

1 APPEARANCES:

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3 Franklin County Prosecuting Attorney
373 South High Street
4 14th Floor
Columbus, Ohio 43215
5 By Mr. Patrick J. Piccininni,
Assistant Prosecuting Attorney,

6 On behalf of the Board.

7 Mr. Donald J. McTigue
8 Attorney at Law
3886 North High Street
9 Columbus, Ohio 43214

10 On behalf of ACORN.

11 ALSO PRESENT:

12 Ms. Carolyn Petree
13 Ms. Katy Gall
Ms. Teresa James
14 Ms. Barbara Clark

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P R O C E E D I N G S

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DIRECTOR DAMSCHRODER: This meeting

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is being held pursuant to a Board Resolution

6

wherein the Franklin County Board of Elections

7

authorized the Director, Matthew Damschroder,

8

and the Deputy Director, Denny White, to issue

9

subpoenas of the Board to ask individuals who

10

are believed to have possibly submitted

11

registration cards for individuals that are

12

questioned by the Board as to their veracity,

13

and that was what this meeting is.

14

The Board is being represented this

15

morning by Patrick J. Piccininni of the

16

Franklin County Prosecuting Attorney's Office.

17

18

The first individual having

19

responded to the subpoena is Mr. Nathaniel

20

Clark, Jr., of 189 Macenroe Drive, correct?

21

THE WITNESS: Can you change that?

22

DIRECTOR DAMSCHRODER: Sure. You

23

can go ahead and state what your --

24

(Interruption in proceedings.)

1 THE WITNESS: 5095 Algean Drive,
2 that's A-l-g-e- --

3 MR. PICCININNI: Yeah, hold on one
4 second before we do that, okay, and we'll take
5 care of that in a minute. Let's get Mr.
6 McTigue's statement on the record first and
7 get rid of all the housekeeping stuff, and
8 then we'll correct your address when we begin
9 the questioning, after we've got him under
10 oath. Okay?

11 MR. MCTIGUE: I'm Donald McTigue,
12 and I'm an attorney representing ACORN. I
13 just want to state for the record that I'm not
14 representing the individual witnesses who are
15 providing testimony today, except for any
16 ACORN staff that might testify. And by ACORN
17 staff, I mean other than registrars; I'm not
18 representing the individual registrars.

19 MR. PICCININNI: Okay.

20 - - - - -

21 NATHANIEL CLARK, JR.

22 being first duly sworn, testifies

23 and says as follows:

24 - - - - -

1 MR. PICCININNI: Before we begin,
2 Matt, do you want to advise him of what the
3 nature of the proceedings is and what could
4 happen?

5 DIRECTOR DAMSCHRODER: Yeah. It's
6 important for the record and for you to know,
7 Mr. Clark that, obviously, you are under oath
8 and that the information resulting from the
9 conversation we have today will be referred to
10 the Franklin County Board of Elections for
11 consideration, and after they review the
12 transcript from today's proceedings, they will
13 decide whether or not to refer any activities
14 from any of these proceedings to the Franklin
15 County Prosecuting Attorney for further
16 investigation and possible indictments, or
17 presentation to the grand jury for indictments
18 for criminal proceedings. So it's important
19 for you to know that.

20 THE WITNESS: Yes, sir.

21 DIRECTOR DAMSCHRODER: From the
22 start.

23 MR. PICCININNI: And just some basic
24 ground rules, just for the purposes of

1 testimony. Have you ever given testimony
2 before? No? Okay.

3 This gentleman right here is a court
4 reporter. He is taking down -- is an official
5 stenographer. He is taking down everything
6 that is being said verbatim, so a true
7 transcript of the proceedings is prepared.

8 It's important that you understand
9 the questions that are being asked by
10 Mr. Damschroder and/or Mr. White. If you
11 don't understand them or didn't hear them,
12 please let them know that you didn't
13 understand the question or didn't hear it, and
14 they will take the appropriate action.

15 Additionally, because this is all
16 being taken down, all your answers must be
17 verbalized.

18 THE WITNESS: Yes, sir.

19 MR. PICCININNI: Okay? Uh-huhs,
20 huh-uhs, nods of the heads don't translate
21 well in the transcript. We want the record to
22 be clear, we want it to be accurate, because
23 it may be used later on.

24 THE WITNESS: I understand.

1 MR. PICCININNI: Okay.

2

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3

EXAMINATION

4 BY DIRECTOR DAMSCHRODER:

5 Q. Mr. Clark, during this calendar
6 year, beginning January 1, have you received
7 compensation from any individual or group or
8 organization for the purposes of registering
9 other people to vote?

10 A. So you're asking is that my job for
11 ACORN to register to vote, right?

12 Q. Well, have you received compensation
13 for that purpose at any time during this year?

14 A. Yes, sir.

15 Q. Okay. And what were the names of
16 the individuals or organizations that provided
17 you compensation for that purpose?

18 A. The organization's name is ACORN.

19 Q. Okay. And when did you begin
20 receiving compensation for that purpose?

21 A. I don't know the very exact dates we
22 started voter registrations, but I guess even
23 as ACORN leaders can't give you exact dates, I
24 can't give you exact dates.

1 BY MR. PICCININNI:

2 Q. I just want -- could you state your
3 name for the record?

4 A. Nathaniel Clark Jr.

5 Q. And your current address, sir?

6 A. 5095 Algean Drive, that's

7 A-l-g-e-a-n, Canal Winchester, Ohio, 43110.

8 Q. Okay. And what's your date of
9 birth, sir.

10 A. 7-2-73.

11 MR. PICCININNI: Okay. Go ahead,

12 sorry.

13 DIRECTOR DAMSCHRODER: That's all

14 right.

15 BY DIRECTOR DAMSCHRODER:

16 Q. Do you remember, since you don't
17 recall the exact date, do you remember
18 approximately the month when you started doing
19 that?

20 A. I've been with ACORN for like two
21 years, so I don't know the -- I did voter
22 registration in 2004, and then we started back
23 in 2005, but I can't give you the exact date.

24 Q. Okay.

1 A. I don't know the very exact date.

2 Q. Okay. During this calendar year,
3 during 2006, do you recall how you've been
4 compensated?

5 A. Well, ACORN pays every two weeks, so
6 every two weeks I would receive a paycheck for
7 voter registration.

8 Q. And was that compensation provided
9 as a result of, like, by a rate-per-hour?

10 A. I think I made like eight an hour at
11 that time.

12 DIRECTOR DAMSCHRODER: Okay.

13 BY MR. PICCININNI:

14 Q. Any payment on a
15 per-registered-voters basis?

16 A. No. No, sir.

17 MR. PICCININNI: Okay.

18 BY DIRECTOR DAMSCHRODER:

19 Q. I'm going to show you a series of
20 voter registration cards.

21 A. Yes, sir.

22 Q. And ask you some questions about
23 some of those cards. The first card is from a
24 registered voter, a Marie, M-a-r-i-e,

1 Hargrove, H-a-r-g-r-o-v-e. Show you that
2 card. Do you have any recollection of that
3 individual that submitted that -- that
4 completed that card?

5 A. Not this specific individual.

6 Q. Okay.

7 A. But this seems like to me --
8 because some cards I fill out myself, like if
9 a person is in a rush, I fill it out. But
10 this seems like this is in her handwriting and
11 her signature. I may have filled in the date,
12 you know, Columbus, Franklin County, but this
13 seems like to me this is her handwriting.
14 This is not my handwriting.

15 Q. Okay. At the bottom of the card,
16 the card provides for a space for the
17 registrar to sign; is that your signature?

18 A. I believe so. I don't want to say
19 yeah and then I come back later and say --

20 DIRECTOR DAMSCHRODER: Right.

21 BY MR. PICCININNI:

22 Q. So you're not saying -- you're
23 saying that you believe that that's your
24 signature at the bottom of the card, you don't

1 know if it's your signature at the bottom of
2 the card?

3 A. I don't think so. When I sign my
4 signature, it's usually like, you know,
5 legible.

6 Q. Okay. Then the question I have is,
7 this is -- so it's your statement here that
8 that's not your signature, somebody else
9 submitted this signature?

10 A. Yes, sir.

11 Q. Okay. Would you be willing to
12 provide a handwriting sample?

13 A. Yes, sir.

14 Q. Okay. What I need you to do --
15 Where are all the cards?

16 DEPUTY DIRECTOR WHITE: I have a
17 question. If that's possibly not his
18 signature, how did we identify him on this
19 registration?

20 DIRECTOR DAMSCHRODER: We have a
21 series here of a whole bunch of different
22 ones.

23 THE WITNESS: That's my signature
24 there.

1 MR. PICCININNI: What about on this
2 one?

3 THE WITNESS: That looks like a
4 Natalie or -- that's not my signature, no,
5 sir.

6 MR. MCTIGUE: I think we better
7 identify for the record what card that is.

8 MR. PICCININNI: This is a card
9 belonging to Zenria, Z-e-n-r-i-a, Cunningham.

10 DEPUTY DIRECTOR WHITE: Why would we
11 think, if this is his signature, that that
12 would be also his signature?

13 MR. MCTIGUE: I think we need to --
14 he already on the record already testified
15 this is his signature.

16 MR. PICCININNI: That's his
17 signature.

18 MR. MCTIGUE: We need to identify
19 this for the record.

20 MR. PICCININNI: Yeah, we will
21 identify that for the record, too.

22 BY MR. PICCININNI:

23 Q. Okay. I'm going to ask you to take
24 a look at a signature or card, it's a

1 photocopy, for a Sapphira (ph.), S-a-p-p-h- --
2 Sapphire, I'm sorry. S-a-p-p-h-i-r-e. Last
3 name Jessie, J-e-s-s-i-e. Do you recognize
4 this card?

5 A. Yes, right here.

6 Q. Is that your signature at the bottom
7 of that card?

8 A. Yes, right here.

9 Q. Okay. Now, on this particular one,
10 do you remember obtaining this one?

11 A. I don't remember the specific
12 person. That is my handwriting, and this is
13 my handwriting up here.

14 Q. Okay.

15 A. So I would say that is a card that I
16 filled out.

17 Q. You filled out this complete card,
18 and then the voter signed it?

19 A. Yes, sir.

20 Q. Okay. Now, did you receive the
21 information from Sapphire Jessie?

22 A. Yes, sir. Because, as you can see,
23 she gave me, I guess, her original address.

24 Then she gave me a change of address. So in a

1 million years, I could never guess two of her
2 addresses.

3 Q. Did she give you the wrong birthday?

4 A. That's the birthday that she gave
5 me. All the information on here is the
6 information that she gave me.

7 Q. Okay. But she didn't fill it out
8 but she did sign it?

9 A. Yes, sir, she did sign it.

10 MR. PICCININNI: Okay.

11 DEPUTY DIRECTOR WHITE: What is the
12 concern with this registration?

13 MR. PICCININNI: Well, we received
14 these all from you. These were all received
15 -- I mean we started this investigation with
16 the ones that you've identified.

17 DEPUTY DIRECTOR WHITE: Is this a
18 real person with just a wrong birthday?

19 DIRECTOR DAMSCHRODER: Yes.

20 DEPUTY DIRECTOR WHITE: We don't
21 know if it's a real person?

22 DIRECTOR DAMSCHRODER: There was a
23 previous registration that has another date of
24 birth.

1 THE WITNESS: They have previous
2 records of this address, 1178 Oakwood, so she
3 had to exist at this address, because the
4 Board of Elections has her listed for this
5 address here. The only thing is, it's the
6 wrong birth date, which I had no control of
7 what birth date that she gave me.

8 DEPUTY DIRECTOR WHITE: How old is
9 she? What is the birth date of this person?

10 MR. PICCININNI: It's right here.

11 MR. MCTIGUE: Can I say something?
12 Just so the -- things are going to get very
13 difficult for the court reporter, okay?
14 (Speaking inaudibly to the witness.)

15 DEPUTY DIRECTOR WHITE: I still
16 have a question. Why would we --

17 MR. PICCININNI: Let's go off the
18 record for a second.

19 DEPUTY DIRECTOR WHITE: -- for this
20 one, the signatures aren't even the same?

21 MR. PICCININNI: Okay.

22 DEPUTY DIRECTOR WHITE: And I want
23 to be on the record asking that question.

24 MR. PICCININNI: Okay.

1 DEPUTY DIRECTOR WHITE: Why would we
2 question this gentleman for signatures that
3 are totally different?

4 MR. PICCININNI: That's part of the
5 problem, is that these were identified as all
6 being from the same person.

7 DEPUTY DIRECTOR WHITE: Who
8 identified? They obviously don't even look
9 alike.

10 DIRECTOR DAMSCHRODER: But when they
11 come in, before the Court struck down the
12 portions of House Bill 3, they came in with a
13 cover sheet, saying all of these registrations
14 came from this specific person.

15 DEPUTY DIRECTOR WHITE: Oh, so they
16 came -- okay. All right. Now I can see why
17 we're doing that one. So then a cover sheet
18 came in and said these were all his, even
19 though the signatures didn't match.

20 DIRECTOR DAMSCHRODER: Right,
21 exactly.

22 DEPUTY DIRECTOR WHITE: Okay. And
23 who would provide that cover sheet? ACORN?

24 DIRECTOR DAMSCHRODER: Yes.

1 DEPUTY DIRECTOR WHITE: Okay. That
2 answered my question. I was just curious.
3 Trying to get a handle on it.

4 DIRECTOR DAMSCHRODER: But that
5 portion of the statute has now been stricken
6 down.

7 THE WITNESS: Stricken down, can you
8 explain that? I mean, like, what was stricken
9 down?

10 DIRECTOR DAMSCHRODER: The portions
11 of the statute that require a person to
12 preregister with the Secretary of State in
13 order to be paid for registration and all of
14 those rules.

15 (Discussion off the record.)

16 MR. MCTIGUE: My client is telling
17 me that she believes that that might be in
18 error, that Mr. Clark's name was on a cover
19 sheet or a list tied to that particular
20 registration. And he stopped -- he actually
21 stopped registering people to vote in April;
22 is that what you said? Or May 1st.

23 MR. PICCININNI: Okay, well, this
24 one was taken on April 10th.

1 MR. MCTIGUE: Right, right

2 DIRECTOR DAMSCHRODER: And this one
3 was taken in February.

4 MR. MCTIGUE: Right. And the cover
5 sheets were implemented only after -- the
6 cover sheets listing people who did
7 registrations were only after May 1st, not for
8 the registrations before May 1st, and it had
9 to do with, you know, House Bill 3 going into
10 effect, I believe. And so he only registered
11 through April, and registrations that started
12 in May are the ones that ACORN provided a list
13 for.

14 MR. PICCININNI: Okay.

15 MR. MCTIGUE: Prior to that, it
16 would have been based solely upon what was
17 filled out at the bottom of the card.

18 MR. PICCININNI: So, just so I
19 understand this, okay, and so the Board will
20 understand this, you're telling me that this
21 individual was identified by ACORN in error?

22 MR. MCTIGUE: No, I'm saying I don't
23 believe it was identified -- that this person
24 was identified by ACORN. I'm suggesting --

1 DIRECTOR DAMSCHRODER: You're
2 suggesting that that card that Denny is
3 holding, with -- what's the name on that?

4 DEPUTY DIRECTOR WHITE: A different
5 signature.

6 DIRECTOR DAMSCHRODER: That that is
7 not Mr. Clark and was not identified by Mr.
8 Clark, but we're not --

9 MR. MCTIGUE: Right.

10 DIRECTOR DAMSCHRODER: No one is
11 disputing whether Jessie Sapphire's
12 registration was submitted by Mr. Clark.

13 MR. MCTIGUE: Right. The Hargrove
14 -- the Deputy Director's question was, how did
15 this Hargrove one, how did the Board call this
16 man in on this one, okay, and the Director
17 said it was based on lists provided by ACORN.

18 But what I'm saying is, I think the
19 Director may be in error on that point,
20 because there was no list, is what I've been
21 told, for these registrations that were taken
22 before May 1st.

23 So with regard to the Hargrove one,
24 I don't think that that's the correct answer,

1 that his name was not on a list for this one.
2 They were on lists for later ones and perhaps
3 the other one that you showed us, which is not
4 in dispute.

5 DEPUTY DIRECTOR WHITE: And, Matt,
6 I'm not trying to confuse you, I'm just trying
7 to get a handle on why we would question
8 somebody for a registration that doesn't even
9 match his signature, is all.

10 MR. PICCININNI: Well, that's part
11 of the issue.

12 DIRECTOR DAMSCHRODER: That's part
13 of the proceedings.

14 MR. PICCININNI: That's all part of
15 the proceeding.

16 DEPUTY DIRECTOR WHITE: Okay.

17 MR. MCTIGUE: I mean, I will, you
18 know, it does look like an N and a C, okay.

19 MR. PICCININNI: The couple of them
20 here, that's part of the problem, I mean
21 that's why we're doing this, is because these
22 have all shown to have problems. I mean, in
23 Ms. Jessie's situation, the address provided
24 on the form you filled out says -- the date of

1 birth in the form you filled out says 6-5-86.

2 Our records indicate that her date of birth
3 was 3-30-84. That's a big discrepancy.

4 That's two years and three months.

5 THE WITNESS: Can I go on record to
6 say, the birth date on this card is
7 information that she gave me.

8 BY MR. PICCININNI:

9 Q. Did you check her ID at all?

10 A. No, sir.

11 Q. Okay. And do you have any idea or
12 do you remember where you solicited this
13 particular registration?

14 A. Most of the time, I should be at the
15 Franklin County Job and Employment Services,
16 on Mount Vernon Avenue; that's where I would
17 be at most of the time. The Welfare office, I
18 guess. And I don't have, like, a book of
19 Social Security numbers or birth dates. Any
20 information that's given to me, I have to
21 take; that's their information. Because as
22 you can see, y'all have record of her being on
23 Oakwood.

24 Q. Yeah, in '04, and that's not in

1 dispute, okay? But that's part of the
2 problem, is that we've got a registration
3 submitted by you with two different
4 date-of-births.

5 A. No, I understand it's a problem.

6 Q. In which you've admitted that you
7 filled out the beginning of -- the first
8 portion of the card.

9 A. Yes, sir.

10 Q. And then there's a question of
11 whether these signatures actually match on the
12 two forms, okay?

13 DEPUTY DIRECTOR WHITE: And Jessie's
14 signature doesn't look like it matches on the
15 forms.

16 Q. No, the signatures don't match on
17 the two registration forms.

18 A. You don't think so? This is the
19 old one?

20 Q. That's the old one.

21 A. I believe the a-p-p-h-i-r-e looks
22 similar.

23 Q. And the J and the S don't match.

24 A. Yeah, the J is different and the S

1 is different.

2 DEPUTY DIRECTOR WHITE: Did he do a
3 handwriting?

4 MR. PICCININNI: No, he's going to
5 do it right now.

6 BY MR. PICCININNI:

7 Q. Please fill out the top portion of
8 the form, okay?

9 A. Yes, sir.

10 Q. And then what we want is, I want
11 the --

12 (Pause in proceedings.)

13 BY MR. PICCININNI:

14 Q. Okay. And then the names that I
15 want you to put on in the lines there are --
16 well, let's identify this one. Do you
17 recognize the registration of Hector Mercado?

18 A. I recognize the card, but --

19 Q. Is that your signature at the
20 bottom?

21 A. Yes, sir.

22 Q. Okay. I would like you to put
23 Hector Mercado --

24 A. Spell it in cursive?

1 Q. Spell it, no, the way it's written
2 on the card.

3 MR. MCTIGUE: I'm sorry, what are
4 you asking him to do?

5 MR. PICCININNI: We're asking him to
6 provide a handwriting sample, and we're asking
7 him to put the names the way, you know, if
8 it's in print, in print, if it's in cursive
9 writing, in cursive writing.

10 MR. MCTIGUE: Well, we have Hector
11 out in the lobby.

12 THE WITNESS: Hector is out in the
13 lobby.

14 MR. MCTIGUE: You want to call him
15 in?

16 MR. PICCININNI: He is?

17 MR. MCTIGUE: Yes.

18 THE WITNESS: He said, you know, he
19 can't believe that this --

20 MR. MCTIGUE: He's up sit.

21 THE WITNESS: He's upset he hasn't
22 received his registration card, and voting is
23 like two weeks away.

24 BY DEPUTY DIRECTOR WHITE:

1 Q. On the record, did you sign this
2 individual's name there?

3 A. No, sir.

4 MR. MCTIGUE: Well, for the record,
5 you need to say what you're looking at.

6 BY DEPUTY DIRECTOR WHITE:

7 Q. This is Jessie Sapphire --

8 MR. PICCININNI: Sapphire Jessie.

9 Q. Okay, Sapphire Jessie's voter
10 registration form that you collected.

11 A. No, sir. I did not sign Sapphire
12 Jessie's name.

13 Q. Do you have any idea why her
14 signatures would be different on this
15 registration versus that registration?

16 A. I truly believe that everything is
17 the same except for the S and the J.

18 Q. So they are different?

19 A. Yes, the S and the J looks
20 different to me. That's totally different,
21 the J.

22 DEPUTY DIRECTOR WHITE: Right.

23 MR. MCTIGUE: Actually, the S looks
24 the same to me. The first name looks the

1 same.

2 BY MR. PICCININNI:

3 Q. The names I need you to put just in
4 your normal handwriting, however you would
5 normally write it, would be Sapphire Jessie.

6 MR. MCTIGUE: Use your own
7 handwriting.

8 BY MR. PICCININNI:

9 Q. And then after we do the names, I
10 need you to reproduce the paragraph written
11 below, in the lines, in your normal
12 handwriting.

13 A. Okay. Then I write Hector's name?

14 Q. Yeah. He took the card with him;
15 we'll get you another one.

16 A. You need me to print this whole
17 thing down here?

18 Q. That whole paragraph needs to be
19 reproduced.

20 A. Okay. In print, right?

21 Q. However you -- in print, in
22 cursive.

23 (Pause in proceedings.)

24 DEPUTY DIRECTOR WHITE: How many of

1 do we have questions on?

2 MR. PICCININNI: I think we're
3 almost done with him. Then we're going to
4 bring Hector in.

5 DEPUTY DIRECTOR WHITE: No, but
6 total?

7 MR. PICCININNI: How many people --
8 do we have three out there right now?

9 MR. MCTIGUE: Yes. Well, we have
10 total of three, with one on her way.

11 MR. PICCININNI: Right. So it would
12 be four.

13 MR. MCTIGUE: Right.

14 MR. PICCININNI: Yeah. And then we
15 have one other form for him to fill out, too,
16 at the end.

17 DEPUTY DIRECTOR WHITE: I need to
18 ask him one more question.

19 THE WITNESS: Go ahead, sir.

20 BY DEPUTY DIRECTOR WHITE:

21 Q. You said you filled out all this
22 information in here?

23 A. Yes, sir, the top part.

24 MR. MCTIGUE: You need to identify

1 it.

2 DEPUTY DIRECTOR WHITE: We're back
3 to -- what is it?

4 MR. PICCININNI: Sapphire Jessie.

5 BY DEPUTY DIRECTOR WHITE:

6 Q. Sapphire Jessie. I just want to
7 make it clear for the record, you filled out
8 all this information for this individual
9 voter?

10 THE WITNESS: Yes, sir, the top
11 part.

12 Q. But you're saying you did not sign
13 her name on this?

14 A. I did not sign Sapphire Jessie's
15 name on the voter registration.

16 Q. And this information was given to
17 you by this individual?

18 A. By a person saying her name was
19 Sapphire Jessie.

20 Q. Do you actually recall this date
21 and time when you did this?

22 A. I cannot recall the exact date or
23 the exact time or even the exact face.

24 Q. Okay.

1 A. But a person claiming to be
2 Sapphire Jessie gave me that information, gave
3 me that birth date. I don't have -- like I
4 said, I don't have no book of birth dates or
5 Social Security numbers to verify.

6 Q. You say you've worked for ACORN
7 since when?

8 A. 2004.

9 Q. Approximately how many voter
10 registrations do you think you've done in that
11 time period?

12 A. I'm glad you asked me that.
13 Probably like, got to be -- now, this is an
14 estimate.

15 Q. Yeah, I just want an estimate.

16 A. Got to be six, seven hundred maybe.

17 Q. Six or seven hundred signatures
18 that you actually gathered?

19 A. Voter registration. That's why I
20 couldn't believe, like, you pulled two over a
21 two-year period.

22 And I never -- and I also, I do
23 other things for ACORN, like I have to deal
24 with child care, and I have access to people's

1 accounts, checks, and I never committed fraud
2 on any of that. I opened up a check service,
3 I run a check service in the morning, which I
4 have access to millions of dollars, and I
5 never committed fraud on anything.

6 DEPUTY DIRECTOR WHITE: Well, I
7 don't think anyone here is accusing you of
8 anything. There was just some questionable
9 signatures.

10 THE WITNESS: I understand.

11 DEPUTY DIRECTOR WHITE:
12 Questionable information on voter registration
13 cards. That's all we're just trying to get to
14 the bottom of. Why this signature would not
15 match this signature, why her birth date would
16 not be the same as another voter registration.

17 MR. PICCININNI: He'll finish that
18 up and then we'll bring Mr. Mercado in and
19 talk to him. Go off the record.

20 (Discussion off the record.)

21 MR. PICCININNI: Back on the record.

22 BY MR. PICCININNI:

23 Q. Mr. Clark?

24 A. Yes, sir.

1 Q. Would you please, can you identify
2 this particular voter registration card I'm
3 going to show you?

4 A. Last name is Mercado. First name,
5 Hector. Middle name initial is E.

6 Q. Okay. Is that your signature at
7 the bottom of that card?

8 A. Yes, sir.

9 Q. And you obtained that voter
10 registration card?

11 A. Yes, sir.

12 Q. On 3-20 of '06.

13 A. Yes, sir.

14 Q. Okay. The information that's in
15 there, is that in your handwriting?

16 A. Yes, sir.

17 Q. Okay. Did Mr. Mercado provide you
18 with that information?

19 A. Yes, sir.

20 Q. Okay. In the middle of the form it
21 asks for Ohio driver's license or the last
22 four digits of the Social Security number.

23 A. Yes, sir.

24 Q. Did Mr. Mercado provide that

1 information with you?

2 A. Yes, sir.

3 Q. Did he indicate that that was the
4 last four digits of his Social Security
5 number?

6 A. Yes, sir.

7 Q. Okay. Do you remember where you
8 obtained that one?

9 A. Franklin County Job and Employment
10 Services -- or the Welfare office, on Mount
11 Vernon Avenue.

12 Q. Have you ever met Mr. Mercado
13 before?

14 A. I met him, I guess, that day, and
15 then I never -- I could never, like, remember
16 every person I registered, but then this
17 morning he came in and I do kind of like
18 remember his face.

19 Q. Do you remember who notified him?

20 A. Who called --

21 Q. Do you know who notified him about
22 coming down here today?

23 A. I guess ACORN.

24 MR. PICCININNI: Okay. All right.

1 Well, thank you very much. You can stay,
2 because we're going to bring Mr. Mercado in.

3 (Discussion off the record.)

4 MR. PICCININNI: On the record, you
5 are entitled to witness fees. Are you waiving
6 those fees?

7 THE WITNESS: Yes, sir.

8 MR. PICCININNI: Okay. Fine.

9 (Discussion off the record.)

10 MR. PICCININNI: I'm sorry, we have
11 one other question.

12 BY DEPUTY DIRECTOR WHITE:

13 Q. Back to the earlier one, --

14 MR. PICCININNI: Marie Hargrove.

15 Q. -- voter registration form, do you
16 have any idea who that signature might belong
17 to, from your coworkers at ACORN?

18 A. I don't want to go on record to
19 state -- no, I'm not for sure. There's so
20 many people that work in ACORN. You know, I
21 don't even do the quality control or none of
22 that at ACORN.

23 BY MR. PICCININNI:

24 Q. Okay. So you don't know whose

1 signature that would be?

2 A. No, sir.

3 Q. The same thing with this one,

4 Zenria Cunningham, do you know whose signature
5 that is?

6 A. No, sir.

7 Q. Okay. And then Jessica Lions,

8 L-i-o-n-s, do you know whose signature that
9 is?

10 A. No, sir.

11 MR. PICCININNI: Okay. We'll wait
12 for the Director. We are going to conclude
13 the questioning of this individual at this
14 point.

15 (Pause in proceedings.)

16

- - - - -

17

HECTOR MERCADO

18

being first duly sworn, testifies

19

and says as follows:

20

- - - - -

21

EXAMINATION

22 BY MR. PICCININNI:

23 Q. Mr. Mercado, my name is Patrick

24 Piccininni. I'm an Assistant County

1 Prosecutor, representing the Franklin County
2 Board of Elections.

3 A. Okay.

4 Q. The purpose of today's proceeding
5 is, the Board of Elections has received some
6 information on questionable voter registration
7 forms, and as a result, we are conducting --
8 the Board has delegated to the Director and
9 the Deputy Director of the Franklin County
10 Board of Elections the authority to conduct an
11 investigation and report back to the Board for
12 possible referral to the Franklin County
13 Prosecutor of any criminal charges if any
14 wrongdoing is found or suspected.

15 The penalties for election
16 falsification are, it is a felony of the fifth
17 degree in the state of Ohio. Any referral to
18 the prosecutor would probably result in a
19 grand jury being convened and possible
20 indictments being issued.

21 A. Okay.

22 Q. Okay, so that's what the nature of
23 the proceedings are today. You have been
24 asked by, I don't know whom at this point,

1 we'll find that out in a minute, to provide
2 some testimony on behalf of the registrations
3 obtained by Mr. Nathaniel Clark.

4 So would you please state your name
5 for the record.

6 A. Hector Enrique Mercado. I have a
7 birth certificate.

8 Q. Okay, sir, just answer the
9 questions.

10 A. Hector Enrique Mercado.

11 Q. And your current address, sir?

12 A. 1200 Rosehill Road, Apartment 301,
13 Reynoldsburg, Ohio, 43068.

14 Q. Okay. Have you ever provided
15 testimony before, sir?

16 A. I never provided testimony.

17 Q. Okay. Let me just give you the
18 basics, okay?

19 A. Okay.

20 Q. Let's just everybody calm down,
21 okay?

22 A. Okay.

23 Q. We're just trying to get information
24 at this point, all right?

1 A. Okay.

2 Q. This individual right here is a
3 court reporter, a stenographer. He is taking
4 down everything that we say.

5 A. Okay.

6 Q. Everything I say and your answers.

7 A. Okay.

8 Q. If you do not understand a question
9 that I ask or do not hear a question I have
10 asked, please ask me to repeat or rephrase the
11 question and I will be glad to do so.

12 If you are providing an answer to
13 the question, please verbalize your answer,
14 yes, no. Shakes of the heads and huh-uhs and
15 uh-huhs don't translate well, and they make it
16 hard for to us read the record later on.

17 A. Okay.

18 Q. Do you understand the instructions I
19 have given you?

20 A. Yes, I do.

21 Q. Okay. Now, you are from -- you live
22 in Reynoldsburg, Ohio?

23 A. Yes.

24 Q. Okay. I am going to show you a copy

1 of a voter registration card --

2 A. Okay.

3 Q. -- that purports to have your name
4 on it.

5 A. That's right.

6 Q. Okay. Is that your signature at the
7 bottom of the card?

8 A. That is my -- I have my state ID;
9 that's my signature.

10 Q. Do you have your state ID with you,
11 sir?

12 A. Yes, I do.

13 Q. May I take a look at your state ID?

14 A. This is my state ID. I mean, I
15 don't have the perfect signature, but that's
16 how I write it sometimes, you know. That's
17 me.

18 Q. Okay. Now, the card is not written
19 in your handwriting except for signature; is
20 that correct?

21 A. That's -- that's a discrepancy right
22 there. I didn't fill out the block form
23 letters. I just signed the name. I wasn't
24 aware of it.

1 Q. Did you speak to Mr. Clark?

2 A. I don't remember, because I had some
3 business with my caseworker, he said would I
4 like to vote, and say, well, if I have to sign
5 up, did he write my name, in this letters, but
6 I did give my official --

7 Q. I'm not asking that question. I'm
8 asking you, the information that was provided
9 here, did you provide it?

10 A. I provided that information, yes, I
11 did.

12 Q. Sir. May we make a photocopy of
13 this for the record?

14 A. Sure, you can make photocopy of
15 that.

16 MR. PICCININNI: Can we make a
17 photocopy of that, please. It's a state ID
18 card. For the record, the state ID card does
19 not have a Social Security number on it.

20 BY MR. PICCININNI:

21 Q. Sir, now, Mr. Clark asked you your
22 name?

23 A. Okay.

24 Q. And then you provided it; is that

1 correct?

2 A. Right.

3 Q. You provided your address?

4 A. That's right.

5 Q. The Rosehill address that you just
6 put on the record?

7 A. Okay.

8 Q. Correct? In Reynoldsburg?

9 A. Right, right.

10 Q. All right. You provided your date
11 of birth as 11-14 of '49?

12 A. That's right.

13 Q. Did you provide him with the last
14 four -- what is your Social Security number?

15 A. 121-38-2777.

16 Q. Okay. Did you provide him with the
17 number of 277?

18 A. 2777.

19 DEPUTY DIRECTOR WHITE: It's your
20 last four.

21 THE WITNESS: The last four
22 numbers.

23 DEPUTY DIRECTOR WHITE: Do you have
24 anything with your Social Security number on

1 it?

2 THE WITNESS: I have a Social
3 Security card, but I have it in my room.

4 DEPUTY DIRECTOR WHITE: Okay.

5 BY MR. PICCININNI:

6 Q. Okay, that's fine. Now, you had
7 previously -- had you ever been registered to
8 vote before?

9 A. Yes. I had voted, but it's been so
10 long, you know. I was in a different
11 residence than I was, so I never did
12 participate in the election process, you know.

13 Q. Okay. Mr. Mercado, did you
14 previously live at 2855 Citizens Place?

15 A. Yes, I did.

16 Q. Apartment D, Columbus, Ohio?

17 A. Yes, I did.

18 MR. PICCININNI: Okay.

19 BY DEPUTY DIRECTOR WHITE:

20 Q. Where is that and what is that?

21 A. Rosehill?

22 Q. Citizens Park.

23 THE WITNESS: That's on Hamilton --

24 I mean, on Hamilton by Refugee, right across

1 the street from Kroger's, in that, what's it
2 called?

3 BY MR. PICCININNI:

4 Q. Now, Mr. Mercado, is that your
5 signature, or is that a copy of your
6 signature?

7 A. That's a copy of my signature, yes.

8 Q. Okay. That signature is the
9 signature that's currently on file with the
10 Franklin County Board of Elections?

11 A. Oh, yeah. I can understand, yes.

12 Q. Okay? Now, are you also aware that
13 the Social Security number that we have --
14 well, could you repeat what your Social
15 Security number is again?

16 A. I get SSI, supplemental security
17 income. I'm disabled. I see a psychiatrist.
18 Is that some problem?

19 Q. So, sir, it's not a problem.

20 A. Okay.

21 Q. All right? I'm just trying to match
22 up the information that's currently in our
23 records with the information that was provided
24 on the voter -- this was flagged because

1 there's a discrepancy in the information
2 provided.

3 A. Oh, okay, okay.

4 Q. Okay? Now, your Social Security --
5 Could you read back what his Social
6 Security number was, please?

7 (Record read back as requested.)

8 BY MR. PICCININNI:

9 Q. Did you ever provide your Social
10 Security number to the Franklin County Board
11 of Elections prior to this voter registration
12 card?

13 A. I never did. I never used it. It
14 was never called for. I never -- when I went
15 to vote, they said do I have to give a Social
16 Security -- it's just been now that they're
17 changing the rules, you know what I mean?

18 MR. MCTIGUE: Could I interrupt?
19 What did he say the last four digits were?

20 MR. PICCININNI: 2777, which is
21 what's on there.

22 MR. MCTIGUE: Okay, that's fine. I
23 thought I heard something different.

24 BY MR. PICCININNI:

1 Q. Yeah, just so you know, our records
2 indicate that the Social Security that we have
3 on file for you is [REDACTED]

4 A. That's a mistake. That's a mistake.
5 It's mistake. My official -- mean, I don't
6 know, because I tried to get -- I have had
7 problems with Social Security getting my state
8 -- my Social Security card, and they had
9 mailed me three different numbers, so, you
10 know, I just -- it may have been an oversight
11 on my part, but the one that do take care with
12 my check and my bank is the one -- and do
13 participate in the government process, is the
14 one that I -- I'm telling you.

15 Q. Okay. Sir, we're just trying to get
16 information.

17 A. Okay.

18 Q. There's no need to get agitated.

19 MR. MCTIGUE: Everything is okay.

20 BY MR. PICCININNI:

21 Q. Okay?

22 A. Okay.

23 Q. I can understand that you're a New
24 Yorker, because I am one too, all right? And

1 I can understand being a little bit agitated.

2 I understand.

3 A. Let me tell you, sir. I don't have
4 to vote, because -- I voted for Coleman, and
5 then after that, I didn't vote no more.

6 Q. The issue is not whether or not --
7 the issue -- we're trying to maintain the
8 integrity of the system; therefore, we are
9 conducting investigations where we find
10 suspicion of problems.

11 A. Well, the problem is if you cast two
12 votes; that's how it is.

13 Q. But if you also register improperly,
14 that's a problem too.

15 A. I did register but they never called
16 for my Social Security number. As of now,
17 that's it.

18 Q. Okay, okay. We noticed this was
19 flagged because of the discrepancy.

20 A. Okay. Okay.

21 MR. CLARK: Can I say something,
22 sir?

23 MR. PICCININNI: No. Hold on one
24 second, okay?

1 Denny, do you have any questions for
2 the witness?

3 DEPUTY DIRECTOR WHITE: No, not at
4 all. I just want to thank him for coming in.

5 THE WITNESS: Okay, so, is that all?
6 I'm not in trouble? I mean, I'm trying to
7 make it, man.

8 DIRECTOR DAMSCHRODER: Everything is
9 fine, everything is good.

10 THE WITNESS: Okay. All right,
11 brother.

12 MR. MCTIGUE: Can I say one thing,
13 because we talked about this, Hector and I.
14 He has not received confirmation on his voter
15 registration, so he's real concerned.

16 DIRECTOR DAMSCHRODER: Because the
17 Board had their concern whether or not the
18 veracity of the information provided was
19 correct.

20 DEPUTY DIRECTOR WHITE: Can we get a
21 copy of your Social Security card?

22 THE WITNESS: You want me to -- if
23 you give me an envelope, I can mail it in. Is
24 that possible?

1 DEPUTY DIRECTOR WHITE: I'd just
2 like to have it.

3 THE WITNESS: Yeah, I'll make a
4 copy, no problem. And I'll mail it, in, you
5 know.

6 MR. PICCININNI: We're not trying to
7 -- sir?

8 THE WITNESS: Okay.

9 DEPUTY DIRECTOR WHITE: We want to
10 make sure we have the right Social Security
11 number for you on file here, is all.

12 MR. PICCININNI: I mean, being from
13 New York, New York, Chicago, you know, we got
14 to make sure that the process is taken care
15 of. You understand?

16 THE WITNESS: All right, all right.

17 DEPUTY DIRECTOR WHITE: Everything
18 is okay.

19 MR. PICCININNI: It's cool.
20 Everything is all right, Mr. Mercado, okay?

21 THE WITNESS: Your first name is
22 Tony?

23 DEPUTY DIRECTOR WHITE: My name is
24 Dennis.

1 THE WITNESS: Dennis, all right,
2 thanks. Well, I'll get you a copy. I got it
3 in my drawer, no problem.

4 DEPUTY DIRECTOR WHITE: We just want
5 to make sure our information is correct here
6 is all.

7 (Pause in proceedings.)

8

9

FRANCES BOWMAN

10 being first duly sworn, testifies
11 and says as follows:

12

13

EXAMINATION

14 BY MR. PICCININNI:

15 Q. Would you please state your name for
16 the record.

17 A. Frances Denise Bowman.

18 Q. Okay. Ms. Bowman, what's your
19 current address?

20 A. 509 Barnett Road, Apartment A.

21 Q. Barnett?

22 A. Yes, sir.

23 Q. Have you ever provided testimony
24 before?

1 A. No.

2 Q. Okay. I'm going to tell you exactly
3 what's going to happen here. You're going to
4 be asked a series of questions. If you do not
5 understand the question that is asked or do
6 not hear a question that is asked, please ask
7 us to repeat or to indicate that you did not
8 hear the question, and we will repeat it or
9 rephrase it.

10 Please verbalize all your answers.
11 If it requires a yes, no, please answer so.
12 Nods of the heads, huh-uhs, uh-huhs do not
13 translate well. Because this individual is
14 taking down everything, we're going to try to
15 only speak one at a time. I know it's a
16 little bit difficult this morning, but we'll
17 try to figure that out and we'll get it
18 straight.

19 The purpose of this is that the
20 Director and the Deputy Director of the
21 Franklin County Board of Elections have been
22 delegated the authority by the Board of
23 Elections to conduct an investigation of
24 suspected irregular voter registration cards.

1 Okay.

2 A couple of them that were flagged
3 were submitted by you in the course of your
4 voter registration efforts that you undertook
5 on behalf of ACORN, I believe, but we'll get
6 into that and we'll set up all that
7 information as we go along.

8 A. Okay.

9 Q. The information that you provide
10 here will be evaluated by the Franklin County
11 Board of Elections for possible referral to
12 the Prosecuting Attorney's Office for further
13 criminal proceedings. Election falsification
14 is a felony. So what you do say can possibly
15 be used against you. Do you understand that?

16 A. Yes, I do.

17 Q. Okay. Are you currently employed?

18 A. No, I'm not.

19 Q. No? Were you employed earlier this
20 year?

21 A. Yes, I was.

22 Q. When were you employed?

23 A. The seventh month -- seventh month.

24 Q. Until July?

1 A. Of this year.

2 Q. Until July of this year?

3 A. Yes, sir.

4 Q. Where were you employed?

5 A. It's called Ohio Broad and Company

6 (ph.).

7 Q. What is that?

8 A. It's basically where you're -- oh,

9 gosh, how do I explain this? We were doing

10 petitions on same-sex marriages.

11 Q. Back in '04?

12 A. No. This was just this year.

13 Q. A petition on same sex marriage this

14 year?

15 MR. MCTIGUE: Yeah, there was a -- I

16 think it might be adoption issues. Same-sex

17 adoption.

18 THE WITNESS: Yes.

19 BY MR. PICCININNI:

20 Q. Okay. So you were circulating

21 petitions?

22 A. Yes.

23 Q. Did you work for any other

24 organization?

1 A. No, sir.

2 Q. Did you ever work for ACORN?

3 A. Yes.

4 Q. Okay. When did you work for ACORN?

5 A. It was probably about six months
6 ago. I can't remember exactly.

7 Q. But it was this year?

8 A. Yes, sir.

9 MR. PICCININNI: Okay. Let the
10 record reflect that Member of the Board of
11 Elections Carolyn Petree is present in the
12 room.

13 BY MR. PICCININNI:

14 Q. For ACORN, what were you hired to do
15 for ACORN?

16 A. I was getting petitions signed,
17 voter registration cards, signatures for
18 people to vote.

19 Q. Were you provided with any training?

20 A. A little, yes.

21 Q. What was the training?

22 A. Well, we stood in a room and we had
23 conversations with each other on how to
24 approach your customers.

1 MR. MCTIGUE: Can I ask you to
2 clarify something, so we don't get confused
3 here. ACORN also was working on the workers'
4 comp referendum petition gathering signatures,
5 and I don't know if she's now testifying about
6 the training for circulating the petitions
7 versus training for registration.

8 BY MR. PICCININNI:

9 Q. Okay. Were you provided any
10 training for registering voters?

11 A. Yes.

12 Q. Could you please describe that
13 training?

14 A. Basically, we would talk to each
15 other on how to approach a person or how to
16 approach a person's home. Actually, we were
17 outside a lot, so. The only thing they really
18 taught us was how to approach a person, what
19 to say, how to show them how to fill out the
20 voter registration cards. What all had to be
21 on it. Signature, date, Social Security
22 number, I do believe. That's basically it.

23 Q. Okay. Were you given any training
24 manuals?

1 A. No, I wasn't.

2 Q. Okay. Did this training take place
3 in a classroom setting or --

4 A. Classroom setting.

5 Q. Okay. Were you advised ever to ask
6 for identification of the individual
7 registering to vote?

8 A. No.

9 Q. Okay. Now, on March 1st of this
10 year and on March 8th of this year, did you
11 solicit -- were you out registering
12 individuals to vote?

13 A. Yes, sir. I was.

14 Q. Okay. I'm going to show you a voter
15 registration card on what appears to be a
16 Rochelle Washington?

17 A. Yes, sir.

18 Q. Do you recognize that?

19 A. Yes, sir.

20 Q. Okay. Do you know Rochelle
21 Washington?

22 A. Yes, I do. That's my signature.

23 Q. Rochelle Washington is your sister?

24 A. Yes.

1 Q. Okay. Do you know -- she's not here
2 today, is she?

3 A. No, sir, she's not.

4 Q. Okay. Where did you solicit her
5 registration?

6 A. I do believe it was at her home.

7 Q. At her home?

8 A. Yes.

9 Q. What is her address?

10 A. She moved.

11 (Interruption in proceedings.)

12 BY MR. PICCININNI:

13 Q. So you did this at her home?

14 A. Yes.

15 Q. What's your sister's date of birth?

16 A. April 1st -- April 1st, I can't
17 remember the year. I don't know the year. I
18 just remember it was April Fool's Day, April
19 1st.

20 Q. Okay.

21 A. She used to stay off of 161, but she
22 moved, and I don't know her address as of
23 right now.

24 Q. Okay. Is that your sister's

1 signature at the bottom of that card?

2 A. No, it isn't.

3 Q. It isn't?

4 A. No, sir, it isn't.

5 Q. Then can you explain why your
6 signature is on the card of a person that has
7 your signature --

8 A. Because she told me --

9 Q. -- and you submitted --

10 A. -- to go ahead and sign it. At the
11 time -- see, I don't know nothing about stuff
12 like this. She just said go ahead and sign
13 it, and I did that, I signed it. I didn't
14 think that it was going to be a problem behind
15 that. So that's why I did it.

16 Q. So in your training with ACORN,
17 didn't they tell you that the information had
18 to be filled out truthfully?

19 A. At the time, the person -- what I
20 was told, if the person could not write their
21 name, you could write it.

22 Q. Was your sister's arm in a cast?

23 A. No, she was busy, though.

24 Q. She was busy?

1 A. Yes, sir.

2 Q. Okay. So you signed that card on
3 behalf of your sister?

4 A. Yes, sir.

5 Q. Who told that you if the person was
6 busy that you could sign for them?

7 MR. MCTIGUE: Objection. She did
8 not say that someone told her that she could
9 sign if the person was busy. She said if they
10 were not able to sign, is what she said.

11 BY MR. PICCININNI:

12 Q. Okay. Who told you that if the
13 person was not able to sign?

14 A. I'm trying to remember her name. I
15 cannot remember her name.

16 Q. Okay. Who conducted the training?

17 A. I'm sorry. I can't remember her
18 name. I can explain how she looks, but I
19 can't remember her name.

20 Q. What does she look like?

21 A. Dark-skinned lady, she had black
22 hair, about 5'6", 5'7". She's probably not
23 that tall.

24 Q. Did this individual define what

1 unable to sign means?

2 A. No, they didn't.

3 Q. Okay. So you filled out this card
4 on behalf of your sister, and you signed her
5 name?

6 A. Yes.

7 Q. And submitted it to the Franklin
8 County Board of -- to ACORN for submission to
9 the Franklin County Board of Elections; is
10 that correct?

11 A. Yes, sir.

12 Q. Okay. Do you know what your
13 sister's Social Security number is?

14 A. No, sir, I don't.

15 Q. Okay. Was your sister present when
16 this information was provided to you?

17 A. Yes, sir.

18 Q. Are you aware that in 2004 your
19 sister registered to vote?

20 A. No, sir.

21 Q. Okay. And that she provided a
22 Social Security number on that registration?

23 A. No, sir.

24 Q. Okay. And it's your testimony that

1 your sister provided that information at the
2 bottom there, the 7367392 --

3 A. Yes, sir. She just --

4 Q. Okay.

5 A. She yelled it off, and I wrote it
6 down.

7 Q. Okay. Do you remember what your
8 sister's previous address was? Was this at
9 her new address or at her old address?

10 A. Old.

11 Q. This was at her old address?

12 A. Yes, sir.

13 Q. What's her new address?

14 A. I don't know her new address. She
15 moved. I don't know.

16 Q. Where did she move before -- did she
17 live anywhere else before this address?

18 A. She's been --

19 Q. The Evergreen Street address.

20 A. She lived off of 161.

21 Q. Were you ever there?

22 A. No. Me and my family is really not
23 that close. When we see each other, we see
24 each other, and we don't, we don't.

1 Q. Um-hmm. I'm going to show you -- I
2 cannot read the name on there, but the address
3 is 1765 Kent Street. Do you know the
4 individual listed on that voter registration
5 card?

6 A. Yes, I do.

7 Q. Who is that individual?

8 A. That's my grandmother.

9 Q. Your grandmother? What's your
10 grandmother's first name?

11 A. Rosa Blair.

12 Q. Does she live at that address?

13 A. Yes, she does.

14 Q. Okay. How old is your grandmother?

15 A. She's about 82.

16 Q. Okay.

17 A. I do believe. 70, 80. I'm sorry.

18 I believe she's in her late 70s, because my
19 mother is 62, so.

20 Q. Okay. 1942 is when she was born, so
21 that would make her 66 years of age right now,
22 okay?

23 DEPUTY DIRECTOR WHITE: That's what
24 the voter registration card says --

1 MR. PICCININNI: Right.

2 DEPUTY DIRECTOR WHITE: -- that you
3 filled out and said she was born 2-28 of '42.

4 MR. MCTIGUE: Actually she didn't
5 say she filled this card out.

6 DIRECTOR DAMSCHRODER: Didn't ask
7 that question yet.

8 BY MR. PICCININNI:

9 Q. Did you fill out the address on this
10 card?

11 A. I don't remember this one. I don't.

12 Q. Is that your signature at the
13 bottom?

14 A. Yes, sir, that's my signature on
15 this.

16 Q. Okay. Is that your signature for
17 the voter?

18 A. What do you mean?

19 Q. Where it says -- this signature of
20 the applicant, is that your handwriting too?

21 A. No. This is mine right here.

22 Q. This is yours?

23 A. Yeah.

24 Q. That is not your handwriting?

1 A. I don't remember filling this out.

2 Q. You didn't fill any of this out?

3 A. No, I'm just saying, I don't
4 remember.

5 Q. Okay.

6 A. I don't remember filling this one
7 out. I mean, it's my handwriting, I just
8 don't remember filling it out.

9 Q. All of it is your handwriting, the
10 whole card?

11 A. Yeah, except this.

12 Q. Except for what?

13 A. This here.

14 DEPUTY DIRECTOR WHITE: The
15 signature.

16 BY MR. PICCININNI:

17 Q. That's not yours?

18 A. No.

19 DIRECTOR DAMSCHRODER: Is it your
20 grandmother's signature?

21 THE WITNESS: I'll just say I could
22 have, but I just don't know.

23 BY DEPUTY DIRECTOR WHITE:

24 Q. Are you saying you could have signed

1 here where it says signature of applicant, for
2 your grandmother?

3 A. I can't -- I mean, you understand
4 what I'm saying?

5 Q. If you're not clear, if you don't
6 know, that's fine. I don't want to put words
7 in your mouth.

8 A. I'm not clear about that day.

9 Q. Okay, I have another question.

10 A. Yes, sir.

11 Q. How many voter registration forms
12 do you think you've gathered in the time you
13 worked for ACORN? Approximately. I'm not
14 going to hold you to the number. 200? 100?
15 500?

16 A. About 200.

17 Q. 200?

18 A. Yes, sir.

19 BY MR. PICCININNI:

20 Q. Were you paid by the hour or by
21 signature?

22 A. By the hour.

23 Q. By the hour?

24 BY DEPUTY DIRECTOR WHITE:

1 Q. Do you recall, other than this one
2 that you said you did sign for your sister,
3 did you sign any other voter registration
4 cards for the applicant?

5 A. As far as this one?

6 MR. PICCININNI: Any others.

7 BY DEPUTY DIRECTOR WHITE:

8 Q. When you gathered these voter
9 registration cards, other than your sister,
10 which you said on the record that you did sign
11 for your sister?

12 A. Yes, sir.

13 Q. Do you recall you signing for anyone
14 else where it says signature by applicant?

15 A. I don't believe I did. I don't
16 believe I did.

17 Q. Okay. Did your sister have
18 knowledge that you were signing this card for
19 her?

20 A. Yes, sir.

21 Q. Did she tell you to sign it?

22 A. Yes, sir. Yes, sir.

23 Q. Okay.

24 A. Because as she was hollering off the

1 information, I wrote it down. And I said,
2 well, you know you need to sign it. She was
3 busy. She said go ahead and sign it. I
4 signed it. And that was it.

5 Q. And she was actually physically
6 there?

7 A. Yes, sir.

8 Q. And you were physically in the same
9 place?

10 A. Yes, sir.

11 Q. Where she told you to do that?

12 A. Yes, sir.

13 DEPUTY DIRECTOR WHITE: Okay.

14 BY MR. PICCININNI:

15 Q. Would you be willing to provide a
16 handwriting sample?

17 A. Yes.

18 Q. Okay. What I need you to do is put
19 the names --

20 A. Yes, sir.

21 Q. -- of Rosa Blair, Rochelle
22 Washington, and Carl Blair, in both signature
23 and in cursive. And fill out the top of the
24 form, please.

1 (Pause in proceedings.)

2 A. You want all three names?

3 Q. All three names on the left side,
4 and I want it written in cursive on the right.

5 BY DEPUTY DIRECTOR WHITE:

6 Q. I want to ask you another question,
7 too.

8 A. Yes, sir.

9 Q. ACORN was your employer?

10 A. Yes, sir.

11 Q. Are you still employed by them?

12 A. No, I'm not.

13 Q. Okay. Why aren't you employed by
14 them now?

15 A. Because I was discharged for -- I
16 think it was this one.

17 Q. For signing your sister's name?

18 A. Yes, sir.

19 Q. Okay. Did they ever tell you in the
20 process when they were training you or
21 informing you on how to do this, that you
22 could not sign for an individual?

23 A. Not the first person, but a
24 Ms. Barbara told me later.

1 Q. After they caught this?

2 A. Yes, sir.

3 Q. When did ACORN talk to you about
4 this; do you remember when that date was?

5 A. No, I don't.

6 BY MR. PICCININNI:

7 Q. Was it subsequent to March 8th of
8 '06?

9 A. I do believe it was in March. I
10 don't remember exactly what day or anything
11 like that.

12 Q. Okay. Also, and just down a couple
13 of lines, would you sign Rochelle's name the
14 way you signed it on there.

15 A. Right here?

16 Q. Yeah, that's fine.

17 (Pause in proceedings.)

18 Q. So it's your testimony that that's
19 not your handwriting?

20 A. I'm saying that I don't remember;
21 I'm not saying --

22 Q. So you could have signed Mr. Blair's
23 name?

24 A. I could have. I just don't remember

1 that -- because actually I had a lot going on,
2 you know, and --

3 Q. So you're saying this possibly could
4 be your signature?

5 A. There's a possibility.

6 Q. And you're saying this possibly
7 could be your signature as well? Because it
8 looks the same to me.

9 A. No, as I said, I don't remember.
10 But I could have, so.

11 Q. So if you could have, why were they
12 unable to sign that would cause you to sign
13 them, if you did?

14 A. I don't -- I don't -- right now I
15 don't recall. I mean, I'm just --

16 Q. Were they present when the card was
17 being filled out?

18 A. Evidently, yes, sir. Evidently,
19 they were, because I don't -- and I didn't --
20 sign anybody's cards without their presence.
21 I mean, I do know that part, not to do it.

22 Q. Do you know Ms. Blair has denied
23 ever filling out a card?

24 A. No, I don't.

1 Q. Okay. So you're not aware that she
2 would have denied filling out a card?

3 A. No. Actually, when she had talked
4 to me about that, she had remembered that she
5 did tell me to do it, because I spoke with her
6 about that.

7 Q. When did you speak with her about
8 it?

9 MR. MCTIGUE: I'm sorry, we're
10 talking about Blair?

11 MR. PICCININNI: Rose Blair.

12 MR. MCTIGUE: Rose Blair. Not your
13 sister.

14 THE WITNESS: Oh, okay. My fault.
15 My fault, I'm sorry. I'm sorry, I'm sorry.

16 BY MR. PICCININNI:

17 Q. Are you aware that Rose Blair denies
18 ever filling out a card?

19 A. No.

20 Q. Okay. Are you aware that she's
21 already saying that she's already registered?

22 A. No.

23 MR. PICCININNI: Okay.

24 BY DEPUTY DIRECTOR WHITE:

1 Q. Do you know Rose Blair?

2 A. Yes, I do.

3 Q. How do you know her?

4 A. She's my grandmother.

5 MR. PICCININNI: She already stated
6 that.

7 DEPUTY DIRECTOR WHITE: Okay.

8 BY MR. PICCININNI:

9 Q. And Carl Blair is?

10 A. My brother.

11 Q. Is your brother?

12 A. Yes, sir.

13 Q. Okay. And he was present when the
14 card was filled out?

15 A. Yes, sir.

16 Q. And you're stating it's your
17 testimony that you were discharged for signing
18 the voter registration card?

19 A. Yes, sir.

20 Q. Okay. What's your brother's current
21 address?

22 A. I don't know. The only thing I know
23 is that it's hard to get there. I know it's
24 off of 161 and Morse Road.

1 Q. Does he live a couple doors down
2 from your grandmother?

3 A. Not now, no.

4 Q. At the time this card was filled
5 out, did he live a couple doors down?

6 A. Yes.

7 Q. Okay.

8 Do you have any other questions?

9 I am finished with the questioning
10 -- oh, I'm sorry, we need to finish that. I
11 need you to reproduce the entire paragraph
12 that's below, on the lines below that.

13 MR. MCTIGUE: In script?

14 MR. PICCININNI: In script. In
15 cursive writing.

16 THE WITNESS: Oh.

17 (Discussion off the record.)

18 MR. PICCININNI: Let's go back on
19 the record.

20 MR. PICCININNI: You've indicated at
21 this point that you're willing to waive your
22 witness fees because your taxi fare down here
23 was paid today?

24 THE WITNESS: Yes.

1 MR. PICCININNI: We're off the
2 record.

3 (Discussion off the record.)

4 - - - - -

5 ROBYN BROWN

6 being first duly sworn, testifies
7 and says as follows:

8 - - - - -

9 EXAMINATION

10 BY MR. PICCININNI:

11 Q. Would you please state your name for
12 the record.

13 A. Robyn Renee Seward Brown.

14 Q. Okay. Ms. Brown, may I refer --
15 what's your current address?

16 A. 459 Miller Avenue, 05, Columbus,
17 Ohio.

18 Q. 43205?

19 A. Correct.

20 Q. Okay. This is an investigation
21 being conducted by the Franklin County Board
22 of Elections. The Board of Elections met in
23 August and by resolution granted the Director,
24 Matthew Damschroder, and the Deputy Director,

1 Dennis White, the authority to issue subpoenas
2 and conduct an investigation to report back to
3 the Board for possible -- for irregularities
4 in voter registration forms that were received
5 during the course of the 2006 election year
6 cycle; that's beginning in January and ending
7 in November.

8 As a result, several voter
9 registration forms were flagged, and we issued
10 subpoenas for individuals who submitted the
11 registrations that were flagged.

12 You're here under subpoena. The
13 information gathered at this fact-finding
14 session will be taken to the Franklin County
15 Board of Elections for possible referral to
16 the Franklin County Prosecutor. If the
17 prosecutor deems that there's enough
18 information to go forward, it's possible that
19 a grand jury could be convened and indictments
20 issued for elections falsification, which is a
21 felony in the fifth degree. Okay? Do you
22 understand that?

23 A. I do.

24 Q. Okay. How long have you lived at

1 459 -- oh. Have you ever given testimony
2 before?

3 A. No.

4 Q. In any kind of proceeding?

5 A. No.

6 Q. Okay. This individual right here is
7 a court reporter, or stenographer; he's taking
8 down everything that we say verbatim. If you
9 do not understand or do not hear a question
10 that has been asked, please ask us to repeat
11 it or rephrase it, and we will do so.

12 A. Okay.

13 Q. Okay? Also, please understand that
14 -- please verbalize all your answers.

15 A. Okay.

16 Q. If it's a yes, no, please answer
17 yes, please answer no. Uh-huhs, huh-uhs,
18 shakes of the heads do not translate well in
19 the transcript.

20 A. I understand.

21 Q. All right. How long have you lived
22 at 459 Miller Avenue?

23 A. Approximately five years.

24 Q. Okay. What was your address before

1 that?

2 A. 1618 Oak Street, Columbus, Ohio,
3 43205.

4 Q. Were you employed this year?

5 A. Um --

6 Q. Are you currently employed?

7 A. No.

8 Q. Okay. Were you employed at all
9 during the course of the year 2006?

10 A. For about three weeks with ACORN.

11 Q. What did you do for ACORN?

12 A. I don't know what you would call it.
13 I got registered voters.

14 Q. Registered voters.

15 A. And petitions.

16 Q. Petitions?

17 A. Yeah.

18 Q. Okay. Were you provided, in the
19 registration of voters, were you provided any
20 training on how to register voters?

21 A. Yes.

22 Q. Okay. Who conducted the training,
23 do you remember?

24 A. I believe her name was Charmaine.

1 Charmay or Charmaine.

2 Q. Do you remember what Charmaine told
3 you when you were registering voters?

4 A. Yeah. To see if they were
5 registered, you were ask to ask them if they
6 were registered, and if they said they were,
7 see if they had moved or gotten married since
8 the last time they voted. And that was pretty
9 much the criteria.

10 Q. Okay. Were you paid hourly, or by
11 the signature, or by the card?

12 A. We weren't paid by the card, I don't
13 believe. I think, I believe it was -- I think
14 it was eight dollars an hour.

15 Q. Where did you solicit individuals to
16 register to vote?

17 A. Where didn't I? No one particular
18 place. On Livingston, Alum Creek, downtown,
19 in front of the courthouse, further down the
20 street, in front of here, next door, in front
21 of Grinders, across the -- just everywhere.
22 No one particular place.

23 Q. Okay. I'm going to show you a form,
24 okay, and it's a form purporting to be from a

1 Robert Moore?

2 A. Um-hmm.

3 Q. Is that your signature at the
4 bottom?

5 A. That is my signature.

6 Q. You solicited that card?

7 A. Yeah.

8 Q. Is that card in your handwriting?

9 A. My signature, no that's not my
10 signature, but the signature is mine.

11 Q. Okay. Do you remember where you met
12 Mr. Moore?

13 A. No, I couldn't possibly.

14 MR. MCTIGUE: I think we need to
15 clarify. She said the signature is her
16 handwriting. You need to clarify which
17 signature, since there's two on here.

18 Q. The signature of the person --

19 A. My name. Where it says signature of
20 person registering application, applicant
21 Robert Brown, 3-22-06, that is mine. ACORN, I
22 wrote that. And nothing else.

23 Q. You don't remember where you
24 received that one?

1 A. No. Is this the dead gentleman?

2 Q. This is the dead gentleman.

3 A. The news came to my house and they
4 informed me of that, but I had no knowledge of
5 that, no.

6 Q. Would you be willing to submit to a
7 handwriting sample?

8 A. Oh, yeah.

9 MR. PICCININNI: Okay.

10 BY DEPUTY DIRECTOR WHITE:

11 Q. How many voter registrations did you
12 do while you were working for ACORN, just
13 approximately?

14 A. I think approximately between --

15 Q. Guess 50? 100? 200?

16 A. Yeah, all that. I can't tell you.

17 I worked for them two separate times, so I
18 can't possibly say. If I did 15 a day, 5
19 times a week for 3 weeks, what is that, 5
20 times 15, 70, 75.

21 Q. That's good.

22 A. So, 150, 200 and some change.

23 DEPUTY DIRECTOR WHITE: Okay. No
24 problem.

1 BY MR. PICCININNI:

2 Q. Would you please put Robert Moore's,
3 the name on one side, and then print it on one
4 side and then cursive on one side.

5 A. Okay. Right here?

6 Q. You need to fill out the top too.

7 A. Write it, print it?

8 Q. Yeah.

9 (Pause in proceedings.)

10 A. Okay, what am I doing, writing
11 Robert Moore?

12 Q. Um-hmm.

13 A. Then cursive?

14 Q. And then cursive.

15 (Pause in proceedings.)

16 Q. Okay. You said your name was Robyn
17 Renee -- what is the middle?

18 A. Seward is my maiden name.

19 Q. Spell that, please.

20 A. S-e-w-a-r-d.

21 Q. Okay. I'm going to show you a voter
22 registration card; this was filled out by an
23 individual by the name of Lynn Seward?

24 A. That would be my sister. My

1 sister's middle name is Lynn.

2 Q. Okay, is that your sister?

3 A. It is.

4 Q. She lives at 452 South Napoleon
5 Avenue?

6 A. No, she doesn't. She lives at 944
7 Oakwood.

8 Q. Is that your sister's signature on
9 it?

10 A. That's my signature. Oh, right
11 here?

12 Q. Yeah.

13 A. I don't know.

14 Q. Is that your signature at the
15 bottom?

16 A. No. It's my signature at the
17 bottom, but that's not my signature. But that
18 is my sister's middle name, Vickie Lynn.

19 Q. Okay. Is this individual your
20 sister?

21 A. Yeah. It appears to be. Yeah,
22 10-4-60, that's her birthday.

23 Q. Is that her phone number?

24 A. It was her phone number.

1 Q. Okay. What's your sister's full
2 name?

3 A. Victoria Lynn Seward. Just like it
4 says here but it's backwards.

5 MR. PICCININNI: Okay.

6 MR. MCTIGUE: You need to clarify,
7 you asked her if that was her sister's
8 address, and she said no.

9 THE WITNESS: It's not her address.

10 MR. MCTIGUE: The question is, was
11 that her address at the time it was filled
12 out.

13 BY MR. PICCININNI:

14 Q. Was this her address at the time?

15 A. I can't say for sure. She did live
16 on Napoleon. I don't know what that address
17 was.

18 MR. PICCININNI: Okay.

19 BY DEPUTY DIRECTOR WHITE:

20 Q. Do you recall when you did that with
21 your sister?

22 A. No.

23 Q. You don't recall that?

24 A. It says March the 24th.

1 DEPUTY DIRECTOR WHITE: Okay.

2 BY MR. PICCININNI:

3 Q. Did you work for ACORN in '04?

4 A. Yes. Is that when the President --

5 Q. Yeah.

6 A. Yes.

7 Q. Did you solicit registrations in

8 '04?

9 A. No. What did I do? We went to
10 houses to make sure -- we just backtracked.
11 Had people that were already registered, we
12 went to their houses to see if they were --
13 convinced them to continue to vote, make sure
14 that they were going to still vote, and that's
15 what I did in '04. You had a list of houses,
16 apartments and stuff, we just went back to
17 make sure they were coming out to vote.

18 Q. Okay, so you did not solicit any
19 voter registration cards in '04?

20 A. No, not in '04.

21 Q. Okay. I'm going to show you a copy
22 of another voter registration card. Is that
23 your sister?

24 A. This is my sister's -- that's my

1 sister. That's her, that's her name.

2 Q. And she was already registered?

3 A. Obviously.

4 Q. Okay. And did you go to her -- how
5 did she come about to fill out this card?

6 A. She worked for them for about two
7 days. She might have did this herself.

8 Q. But in '06, how did you come about
9 getting her to fill out a card?

10 A. I don't know. She worked with us,
11 I don't know. I could have asked her, I don't
12 know. I don't know. I don't know. She's my
13 sister. I probably asked her. I don't
14 recall. I probably asked her to register.

15 She moved, 944 Wilson. I don't know
16 if I said Oakwood, but she moved to 944 a
17 couple months ago. I don't know, sir, I can't
18 say for sure how I had her -- why she would
19 have did two of them or how I would have had
20 her do another one or vice versa or whatever.
21 It is my sister.

22 Q. Why aren't you working for ACORN
23 anymore?

24 A. Because it was cold and I quit, and

1 my daughter was still in school and she didn't
2 have a babysitter. I wasn't relieved or
3 anything; I quit.

4 Q. All right. Could you please, again,
5 like you did for Mr. Moore, would you fill out
6 the name of Lynn Seward, and then sign at the
7 bottom and, you know, not sign, do it in
8 cursive on the line over.

9 (Pause in proceedings.)

10 Q. Okay. And then if you would be so
11 kind to do the same thing for Victoria Lynn
12 Seward and then write it.

13 A. Victoria?

14 Q. Um-hmm.

15 A. I wrote cursive on the wrong line.

16 Q. That's okay, that's fine.

17 (Pause in proceedings.)

18 Q. And then would you please reproduce
19 the entire paragraph below on the lines at the
20 bottom of the page.

21 (Pause in proceedings.)

22 DEPUTY DIRECTOR WHITE: Let's go off
23 the record for a second while she's writing.

24 (Discussion off the record.)

1 BY DEPUTY DIRECTOR WHITE:

2 Q. I just have one question for the
3 record: Do you have any idea how someone who
4 passed away wound up in your voter
5 registration?

6 A. No. I mean, if Nancy Burton came to
7 my house, I wouldn't know. I have not a clue.
8 I have not a clue. They didn't make us
9 physically ask for ID, you know, when we
10 signed people up. I mean, anybody could have
11 did it. If she said all the information was
12 correct on the man, that she talked to his
13 wife or whatever, and I would have no way of
14 knowing who that possibly -- being it's a
15 common name, I would never -- I wouldn't
16 remember no one particular name. No, I don't
17 have a clue. No clue.

18 MR. PICCININNI: Okay. We're off
19 the record.

20 (Discussion off the record.)

21

22

DONALD BROOMFIELD

23

being first duly sworn, testifies

24

and says as follows:

1

EXAMINATION

2

3 BY MR. PICCININNI:

4 Q. Would you please state your name for
5 the record.

6 A. Donald J. Broomfield.

7 Q. Mr. Broomfield, what's your current
8 address?

9 A. I have no current address but my
10 mailing address is 459 East Miller.

11 Q. Do you know Robyn Brown?

12 A. Yes.

13 Q. How do you know Robyn Brown?

14 A. She's a friend of mine.

15 Q. She's a friend of yours?

16 A. No.

17 Q. But you use her address as --

18 A. Yes.

19 Q. Okay. You don't have a current
20 address right now; is that what your testimony
21 is?

22 A. Yeah.

23 Q. Okay. The purpose of this is to
24 investigate irregularities related to the

1 registration of voters and signatures
2 contained on initiative and referendum
3 petitions filed with and/or submitted to the
4 Franklin County Board of Elections. Okay?

5 You will be asked a series of
6 questions. The testimony that you are giving
7 before the Director and the Deputy Director of
8 the Franklin County Board of Elections, Mr.
9 Damschroder and Mr. White, will be taken to
10 the Franklin County Board of Elections for
11 possible referral to the Franklin County
12 Prosecutor's Office for possible indictments
13 and criminal charges being filed related to
14 election falsification, which is a felony in
15 the fifth degree. Do you understand that?

16 A. Um-hmm.

17 Q. So the testimony that you give today
18 can be used against you.

19 A. Um-hmm.

20 Q. Okay? What's your date of birth,
21 sir?

22 A. 1-28-53.

23 Q. Do you know your Social Security
24 number?

1 A. Yes. 288-52-8018.

2 Q. Were you employed this year, sir?

3 A. Yes.

4 Q. Who were you employed by?

5 A. ACORN.

6 Q. How long were you employed by ACORN?

7 A. About two or three months.

8 Q. Okay. Why did you leave the

9 employment of ACORN?

10 A. Because they asked me -- they say
11 felonies wasn't allowed to work there no more.

12 Q. Are you a convicted felon, sir?

13 A. Yes.

14 Q. Okay. What was your charge?

15 A. I'm a convicted felon.

16 Q. Yeah, what were you -- are you a

17 convicted felon?

18 A. Now?

19 Q. Were you ever convicted of a felony?

20 A. Yes.

21 Q. When were you convicted of a felony?

22 A. Let's see. Couple years ago.

23 Q. What was the felony? What were you

24 charged with and what were you convicted of?

1 A. Drugs.

2 Q. Cocaine?

3 A. Yeah.

4 Q. Okay. Did you have a sentence?

5 A. Yeah.

6 Q. What was your sentence?

7 A. Eighteen months, I believe.

8 Q. Okay. At the Ohio Department of

9 Rehabilitation and Corrections?

10 A. Yes.

11 Q. Okay. Are you on probation

12 currently?

13 A. No.

14 Q. When did your probation end?

15 A. When did my probation end?

16 Q. When did your probation end?

17 A. I wasn't on probation.

18 Q. You were not on probation; it was a

19 flat sentence and you were done?

20 A. Yeah.

21 Q. Okay. Okay. Did you serve the full

22 eighteen months?

23 A. Yeah.

24 Q. Okay. And I don't remember if I

1 asked you -- did I already ask you if you were
2 currently employed?

3 A. Yeah.

4 Q. Okay. Are you currently employed?

5 A. No.

6 Q. Okay. When you were hired by ACORN,
7 were you provided any training?

8 A. Yes.

9 Q. On how to register voters?

10 A. Yes.

11 Q. Do you remember who provided the
12 training?

13 A. No, I don't remember.

14 Q. Okay. Do you remember what the
15 training entailed? What was involved in the
16 training?

17 A. Oh, how you approach the people and
18 stuff like that.

19 Q. Okay. Where did you go to solicit
20 registrations from?

21 A. Downtown.

22 Q. Downtown?

23 A. Courthouse, in front of the
24 courthouse.

1 Q. Okay. Do you remember, were you
2 ever advised that the information on the forms
3 had to be correct?

4 A. No.

5 Q. You were never advised that -- you
6 were never advised of any criminal penalties
7 related to election falsification?

8 A. No. Yeah.

9 Q. Okay.

10 A. Yeah.

11 Q. Do you remember what they told you?

12 A. You can't write your own -- you
13 can't write your own sentence for that.

14 Q. As the applicant?

15 A. Yeah.

16 Q. Okay. Were you told whether you
17 could sign for that individual or not?

18 A. Was I told?

19 Q. Did they tell you if can sign for
20 the applicant? The person you were trying to
21 register, can you sign their name on the form?

22 A. No.

23 Q. Okay. They told you you couldn't do
24 that?

1 A. Yeah.

2 Q. Okay. Did you ever ask for ID from
3 any person that you registered? You just took
4 them for their word?

5 A. Ask for ID?

6 Q. Yeah.

7 A. No.

8 Q. Okay. I'm going to show you what's
9 been marked, a voter registration form for
10 Glenn Ransom, R-a-n-s-o-m.

11 A. Um-hmm.

12 Q. And Glenn is with two Ns. Do you
13 recognize that?

14 A. Yeah, I think so.

15 Q. Is that your signature at the bottom
16 of the page, at the bottom of the form?

17 A. Yeah.

18 Q. You registered that individual?

19 A. Yeah.

20 Q. Okay. Now, the address listed on
21 there is 2439 Schrock Road; is that correct?

22 A. Yeah.

23 Q. Are you aware that it is a vacant
24 lot between Kentucky Fried Chicken and Instant

1 Oil Change on Schrock Road?

2 A. No. I ain't aware of that.

3 Q. Do you remember where you solicited
4 that particular voter registration form?

5 A. Yeah.

6 Q. Where?

7 A. On Bryden Road.

8 Q. On Bryden Road?

9 A. Yeah.

10 Q. Where on Bryden Road?

11 A. At the Brice Building.

12 Q. What is the Brice Building?

13 A. It's a place where people take
14 methadone at.

15 Q. So it's a treatment facility for --

16 A. Yeah.

17 Q. -- persons addicted to heroin?

18 A. Yeah.

19 Q. And other various substances?

20 A. Yeah, I guess. Yeah.

21 Q. Okay. Do you know Mr. Glenn Ransom?

22 A. No, not by -- no.

23 Q. What do you mean not by?

24 A. Not by -- I'd just know when I see

1 him again.

2 Q. Have you seen him subsequent to
3 filling out that form?

4 A. Yeah.

5 Q. Are you currently in the methadone
6 program over at the Brice Center?

7 A. Yeah.

8 Q. Okay. And it's your testimony that
9 Mr. Ransom signed that in front of you and
10 filled out that form?

11 A. Yeah.

12 Q. I'm going to show you what's been
13 marked, a form for a Michelle Edwards. Do you
14 recognize that form?

15 A. No.

16 Q. Is that your signature at the
17 bottom?

18 A. Yeah.

19 Q. So you solicited this applicant to
20 register to vote?

21 A. Yeah.

22 Q. Okay. Do you remember where you
23 solicited that one?

24 A. No.

1 Q. Okay. Could that have been in front
2 of the Brice Building as well?

3 A. Or the courthouse, one of the two.

4 Q. Or the courthouse, okay. Were you
5 ever -- how were you paid by ACORN?

6 A. By check.

7 Q. Okay. But how was your compensation
8 determined: by the hour? by the voter
9 registration card?

10 A. What do you mean?

11 Q. Well, how were you paid? Were you
12 paid a dollar per card? Were you paid eight
13 dollars an hour?

14 A. Eight dollars an hour.

15 Q. Okay. So you were paid hourly?

16 A. Yeah.

17 MR. PICCININNI: Okay.

18 DEPUTY DIRECTOR WHITE: One
19 question: Were there any requirements, you
20 had to gather so many registrations per day or
21 per paycheck or per week or per month? Say
22 you go out all day long and they pay you pay
23 you eight dollars an hour and you come back
24 with no registrations, do you still get paid?

1 A. I get paid by the hour, yes.

2 Q. No matter what you did? Did it
3 matter if you got registrations or not? I
4 just wondered if there was any, like,
5 requirement or any direct supervisor that said
6 they wanted you to get so many registrations
7 when you were getting them.

8 A. Yeah, we were all -- so many
9 registrations we're supposed to get.

10 Q. How many were you supposed to get?

11 A. Many as you can.

12 Q. Okay. So they didn't give you a
13 number?

14 A. As many as you can.

15 BY MR. PICCININNI:

16 Q. Okay. You didn't have a set
17 requirement, though, that if you went out for
18 four hours you had to come back with 20
19 registered voters, 20 new registrations?

20 A. Well, if I come out for four hours,
21 if I get 20, I get 20.

22 Q. Okay. But there was no requirement?

23 And I'm just trying to clarify.

24 MR. MCTIGUE: Well, I think it's

1 asked and answered.

2 MR. PICCININNI: But --

3 MR. MCTIGUE: It's your
4 investigation.

5 MR. PICCININNI: Thank you.

6 DEPUTY DIRECTOR WHITE: Did I mess
7 it up?

8 MR. PICCININNI: No, you did fine.

9 DEPUTY DIRECTOR WHITE: I was just
10 curious.

11 BY MR. PICCININNI:

12 Q. So if you went out for 40 hours and
13 came back with nothing, you still got paid for
14 40 hours?

15 A. Yeah.

16 Q. Okay. I'm going to show you another
17 card for an Ieasha, I-e-a-s-h-a, Robinson. Do
18 you recognize that one? Or is that your name
19 at the bottom of the card?

20 A. Yeah, that's my name. I don't
21 recognize it. What's wrong with it?

22 Q. Okay. Did she fill that out
23 herself?

24 A. Yeah.

1 Q. Okay. Where did you solicit that
2 one?

3 A. I don't know.

4 Q. Okay.

5 A. I mean, what's up with these?

6 Q. Huh?

7 A. What's up with them?

8 Q. Well, I'm trying to find out.

9 A. Oh, okay.

10 Q. Okay? So, can you recognize the one
11 for Mr. James Givens?

12 A. All I recognize is my name.

13 Q. Okay. Do you know Mr. James Givens?

14 A. No.

15 Q. Okay. Do you know Ms. Teasha
16 Robinson?

17 A. No.

18 Q. Do you know -- who's the other one
19 there that we've already got?

20 A. Glenn.

21 Q. Glenn, we've already talked about
22 Glenn, and Michelle.

23 A. Michelle.

24 Q. Okay. So you don't know those

1 individuals?

2 A. No.

3 Q. Okay. Do you know Frances Bowman?

4 A. My name on it?

5 Q. No. Do you know Frances Bowman?

6 A. Is my name on it?

7 Q. No. I'm not -- that's not the

8 question. Do you know a Frances Bowman?

9 A. No.

10 Q. Okay. Do you know Jillian Parsons?

11 A. No. My name is on here.

12 Q. Your name is on there. You

13 solicited that particular voter registration

14 form; is that correct?

15 A. Yes.

16 Q. Okay. Do you know Howard Turner?

17 A. No. My name on here no.

18 Q. But your name is on there?

19 A. Yes.

20 Q. You solicited that voter

21 registration form. Do you know Tyrone

22 Woodruff? Did you solicit that one?

23 A. Yeah. That's my name, yeah.

24 Q. Do you know this individual?

1 A. No.

2 Q. Okay. Do you know Theodore Clark?

3 A. Theodore Clark, no.

4 Q. Is this your handwriting here?

5 A. Where?

6 Q. Where it says Columbus and Franklin?

7 A. That look like my handwriting.

8 Q. Huh?

9 A. That look like my handwriting.

10 Q. Okay. Did you fill out the bottom

11 of that -- is that your signature at the

12 bottom?

13 A. Yeah.

14 Q. Okay.

15 MR. MCTIGUE: When we say at the
16 bottom, you mean all the way at the bottom.

17 BY MR. PICCININNI:

18 Q. All the way at the bottom, where it
19 says signature of the person. When I say your
20 signature, I'm referring to the area that says
21 signature of person registering applicant.

22 A. Yeah.

23 Q. What about for Herb Bartlett?

24 A. Who?

1 Q. Herb Bartlett.

2 A. No.

3 Q. That's two Ts at the end of that.

4 A. But that's my name.

5 Q. But you solicited that one?

6 A. Yeah.

7 Q. Okay. Sir, would you be willing to
8 provide a writing sample for me?

9 A. Yeah.

10 Q. Okay. What I need you to do is, I
11 need you to fill out the top of this.

12 A. Today is the 24th?

13 Q. Today is the 18th.

14 (Pause in proceedings.)

15 Q. Okay, sir, then what I need you to
16 do, on these lines here, I need you to write
17 the name of Herb Bartlett.

18 A. Who?

19 Q. Herb Bartlett.

20 A. Herb?

21 Q. Yeah, print it, and then on the line
22 next to it write it in cursive.

23 A. Herb, H-e- --

24 Q. H-e-r-b.

1 A. H-e-r-b. Then write what?

2 Q. No, the whole name. You need to put

3 the person's whole name in: Herb Bartlett.

4 B-a-r-t-l-e-t-t. And then write it in cursive

5 on the line next to it.

6 (Pause in proceedings.)

7 Q. Okay. Then I need you to do the

8 same thing for each one of these. Howard

9 Turner, the same way.

10 (Pause in proceedings.)

11 A. I think I put the wrong --

12 Q. That's okay, just keep going.

13 It would be Jillian Parsons?

14 A. JoAnn?

15 Q. Jillian.

16 A. Jillian. That's a J?

17 Q. That's J.

18 It's a J, right, Don?

19 MR. MCTIGUE: Yes, it is.

20 MR. PICCININNI: You're not going to

21 give me a problem on something so simple like

22 that, are you?

23 MR. MCTIGUE: I think that's a J.

24 A. Okay.

1 Q. James Givens.

2 (Pause in proceedings.)

3 Q. Ieasha Robinson.

4 A. I-e- --

5 Q. I-e-a-s-h-a. I think I pronounced
6 it right.

7 (Pause in proceedings.)

8 A. Okay.

9 Q. Michelle Edwards.

10 (Pause in proceedings.)

11 A. Was that an S on the end, Edwards?

12 Q. Yeah, Edwards. Yes. Glenn Ransom.

13 (Pause in proceedings.)

14 Q. And one more, Theodore Clark.

15 (Pause in proceedings.)

16 A. Is it d-o-r?

17 Q. T-h-e-o-d-o-r-e.

18 A. Okay.

19 Q. And then I need you to reproduce
20 that entire paragraph below, in cursive, on
21 the lines below. I need you to copy the words
22 -- rewrite it. See the paragraph there that
23 begins with the word "our"?

24 A. Yeah.

1 Q. I need you to reproduce that whole
2 paragraph in cursive. I need you to rewrite
3 this whole paragraph on these lines in script.
4 Start on the top line; otherwise, you'll run
5 out of room.

6 (Pause in proceedings.)

7 MR. PICCININNI: Thank you, sir. I
8 appreciate that. Sir, I have concluded my
9 questioning at this juncture.

10 You are entitled to a witness fee
11 for half a day, six dollars, okay? Would you
12 please fill -- if you would like the check
13 mailed to you, just fill this portion out and
14 sign the bottom, and we will get a check
15 mailed to you however long it takes the
16 auditor to process the check.

17 We are concluded. Do you have any
18 questions, Matt?

19 DIRECTOR DAMSCHRODER: No. Anything
20 you want to add, Don?

21 MR. MCTIGUE: No, not right now.
22 We'll be giving you some stuff, but not on
23 these particular individuals, but what we were
24 discussing off the record.

1 MR. PICCININNI: Okay. We're off
2 the record then.

3 -----

4 Thereupon, the proceedings were
5 concluded.

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