q. (BY MR. COHEN) Yeah, you would think there was
7 something wrong with that, right?

8 A. No, I would not --

9 MS. THOMAS: Objection; form.

10 A. -- think there's something wrong.

11 THE REPORTER: One at a time, please.

12 Q. (BY MR. COHEN) You wouldn't like the --

13 MS. THOMAS: Just give me a chance to
14 make my --

15 THE WITNESS: Sorry. Okay.

16 MS. THOMAS: -- objection.

17 THE REPORTER: I need to get all of you.

18 MR. COHEN: Yeah.

19 A. (BY MR. COHEN) So it doesn't bother you that
20 the computer was not logged -- was open to access for a
21 week, before it was logged off on?

22 MS. THOMAS: Objection; form.

23 Q. (BY MR. COHEN) Does that bother you? That
24 doesn't bother you; is that correct?

25 A. I -- I --

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1 MS. THOMAS: Objection; form.

2 A. Okay. I -- I don't buy that it was left open.
3 I think that's incorrect.

4 Q. (BY MR. COHEN) Oh. So the only other
5 conclusion is, the person who kept the log didn't
6 notice -- didn't enter an entry that they had logged off
7 before that?

8 MS. THOMAS: Objection; form.

9 Q. (BY MR. COHEN) Is that what you're saying?

10 A. No.

11 Q. Well, okay. Explain this to me. It was used
12 on January 6th -- do you see that? -- at 12:43:16 p.m.
13 Do you see that? "View/Printed Report."

14 A. Correct.

15 Q. There is no other entry until it was logged off
16 on January 13th. Is that correct?

17 A. That's what the report says.

18 Q. Okay. Do you note believe the report?

19 MS. THOMAS: Objection; form.

20 A. I don't know what the coding means. We need to
21 ask.

22 Q. (BY MR. COHEN) I'm sorry what did you say?

23 A. I don't know what the coding means. We need to
24 ask.

25 Q. The coding means.

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1 I don't get that. Tell me what you mean
2 by --

3 A. I don't know --

4 Q. -- you don't know --

5 A. I don't what this coding means.

6 Q. -- what the coding means.

7 A. I don't know what it means.

8 Q. Are you talking about the description?

9 A. Yes.

10 Q. Okay. So you don't know why it wasn't
11 logged -- it's not entered as being logged off? Is that
12 what you're saying?

13 A. Correct.

14 Q. Okay.

15 A. I don't know what this means.

16 Q. Okay. If it -- if this meant that the computer
17 was not logged off for a week, would that cause you some
18 concern?

19 A. I don't believe --

20 MS. THOMAS: Objection; form.

21 A. -- that's true.

22 MS. THOMAS: Give me a chance to object.

23 Objection; form.

24 Q. (BY MR. COHEN) See, yeah, she objects to
25 everything, so just don't pay attention. We will talk

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1 to the judge about it.

2 MS. THOMAS: Objection; form and sidebar.

3 Q. (BY MR. COHEN) So the question is, it would
4 not bother you -- I'm just asking you. It would bother
5 me, if it was my computer, but if it --

6 MS. THOMAS: Objection; form.

7 Q. (BY MR. COHEN) -- if it doesn't bother you --
8 just tell me whether it bothers you, if it's true that
9 the computer stayed logged in for a seven days, without
10 any activity.

11 A. I doubt it's true. I doubt it's true.

12 Q. You think the log doesn't -- the log is wrong.

13 A. Yeah.

14 MS. THOMAS: Objection; form.

15 Q. (BY MR. COHEN) Okay. If you think the log is
16 wrong, that's --

17 MS. THOMAS: Objection; form.

18 Mischaracterizing what she said.

19 MR. COHEN: I'm asking her.

20 MS. THOMAS: No.

21 MR. COHEN: Yes, I --

22 MS. THOMAS: You're telling her what she
23 said.

24 MR. COHEN: No. I said, "Do you think the
25 log is wrong?" That's what I said.

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1 MS. THOMAS: Do you want to go back and
2 look at the record?

3 MR. COHEN: That's what I -- okay.

4 MS. THOMAS: If you have a question, ask a
5 question.

6 MR. COHEN: Okay. You can object. Keep
7 your comments to yourself. Okay? You're not allowed --

8 MS. THOMAS: I can -- if you're
9 mischaracterizing --

10 MR. COHEN: -- to make --

11 MS. THOMAS: -- her testimony --

12 MR. COHEN: I didn't ask why you made an
13 objection.

14 MS. THOMAS: -- okay, I will --

15 MR. COHEN: I didn't ask you why you made
16 an objection. You are not allowed to talk. Follow the
17 Rules, please.

18 MS. THOMAS: I am going to follow the
19 Rules.

20 Q. (BY MR. COHEN) My question is --

21 MS. THOMAS: Ask a question.

22 Q. (BY MR. COHEN) -- does it bother you that the
23 computer is not -- it seems to be logged on for a week?

24 A. I don't think that's true.

25 Q. Okay. So are you telling me that you think the

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1 audit log is wrong?

2 MS. THOMAS: Objection; form.

3 A. I don't know.

4 MR. COHEN: I wish Judge Dietz had this
5 case. You would be in so much trouble.

6 THE REPORTER: Is that on or off?

7 MS. THOMAS: It doesn't matter. He's got
8 a lot of stuff on there that's appropriate for the judge
9 to see.

10 Q. (BY MR. COHEN) Okay. Do CVRs have voting
11 squares? Do you know what I mean by a "voting square"?

12 A. Like this?

13 Q. Yeah, like that.

14 A. No.

15 Q. Okay. Do CVRs have instructions on how to vote
16 on them?

17 A. No.

18 Q. Do CVRs have the date of the election written
19 on them?

20 A. I think so. It has the name of the election on
21 it.

22 Q. Okay. But not the date of the election?

23 A. Well, the -- the date would be the name, but it
24 doesn't have the date spelled out. So the --

25 Q. Right. That's my question.

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1 A. -- name of the runoff -- the name of the runoff
2 election would be the -- I mean, you would infer the
3 date.

4 Q. Okay. Does the CVR have a number on it so that
5 you could make sure -- you can compare it to the number
6 of -- for the voter?

7 A. What?

8 Q. Does the CVR have a serial number on it? Let
9 me just ask it that way.

10 A. I'm not sure --

11 Q. Okay.

12 A. -- about -- I'm not sure how to answer your
13 question.

14 Q. Does the Ballot Now system keep image -- store
15 images of the ballot that the voter looks at when
16 they're deciding which candidate to vote for?

17 A. Ballot Now would be the paper that people are
18 voting on, so there's no -- there's no decision
19 interface. It's the paper. Ballot Now does not keep an
20 image of the paper.

21 Q. Is the CVR an official ballot? Does it say
22 "Official Ballot" on it or...

23 MS. THOMAS: Objection; form.

24 A. I don't think so.

25 Q. (BY MR. COHEN) Does it meet the requirements

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1 of an official ballot, under the statutes?

2 A. According to the --

3 MS. THOMAS: Objection; form.

4 Go ahead.

5 Q. According to the EAC and Secretary of State,
6 yes.

7 THE REPORTER: I'm sorry. Can you say --

8 THE WITNESS: According to the EAC and the
9 Secretary of State, yes. It's an official ballot.

10 Q. (BY MR. COHEN) Okay. But that's -- that's
11 what they say, but is there something in the statutes
12 that say that?

13 MS. THOMAS: Objection; form.

14 Q. (BY MR. COHEN) Do you know?

15 A. It's an official ballot.

16 Q. Okay. Do you know of a statute that says that
17 a CVR is an official ballot?

18 A. I don't recall it, off the top of my head. I
19 can look.

20 Q. I'll show you what's marked as Exhibit No. 11.
21 I don't know where the actual number went.

22 MS. PRESSLEY: I know. You've got to
23 number it.

24 MR. COHEN: Hold on just one second, all
25 right?

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1 Q. (BY MR. COHEN) I'll show you what's marked as
2 Exhibit No. 11. Tell me what that is.

3 A. I'm not sure. What is this?

4 Q. Well, does it look like it could be the CVR --
5 the recount CVR file?

6 A. I believe --

7 MS. THOMAS: Objection; form.

8 If you don't know what that is, just tell
9 him.

10 A. I'm -- I'm sorry. I -- it -- the format --

11 MR. COHEN: Would you please stop coaching
12 your witness?

13 MS. THOMAS: Well --

14 MR. COHEN: I'm going to call the -- you
15 just told her, if she doesn't know what it is, what to
16 answer.

17 MS. THOMAS: Well, but she already --

18 MR. COHEN: You can't do that.

19 MS. THOMAS: -- said she --

20 MR. COHEN: She is the one --

21 MS. THOMAS: -- doesn't know what it is.

22 MR. COHEN: -- testifying, not you.

23 You -- you --

24 MS. THOMAS: She already said she doesn't
25 know what it is.

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1 MR. COHEN: Then let her testify to that.
2 That's fine. I don't want you saying anything. It's
3 against the Rules.

4 MR. HERRING: Mr. Cohen, you need to lower
5 your voice.

6 MS. THOMAS: You need to --

7 MR. COHEN: So please stop. I'm almost
8 done. Just -- if you want to make 25 zillion ridiculous
9 objections, you go right ahead; but don't tell her
10 what -- don't make any comment, except "Objection,
11 form."

12 MS. THOMAS: Mr. Cohen --

13 MR. COHEN: And that's all you get to do.

14 MS. THOMAS: -- if you've got a problem,
15 take it to the judge.

16 MR. COHEN: Yeah.

17 MS. THOMAS: But right now --

18 MR. COHEN: Well, you're still doing it.

19 MS. THOMAS: -- she already told you --

20 MR. COHEN: You're still doing it. You're
21 still violating the Rule.

22 MS. THOMAS: You're the one --

23 MR. COHEN: Why don't you just stop?

24 MS. THOMAS: If you have a problem, take
25 it to the judge.

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1 MR. COHEN: I have a question for the --

2 MS. THOMAS: Ask her the --

3 MR. COHEN: -- for the witness.

4 MS. THOMAS: -- question, then.

5 MR. COHEN: I did. I asked her a
6 question, and now that you've talked so many times and
7 told her all what to say --

8 MS. THOMAS: I did not.

9 MR. COHEN: -- we don't really know what
10 the question was anymore --

11 MR. HERRING: Mr. Cohen --

12 MR. COHEN: -- so I'll ask it again.

13 MR. HERRING: -- ask the question. Move
14 on. Stop yelling.

15 Q. (BY MR. COHEN) Does that look, to you, like it
16 could be the recount CVR file?

17 A. Maybe. Here is the -- Mark, here is what my
18 problem is with it: I don't recognize the format, at
19 all.

20 Q. Yeah. Okay. That's --

21 A. The data might be something I'd recognize, but
22 this is completely unfamiliar to me.

23 Q. That's perfectly all right. Thank you.

24 Okay. Did your office have any recount
25 activities on January 4th, 5th, or 6th?

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1 A. Gosh, I need a calendar. What is the 4th, 5th,
2 and 6th?

3 Q. Well, let me just help you.

4 A. Okay.

5 Q. The recounts, I think, started at 11:00 a.m. on
6 the 6th.

7 A. Okay.

8 Q. And what I'm after is, I want to know if your
9 office did anything prior to the recount being
10 conducted.

11 A. Oh. Well, sure.

12 Q. Okay. What did you do?

13 A. Well, we called around and lined up some people
14 to be available for the recount. We organized the room
15 so that it was set up for that, so there was some
16 physical things that we had to do.

17 I did some work on it, because I had a
18 conversation with Laura, twice, on the Sunday before,
19 about how we could help. She was concerned about the
20 amount of time and about the cost for doing it. And so
21 I had said, "Okay. Maybe there are some things that we
22 can do to organize it for you so it's quicker to get
23 through."

24 And in my second conversation with her --
25 my first conversation, I tried to explain to her the

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1 differences between a recount and an audit. And I had
2 suggested that an audit was a better way to go, and that
3 suggestion was not taken. But in -- on that Sunday, we
4 did have a bright idea that -- we figured out a way to
5 make it quicker for her to be able to go in and pick out
6 the precincts that she wanted, without having to deal
7 with all the rest of the races. And so on Sunday, we
8 went through and we printed out her cast vote records
9 just for the District 4 runoff. And it was very clever,
10 very cheap, very easy. We figured out that if we put a
11 colored sheet of paper in between her precincts, then
12 she could tell how big the precinct is, how little, so
13 that she could decide where she wanted to start. So we
14 printed out her CVRs, in advance, with an aqua piece of
15 paper in between. So we did that in advance.

16 Then when we got there on Monday morning,
17 a little before the 11 o'clock start, and told her we
18 had come up with this fabulous idea that was going to be
19 a big help to her -- and we discovered that that was not
20 okay. Our efforts were not appreciated. So we trashed
21 those, recycled it, and reprinted the whole thing again.

22 And other than some other details to get
23 organized for it, some phone calls with the City, that's
24 basically it.

25 Q. Okay. Were the MBBs used in the runoff, the

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1 same ones that were used in the general election?

2 A. No.

3 Q. Brand new ones?

4 A. Absolutely.

5 Q. Okay. So -- and did you print zero tapes
6 directly after opening the polls for early voting?

7 MS. THOMAS: Objection; form.

8 Q. (BY MR. COHEN) Well, let me ask -- what I'm
9 really after is -- I know you did some zero tapes
10 sometime before the polls opened --

11 A. Right.

12 Q. -- but did you do them again when the polls
13 opened?

14 A. Okay.

15 MS. THOMAS: Objection; form.

16 A. Do you mean election day or early voting?

17 Q. (BY MR. COHEN) Both. First, early voting.

18 A. Okay. The answer is yes, standard procedure
19 for early voting: tapes before, tapes after.

20 For election day, we have a separate
21 procedure that's been prescribed to all of the counties
22 who use vote centers. And we have a specific procedure
23 that talks about how you run the zero tapes so that you
24 know you have zero, and that's a full accounting. And
25 then there is a specific procedure for doing the

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1 opening. That's prior to election day.

2 Then you have a procedure for printing the
3 tape for election day and then printing the tape for
4 after election day, that are abbreviated prints, that
5 don't -- that don't require you to print the whole
6 accounting.

7 Q. Okay. So my question was: Did you do zero
8 tapes at each polling place, on the day of the election?

9 A. Yes.

10 MS. THOMAS: Objection; form.

11 Q. (BY MR. COHEN) Okay. Thank you.

12 A. Yes. Sorry.

13 Q. That's all right. I liked -- it was
14 interesting.

15 Were tally tapes, result tapes, printed
16 directly after the closing of the polls?

17 A. Yes. However, on election day, it's called an
18 "access code," not a "tally tape."

19 Q. So explain to me how that works, please.

20 A. Yeah. On election night, longstanding law that
21 says whatever method of voting you're using, as you
22 close up the polls and leave that night, you leave a
23 note on the door of the polling place that says how many
24 people voted and what were the results of that election
25 night, the races. It's a -- it's an old, old law that

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1 fits a much shorter ballot than what we have today.
2 Nevertheless, we comply with that, the spirit of that
3 law, and leave a note on the door that says, "Here's
4 what happened in this precinct," and then we -- you
5 know, with -- with information about "and here is the
6 rest of the information for the night," so...

7 Q. Okay. So that's what you did on --

8 A. Yes.

9 Q. -- at the end of the voting, in each precinct?

10 A. Yes. Access code.

11 (Sotto voce discussion between
12 Ms. Pressley and Mr. Cohen.)

13 Q. (BY MR. COHEN) How many workers that worked on
14 tallying the votes, or workers in your office, actually
15 have access codes to access the hard system?

16 A. A handful. I don't know the exact number. Not
17 many.

18 Q. Okay. Just give me one more minute. I don't
19 understand what she wants to know.

20 (Sotto voce discussion between
21 Ms. Pressley and Mr. Cohen.)

22 Q. (BY MR. COHEN) So -- okay. So did -- let me
23 go back over the result tapes again. Did you print the
24 result tapes after the election?

25 A. Access codes.

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1 Q. Access codes.

2 A. And they did -- as far as I know, we put them
3 on the door.

4 Q. What is the difference between a tally tape and
5 an access code?

6 A. It comes from a different database, and it's a
7 shorter version than what you would get -- it's like an
8 abbreviated version. An access code is going to give
9 you an abbreviated version of who all voted for what.

10 Q. Okay.

11 A. It might be easier to see the difference than
12 for me to explain it.

13 Q. So that's why you told the poll people not to
14 print the tally tapes?

15 A. Correct.

16 MR. COHEN: All right. We -- I'll pass
17 the witness.

18 MS. THOMAS: Do you have anything else?
19 He just passed the witness.

20 MR. HERRING: Okay. Yeah.

21 FURTHER EXAMINATION

22 BY MR. HERRING:

23 Q. What I'm going to do is just show you the
24 notices that were posted on the polling places for
25 Precinct 133 and some others. "Your polling place is

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1 now such-and-such."

2 A. Got it.

3 Q. Prove it up. That's all.

4 A. Okay.

5 Q. So let me show you what has been marked as
6 Exhibit 6.

7 THE REPORTER: Uh-oh. We already have a
8 6.

9 THE WITNESS: We have a 6.

10 THE REPORTER: Can we do 16? Can we throw
11 a "1" on it?

12 MR. HERRING: Let's do 16. Yeah, put a
13 "1" on it.

14 THE REPORTER: Okay. So no 14 or 15.

15 MR. HERRING: So that will be 16.

16 MS. THOMAS: We don't have a 9, if you're
17 wondering about a 9.

18 MR. HERRING: No. I don't like 9. I
19 don't like 9.

20 (DeBeauvoir Exhibit No. 16 marked)

21 Q. (BY MR. HERRING) Is that the notice that was
22 posted at the polling -- the voting location for
23 Precinct 133, to indicate that the new polling place was
24 Memorial United Methodist church?

25 A. Correct. It is.

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1 MR. HERRING: That's 16.

2 MR. COHEN: Oh, that's 16?

3 MR. HERRING: Yeah.

4 Do the same with that one.

5 (DeBeauvoir Exhibit Nos. 17 marked)

6 Q. (BY MR. HERRING) And I'll show you 17 and ask
7 you to identify what's the notice to and what's the new
8 location?

9 A. It says Highland Mall is the previous location
10 and that the Travis County main location is the new one.

11 Q. Okay.

12 (DeBeauvoir Exhibit Nos. 18 and 19 marked)

13 Q. (BY MR. HERRING) And all of these that I'm
14 showing you, were they all posted at the old voting
15 location?

16 A. At the old location, correct.

17 18.

18 Q. And what is 19?

19 A. 19 is the location posted at McBee Elementary
20 School, indicating that it was the old location; and the
21 new location is Walnut Creek Elementary.

22 (DeBeauvoir Exhibit No. 20 marked)

23 Q. (BY MR. HERRING) And let me show you what's
24 been marked 20.

25 A. A notice posted, indicating that Austin

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1 Brethren was the old location and that Lanier High
2 School is the new location for the runoff election.

3 Q. And all of those were posted to assist voters?

4 A. Posted, correct.

5 Q. Were the new voting locations also available in
6 multiple other forms, such as websites?

7 A. Correct. They're on our websites, they're in
8 paper forms, they're on the County Clerk's website, the
9 County website, the City website.

10 Q. Thank you.

11 MR. HERRING: Pass the witness.

12 MR. COHEN: No further questions at this
13 time.

14 (Deposition concluded at 12:24 p.m.)
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CAUSE NO. D-1-GN-15-000374

LAURA PRESSLEY)	IN THE DISTRICT COURT
Contestant)	
)	
)	
VS.)	TRAVIS COUNTY, TEXAS
)	
)	
GREGORIO "GREG" CASAR)	
Contestee)	201ST JUDICIAL DISTRICT

REPORTER'S CERTIFICATION

ORAL DEPOSITION OF DANA DEBEAUVOIR

MAY 11, 2015

I, KATHERINE A. BUCHHORN, Certified Shorthand Reporter in and for the State of Texas, hereby certify to the following:

That the witness, DANA DEBEAUVOIR, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;

That the deposition transcript was submitted on May 15, 2015, to the witness, DANA DEBEAUVOIR, c/o SHERINE E. THOMAS, for examination, signature, and return to SYMPSON REPORTING by June 4, 2015.

That the amount of time used by each party at the deposition is as follows:

- MR. CHARLES HERRING, JR. - 0 Hours, 57 Minutes
- MS. SHERINE E. THOMAS - 0 Hours, 0 Minutes
- MR. MARK COHEN - 1 Hour, 33 Minutes

That pursuant to information given to the deposition officer at the time said testimony was taken, the following includes counsel for all parties of record:

Pressley vs. Casar
Dana Debeauvoir - May 11, 2015

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13 I further certify that I am neither counsel for,
14 related to, nor employed by any of the parties or
15 attorneys in the action in which this proceeding was
16 taken, and further that I am not financially or
17 otherwise interested in the outcome of the action.

16 Further certification requirements pursuant to
17 Rule 203 of TRCP will be certified to after they have
18 occurred.

18 Certified to by me this 14th day of May, 2015.

19
20
21 /s/ Katherine A. Buchhorn
22 KATHERINE A. BUCHHORN, Texas CSR 2788
23 CSR Expiration: 12/31/15
24 SYMPSON REPORTING
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Pressley vs. Casar
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1 FURTHER CERTIFICATION UNDER RULE 203 TRCP

2
3 The original deposition of DANA DEBEAUVOIR was/was
4 not returned to the deposition officer on or before
5 _____, 2015. If returned after the
6 stipulated date, the original deposition was returned on
7 _____;

8 If returned, the attached "Changes and Corrections"
9 page contains any changes and the reasons therefor;

10 If returned, the original deposition was delivered
11 to SHERINE E. THOMAS, 314 W. 11th Street, Granger
12 Building, Suite 420, Austin, Texas 78701, Custodial
13 Attorney;

14 That \$_____ is the deposition officer's charges
15 to CHARLES HERRING, JR., HERRING & IRWIN, L.L.P.,
16 1411 West Avenue, Suite 100, Austin, Texas 78701,
17 attorney for GREGORIO "GREG" CASAR, for preparing the
18 original deposition transcript and any copies of
19 exhibits;

20 That the deposition was delivered in accordance with
21 Rule 203.3, and that a copy of this certificate was
22 served on all parties shown herein and filed with the
23 Clerk.

24 Certified to by me this _____ day of _____,
25 20____.

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Dana Debeauvoir - May 11, 2015

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SIGNATURE

I, DANA DEBEAUVOIR, have read the foregoing deposition and hereby affix my signature that the same is true and correct, except as noted on the previous page.

DANA DEBEAUVOIR

THE STATE OF _____)

COUNTY OF _____)

Before me, _____, on this day personally appeared DANA DEBEAUVOIR, known to me (or proved to me under oath or through _____) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, 20____.

NOTARY PUBLIC IN AND FOR

THE STATE OF _____

COMMISSION EXPIRES: _____

Pressley vs. Casar
Dana Debeauvoir - May 11, 2015

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