

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

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O. JOHN BENISEK, et al.,	:	
	:	
Plaintiffs,	:	
	:	Case No.
vs.	:	
	:	13-cv-3233
LINDA H. LAMONE, et al.,	:	
	:	
Defendants.	:	

-----x

Bethesda, Maryland
Friday, April 7, 2017

Deposition of:

 JEANNE D. HITCHCOCK,
the witness, was called for examination by counsel
for the Plaintiffs, pursuant to notice, commencing
at 10:16 a.m., at the law offices of Lerch, Early
& Brewer, 3 Bethesda Center, Suite 460, Bethesda,
Maryland 20814, before Dawn A. Jaques, CSR, CLR,
and Notary Public in and for the State of
Maryland.

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1 PROCEEDINGS
 2 Whereupon,
 3 JEANNE D. HITCHCOCK,
 4 was called as a witness, after having been
 5 first duly sworn by the Notary Public,
 6 was examined and testified as follows:
 7 EXAMINATION BY COUNSEL FOR THE PLAINTIFFS
 8 BY MR. MEDLOCK:
 9 Q Good morning, ma'am.
 10 A Good morning.
 11 Q Can you please state and spell your
 12 full name for the record?
 13 A All right. Jeanne D. Hitchcock,
 14 J-E-A-N-N-E, D, H-I-T-C-H-C-O-C-K.
 15 Q What's your work address?
 16 A 901 South Bond Street, Baltimore,
 17 Maryland.
 18 Q What's your home address?
 19 A 5882 Pimlico Road, Baltimore,
 20 Maryland.
 21 Q Have you ever sat for a deposition
 22 before?

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1 A No.
2 Q Have you ever testified at trial?
3 A Yes.
4 Q When did you testify at trial?
5 A 1979, or thereabouts.
6 Q So reaching back quite a ways, but do
7 you recall what that trial was about?
8 A Yes.
9 Q What was it about?
10 A An employee of Legal Aid sued
11 Legal Aid.
12 Q Was that a case in federal court or
13 state court?
14 A State court.
15 Q In state court in Maryland?
16 A Baltimore.
17 Q Have you ever given testimony at an
18 arbitration?
19 A No.
20 Q Have you ever given testimony before a
21 regulatory body or government agency?
22 A No.

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1 Q You mentioned Legal Aid of Baltimore.
2 You're an attorney; is that right?
3 A Yes.
4 Q Are you still practicing?
5 A I still have a license, but I'm not
6 practicing.
7 Q So you have an active license with the
8 Maryland State Bar; is that correct?
9 A Correct.
10 Q When you were practicing law, what
11 type of law were you practicing?
12 A Civil.
13 Q Civil litigation?
14 A Yes, and other types.
15 Q What were the other types?
16 A Like representation of clients in
17 Annapolis, stuff like that.
18 Q Okay. So have you ever in that
19 practice taken a deposition?
20 A Yes.
21 Q Okay. Have you ever defended a
22 deposition in that practice?

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1 A No, not that I recall.
2 Q Okay. So some of this you may recall
3 from when you took depositions or attending
4 depositions, but I'll go over it just so we have
5 ground rules.
6 A Okay.
7 Q This is a conversation between me and
8 you, which I ask questions and you answer them.
9 There's also a court reporter to your
10 immediate right. It's important for her and for
11 the clarity of the record that you give audible
12 responses to my questions. The court reporter
13 can't take down shakes of the head, or even
14 pointing to certain things, and even on a
15 transcript, "uh-huh" and "uh-uh" can be very hard
16 to distinguish later on, so I'll ask that you give
17 full audible answers to my questions, okay?
18 A Yes.
19 Q It's also important that we don't talk
20 over each other. That happens in normal everyday
21 conversation, but it will drive the court reporter
22 mad if we do it, so ...

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1 Sometimes it can take me time to
2 formulate my full question, and I understand that,
3 for a witness, sometimes it can take you time to
4 think through a question and answer it fully. So
5 if you give me the courtesy of letting me get my
6 full questions out, I'll give you the same
7 courtesy of letting you get your full answer out,
8 okay?
9 A Yes.
10 Q You have your attorney to your
11 immediate left. From time to time, she may
12 object, that's her right, but unless she instructs
13 you to not answer a question, I'm going to have to
14 ask you to answer the question, okay?
15 A Yes.
16 Q And most importantly, we'll take
17 breaks. We'll take breaks about every hour. We
18 can take them sooner if you need to, for example,
19 if you get a phone call that you need to answer,
20 but my only request to you would be that you just
21 answer the question that's pending before we take
22 a break, okay?

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1 A Yes.
2 Q Okay. What did you do to prepare for
3 today's deposition?
4 A I talked to counsel, and pretty much
5 that's it.
6 Q Okay. When you say you talked to
7 counsel, are you talking about Ms. Katz, who's to
8 your left?
9 A Yes.
10 Q Did you speak to anyone else at the
11 Office of the Attorney General in preparation for
12 your deposition?
13 A What's the young lady's name?
14 Q Sarah Rice?
15 A Yes.
16 Q So you spoke to Ms. Katz and Ms. Rice;
17 is that correct?
18 A Yes.
19 Q Were those conversations over the
20 phone or in person?
21 A Both.
22 Q And how many conversations did you

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1 have with Ms. Katz and Ms. Rice to prepare for
2 today's deposition?
3 A Two.
4 Q Okay. In total, how long did those
5 conversations last?
6 A Ten minutes.
7 Q Between the two of them?
8 A Clarify that.
9 Q Sure, no problem. If at any point you
10 want me to clarify a question, happy to do it.
11 A This is the in-person and the --
12 Q Yes. The total time speaking to
13 attorneys, how much time do you think you spent
14 speaking to them to prepare for your deposition?
15 A An hour.
16 Q During that hour of time speaking to
17 your attorneys to prepare for today's deposition,
18 were you shown any documents?
19 A No, not that I recall.
20 Q Okay. Where did the -- you said part
21 of this was in person; is that right?
22 A Yes.

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1 Q When it was an in-person preparation
2 session, where did that occur?
3 A At the Attorney General's Office.
4 Q In Baltimore?
5 A Yes.
6 Q Did you speak to anyone other than the
7 Office of the Attorney General about today's
8 deposition?
9 A No.
10 Q Does your employer know you're here?
11 A No.
12 Q So other than meeting with Ms. Katz
13 and Ms. Rice, have you done anything else to
14 prepare for today's deposition?
15 A I read I think a transcript of a
16 hearing -- of one of the hearings.
17 Q When you say a hearing, are you
18 talking about a court hearing or a GRAC hearing?
19 A A GRAC hearing.
20 Q Do you remember what date that hearing
21 transcript was from?
22 A No, I do not.

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1 Q Why did you decide to read the GRAC
2 transcript to prepare for the deposition?
3 A It was offered as an opportunity.
4 Q Okay. When you say it was offered as
5 an opportunity, what do you mean by that?
6 A Just it was given to me by counsel.
7 Q I see, okay.
8 And did you in fact read it?
9 A Skimmed it.
10 Q Okay. It was a long transcript?
11 A No.
12 Q So besides reading that one
13 transcript, did you do anything else in terms of
14 reading documents to prepare for today's
15 deposition?
16 A No.
17 Q I show you what we've marked as the
18 first exhibit to your deposition. We're labeling
19 these sequentially, so this will be Exhibit 96.
20 (Hitchcock Exhibit 96 was marked
21 for identification.)
22

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1 BY MR. MEDLOCK:
2 Q Ms. Hitchcock, I put in front of you
3 what we've marked as Exhibit 96 to your
4 deposition. Please take a moment to review it,
5 and then let me know audibly on the record when
6 you're done reviewing it.
7 A (Witness reviewing Exhibit 96.)
8 I'm finished reading it.
9 Q Okay. Do you recognize Exhibit 96?
10 A Yes.
11 Q What is Exhibit 96?
12 A It's a profile of me on the Maryland
13 Manual.
14 Q What is the Maryland Manual, if you
15 recall?
16 A The Maryland Manual is a collection of
17 information about state government.
18 Q And it includes biographies of current
19 state officials, and even some former state
20 officials, correct?
21 A I wouldn't know about the former -- I
22 don't recall the former -- well, yes.

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1 Q Certainly in your case it does?
2 A If this is a current document, yes.
3 Q Okay. And do you see at the top it
4 says "GOVERNOR," and then below that "GOVERNOR'S
5 STAFF," and then below that "FORMER STAFF,"
6 correct?
7 A Oh, yes, correct.
8 Q And then underneath that is your
9 picture and then your name, correct?
10 A Correct.
11 Q Okay. Is this printout from the
12 Maryland Manual, is it accurate as to your
13 educational history?
14 A Yes.
15 Q And as to your employment history, is
16 this an accurate listing of your employment
17 history through 2015?
18 A That would be above the line, right?
19 Q That would be above the line, yes.
20 A Well, actually, it wouldn't be above.
21 Q It's a little bit above and below,
22 actually.

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1 A Yes, it is.
2 I believe so. I think so, because I'm
3 not clear in my own head when exactly I took the
4 Chief Legislative Officer position.
5 Q I see. Is there anything when you
6 just look at this that jumps off the page that's
7 wrong about your employment history in Exhibit 96?
8 A No, nothing jumps -- wait a minute.
9 Governor's Redistricting Advisory Committee, 2011?
10 Q Uh-hmm.
11 A That doesn't seem right, does it?
12 Q Well, we can get into that, but you
13 think that that may be inaccurate; is that right?
14 A I actually don't remember.
15 Q Okay. So as you sit here today,
16 without looking at any of the deposition exhibits
17 yet, you can't recall whether you were on the GRAC
18 in 2011 or a different year; is that right?
19 A Right, I would say that's accurate.
20 Q But you do remember at some point you
21 were on the GRAC?
22 A Correct.

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1 Q Okay. So with that one exception, do
2 you see anything on here that you believe may be
3 wrong or inaccurate?
4 A Nothing jumps out at me as wrong or
5 inaccurate other than what I just told you I don't
6 quite recall.
7 Q Okay. So this leaves off at
8 January 21st, 2015. Do you see that? That's when
9 you left the Chief Legislative Officer position.
10 A Yes.
11 Q After January 21st, 2015, what was
12 your next area that you were employed in?
13 A Johns Hopkins University and Medicine.
14 Q And what is your position at Johns
15 Hopkins University?
16 A Special Advisor to the Vice President
17 on Local Government, Community and Business
18 Relations.
19 Q And what do you do in that role?
20 A I advise the Vice President on matters
21 relating to local government and community
22 relations.

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1 Q Besides sort of what's in the title,
2 can you explain to me sort of what your day to day
3 is?
4 A Okay. I manage directors of various
5 components of local government and community
6 relations -- I manage the people who manage
7 specific areas of the city as it relates to
8 community relations; I manage the person who does
9 the government relations; and I advise leadership
10 on public relations, community relations, as it
11 impacts Johns Hopkins Hospital and University.
12 Q In your work on community relations
13 for Johns Hopkins, do you do any sort of outreach
14 to Western Maryland?
15 A No.
16 Q Have you ever done any outreach to
17 Western Maryland on behalf of Johns Hopkins?
18 A No.
19 Q Why not?
20 A Because it's not local. I'm an
21 advisor on local matters.
22 Q So you wouldn't consider areas sort of

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1 outside of the immediate Baltimore area to be
2 local?
3 A I don't know how to answer your
4 question. Local is considered Baltimore. If the
5 president, or anyone, asks me to do anything
6 anywhere, I would do it. I just have never had
7 any reason or been asked to do anything in Western
8 Maryland.
9 Q I see. You're a registered Democrat;
10 is that correct?
11 MS. KATZ: Objection, leading.
12 BY MR. MEDLOCK:
13 Q Are you registered to vote as a
14 Democrat?
15 A Isn't that personal? Do I have to
16 answer that? I do? Yes.
17 Q Okay. Have you been a member of the
18 Maryland Democratic Party before?
19 A Yes.
20 Q Okay.
21 A Aren't you always a member of the
22 local place where you're registered?

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1 Q Sure.
2 A Okay, then the answer is yes.
3 Q How long have you been a registered
4 Democrat?
5 A I've always been a registered
6 Democrat.
7 Q From the moment you were able to vote,
8 you registered as a Democrat; is that right?
9 A I think that's true. My parents were
10 Republican, and I don't know that I didn't
11 register as a Republican when I first registered.
12 I wouldn't be able to tell you that. I really
13 don't remember that.
14 Q But you don't have any recollection of
15 being a registered Republican?
16 A I do not have a recollection.
17 Q Do you have any recollection of being
18 registered to any party other than the Democratic
19 Party?
20 A I have not been registered in any
21 other party other than either that, what I said to
22 you before, and the Democratic Party.

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1 Q Have you ever made campaign
2 contributions to any Democratic candidate?
3 A Yes.
4 Q Can you name the campaigns, Democratic
5 campaigns, to which you've contributed?
6 A Martin O'Malley; Catherine Pugh;
7 Stephanie Rawlings probably; city council members,
8 and I don't remember which ones they would be.
9 That's all I can recall.
10 Q If you had to estimate, how much money
11 would you say that you have in total given to
12 Democratic candidates seeking election?
13 A \$2,500, \$3,000, over the course of --
14 I don't know.
15 Q Have you ever volunteered for a
16 Democratic candidate's electoral campaign?
17 A Yes.
18 Q Which candidates have you volunteered
19 for in their electoral campaigns?
20 A Martin O'Malley.
21 Q Any others?
22 A Not that I recall. Volunteer? No,

Page 21

1 not that I recall. In terms of knocking on doors
2 and stuff like that, no, I can't recall doing
3 that.
4 Q Have you ever been a paid staffer for
5 any Democratic candidate's political campaign?
6 A No.
7 Q Have you ever been an advisor, whether
8 paid or unpaid, to any Democratic candidate's
9 political campaign?
10 A I don't know what you mean by advisor.
11 I have never -- people call me all the time and
12 ask me my opinion on things, especially as it
13 relates to politics in Baltimore City.
14 Q Sure. When you say people call you to
15 get advice on politics in Baltimore City, has
16 former Governor O'Malley ever called you to get
17 advice on politics in Baltimore City?
18 A Sure, when I was Deputy Mayor.
19 Q Sure. And if you can estimate, how
20 many conversations would you say you've had with
21 former Governor O'Malley in which you were giving
22 him political advice?

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1 A I was an employee, so I don't know how
2 I could ever answer that question in terms of --
3 I'm his employee.
4 Q When you weren't his employee, when
5 you weren't Deputy Mayor, did you still have
6 conversations with former Governor O'Malley in
7 which you were giving him political advice?
8 A Okay, let's back up for a second.
9 Let's slow down for a second.
10 Q Sure.
11 A I know the African-American community
12 in Baltimore, I was born and raised there. So
13 people often ask me my opinion about things in
14 Baltimore as it relates to the African-American
15 community.
16 So, yes, I have spoken to
17 Martin O'Malley about the nature of the
18 African-American community in Baltimore City.
19 Q Okay. I take your suggestion, let's
20 back up and let's talk about how you know
21 Governor O'Malley.
22 When did you first meet

Page 23

1 Governor O'Malley?
2 A I first met him the year he was
3 elected as mayor, whichever year that was.
4 Q And do you remember in what context
5 you met him?
6 A Yes.
7 Q Okay, please tell me.
8 A Pete Rawlings was advising -- was
9 somehow connected with his campaign and wanted
10 diversity on his team, and he referred me to him
11 to talk with him and others when he was building
12 his team.
13 Q When you say he was building his team,
14 this is former Governor O'Malley, then
15 Mayor O'Malley, trying to build out his team as
16 mayor of Baltimore?
17 A Yes, Mayor-Elect.
18 Q Mayor-Elect I should say.
19 A Yes.
20 Q Do you remember what year that would
21 have occurred in?
22 A What year was he elected?

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1 Q So it would have been that year?
2 A Yes.
3 Q Okay. Do you know where that
4 conversation occurred?
5 A Yes.
6 Q Where did it occur?
7 A At the law office of Gallagher
8 Evelius & Jones.
9 Q How long did that conversation with
10 Mayor-Elect O'Malley last, do you recall?
11 A Not long.
12 Q Okay.
13 A It was more of a conversation with
14 others, I think, Pete and --
15 Q When you first met Mayor-Elect
16 O'Malley, what was your impression of him?
17 A I don't know how to answer that
18 question, actually, what was my impression. What
19 do you mean by impression?
20 Q Well, I guess my question is what was
21 your feeling about Mayor-Elect O'Malley when you
22 first met him? Was he somebody you wanted to work

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1 for, someone you thought was going places, or did
2 you think that he was somebody that you didn't
3 want to work for and that you didn't think would
4 amount to much in Maryland politics?
5 MS. KATZ: Objection as to form,
6 compound.
7 BY MR. MEDLOCK:
8 Q Go ahead.
9 A She said it was compound.
10 Q It is. You can answer.
11 MS. KATZ: You can answer it to the
12 best of your ability.
13 THE WITNESS: Okay. It certainly was
14 not that I didn't want to work for him because I
15 felt that it was worthy of further discussion, I
16 guess, with his team.
17 BY MR. MEDLOCK:
18 Q Well, at some point you did decide to
19 become Deputy Mayor and work for Mayor O'Malley,
20 correct?
21 A Correct.
22 Q Why did you decide to take that job?

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1 A I had options. This was an option I
2 liked.
3 Q What made it better than your other
4 options -- better than other options for you?
5 A The other option was to practice law,
6 and I decided I didn't want to do that anymore.
7 Q Understood. So from the time you
8 became a deputy mayor working for Mayor O'Malley,
9 how many years did you work with Mayor, and then
10 Governor O'Malley, when he was in political
11 office?
12 A Whatever is the full term of the
13 mayor's office and the full term of the governor's
14 office, however that calculates.
15 Q Was it longer than ten years?
16 A Yes, it was.
17 Q Did you have a good working
18 relationship with Mayor, and then
19 Governor O'Malley?
20 A Yes.
21 Q When you were working for
22 Mr. O'Malley, how often would you speak to him?

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1 A You have to be more specific. It was
2 different between the deputy mayor and the
3 governor.
4 Q Sure. When you were his deputy mayor,
5 how often would you speak to him?
6 A Two or three times a week.
7 Q When he was the governor, how often
8 would you speak to him?
9 A Less.
10 Q When you say less, are we talking
11 about one time a week, or even less than that?
12 A Maybe every other week.
13 Q When you were Mayor O'Malley's deputy
14 mayor, what were your responsibilities?
15 A I was Deputy Mayor for
16 Intergovernmental Relations, and I had a portfolio
17 of working with the city council, the state
18 legislature, the federal delegation. I also had
19 the health department and the school system, and
20 any other agencies that were intergovernmental in
21 nature.
22 Q Okay. When you say working with the

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1 federal delegation was part of your portfolio,
2 what do you mean by that?
3 A It was very simple. The delegation
4 every year for local government, wherever you are,
5 would at the time submit requests for city
6 funding, and so I had a gentleman who worked with
7 me out of Washington, D.C., who would prepare
8 documents from the agencies to make specific
9 requests. So, in essence, I supervised him.
10 Q I see.
11 A And the mayor would, as mayors do now,
12 they go and present to the delegation for funding
13 for drug treatment or ...
14 Q When you say "the delegation," are you
15 referring to Maryland's congressional delegation?
16 A Yes.
17 Q Was there anyone on Maryland's
18 congressional delegation that you or your staff
19 worked with most closely in preparing these
20 funding requests?
21 A Well, remember I said I supervised the
22 gentleman who did.

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1 Q Yes.
2 A And I would say Barbara Mikulski.
3 Q How about Steny Hoyer's office, did
4 you work with Steny Hoyer's office?
5 A No, I really didn't work with Steny's
6 office, no. I really didn't work with Steny's
7 office.
8 Q How about Congresswoman Donna Edwards,
9 did you work with her?
10 A No.
11 Q Can you think of anybody other than
12 Senator Mikulski that you worked with in the
13 federal delegation at that time?
14 A Federal delegation at that time. The
15 senior Sarbanes.
16 Q Okay. But it would not have been the
17 junior Sarbanes?
18 A It would not have been the junior
19 Sarbanes, no.
20 Q Okay. You mentioned that you were a
21 volunteer for Governor O'Malley's political
22 campaigns. Which political campaigns did you

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1 volunteer for?
2 A Both.
3 Q So for both mayor and gubernatorial;
4 is that correct?
5 A Yes.
6 Q And then both cycles for the
7 gubernatorial election?
8 A Yes.
9 (Witness receiving a phone call.)
10 Wait a minute, this is my contractor.
11 I'm sorry.
12 Q Okay, why don't we go off the record
13 for a moment.
14 A No, don't need to go off the record.
15 Q So when you were volunteering for
16 Governor O'Malley's political campaigns, Mayor and
17 then Governor O'Malley's political campaigns, what
18 were you doing as a volunteer?
19 A We would meet at Gallagher Evelius &
20 Jones' office and talk about, you know,
21 advertising, my recollection is, advertising and
22 posters, putting up posters, things like that.

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1 Q How often did those meetings at
2 Gallagher Evelius & Jones occur?
3 A Once a month, once every other -- no,
4 that wouldn't have been the case.
5 It would have been once every quarter
6 or once every other month, something like that.
7 Q Did that group that met at Gallagher
8 Evelius & Jones, did it have any particular name?
9 Was it a type of committee or something like that?
10 A No, uh-uh.
11 Q How many people would meet at
12 Gallagher Evelius & Jones for these particular
13 meetings?
14 A About ten.
15 Q Was Mr. O'Malley present for the
16 meetings?
17 A Not necessarily, no.
18 Q Who was in charge of setting up those
19 meetings?
20 A Rick Berndt.
21 Q Did Mr. Berndt chair the meetings as
22 well?

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1 A For the most part, yes, I think he
2 did.
3 Q What was your role on that group of
4 ten people that met at Gallagher Evelius & Jones?
5 A To listen and, you know, give my
6 opinion on things.
7 Q Did you have a particular portfolio of
8 items that you were expected to give opinions on,
9 or do you give opinions on everything that came
10 up?
11 A I feel I can give opinion on anything
12 I want to give an opinion on, however -- look, I'm
13 an African-American born and raised in Baltimore,
14 live in Baltimore, grew up in Baltimore. That's
15 what I know.
16 Q Okay, I understand. So you came from
17 that perspective and offered advice from that
18 perspective?
19 A Yes.
20 Q Okay. You mentioned that you
21 contributed money to Governor O'Malley's political
22 campaigns. Do you remember that?

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1 A Uh-hmm.
2 Q How much money would you say that it
3 is that you donated in total to
4 Governor O'Malley's political campaigns?
5 A I would say \$2,500. Any other
6 contribution that I've made would have been
7 minimal contributions to other political
8 candidates, but over the course of four elections,
9 I could say I contributed four \$2,500, something
10 like that, but I really don't remember.
11 Q That's just your best guess as you sit
12 here?
13 A That's my best guess, yes.
14 Q Okay. In total, how many hours would
15 you say you spent volunteering for
16 Governor O'Malley's political campaigns, if you
17 had to guess?
18 A Over 15 years?
19 Q Yes, over the elections.
20 A How many hours of volunteering?
21 Q Yes.
22 A Well, an election -- I really don't

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1 know.
2 Q Okay. When you first volunteered for
3 one of Mr. O'Malley's political campaigns, which
4 campaign was that, if you recall?
5 A The two mayors and the two governors.
6 Q Okay. So his first time he ran for --
7 A Oh, wait a minute. Not the first, so
8 one mayor and two governors.
9 Q So the first time he ran for
10 reelection as mayor, you volunteered for that
11 campaign, correct?
12 A Yes.
13 Q And that was the time that you were at
14 the meetings at the law firm in Baltimore speaking
15 about advertising and other items, correct?
16 A Yes.
17 Q Okay. In total, how many hours do you
18 think you spent volunteering for that particular
19 political campaign?
20 A Ten.
21 Q Okay. And then you said you
22 volunteered for Governor O'Malley's first campaign

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1 for governor, correct?
2 A Correct.
3 Q When you were volunteering for that
4 political campaign, what was your role?
5 A The same.
6 Q So you would attend meetings where
7 certain items would be discussed, correct?
8 A Right, yes.
9 Q And those meetings would have a
10 limited number of people at them, right?
11 A Correct.
12 Q How many people attended those
13 meetings?
14 A Ten, and I'm rounding up or down.
15 Q Okay, understood.
16 A Approximately. Why don't I say
17 approximately.
18 Q Sure. And where did those meetings
19 occur?
20 A At Gallagher Evelius & Jones.
21 Q Is the Gallagher in Gallagher
22 Evelius & Jones, is that Matt Gallagher?

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1 A No, that is --
2 Q A different Gallagher?
3 A A different Gallagher.
4 Q And how often did those meetings at
5 Gallagher Evelius & Jones occur?
6 A Once every other month.
7 Q Were you discussing about the same
8 type of topics that you were discussing when
9 Governor O'Malley was running for mayor?
10 A Yes.
11 Q And in total, how much time did you
12 spend volunteering for Governor O'Malley's first
13 campaign for governor?
14 A I would say the same, ten hours.
15 Q Did you ever get out and --
16 A But I really don't remember that. I
17 just remember that periodically we would have a
18 meeting, and I would go, and then --
19 Q Besides those meetings that you
20 attended during the first campaign for governor,
21 did you do anything else to volunteer for that
22 political campaign for O'Malley?

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1 A Not that I recall, no.
2 Q You didn't get out and knock on doors
3 for that campaign?
4 A No.
5 Q Is that not something that you --
6 A That is not something I do.
7 Q Okay, fair enough.
8 The second political campaign -- let
9 me back up.
10 At some point, Governor O'Malley ran
11 for reelection, correct?
12 A Correct.
13 Q Did you volunteer for that political
14 campaign as well?
15 A Yes.
16 Q Can you describe your role when you
17 volunteered for Governor O'Malley's reelection
18 campaign?
19 A The same. I would periodically attend
20 meetings.
21 Q Same law firm?
22 A Same law firm.

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1 Q And it happened with about the same
2 amount of regularity as well?
3 A I would say so, yes.
4 Q And you were discussing the same
5 topics as well?
6 A Yes.
7 Q Were the people at these meetings at
8 the law firm, were they the same people for each
9 election campaign, or did it change?
10 A Pretty much the same people I think.
11 Q Okay. Now, at some point,
12 Governor O'Malley ran for the Democratic
13 nomination for president, correct?
14 A Correct.
15 Q Did you volunteer for that campaign?
16 A No.
17 Q Were you asked to?
18 A I don't think so. No.
19 Q If you were asked to, would you have
20 volunteered?
21 A No.
22 Q Why not?

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1 A Just I don't do that anymore. I work
2 for Johns Hopkins University and Medicine.
3 Q So you were focused then on your
4 postpolitical career at that point?
5 A My new life.
6 Q Do you consider yourself close to
7 Governor O'Malley?
8 MS. KATZ: Objection, vague.
9 BY MR. MEDLOCK:
10 Q Go ahead.
11 A Professionally?
12 Q Yes.
13 A Or personally?
14 Q Professionally. Do you consider
15 yourself professionally close to him?
16 A Not now.
17 Q During the time that you working for
18 him, did you consider yourself professionally
19 close to Governor O'Malley?
20 A I'm not sure what you mean by "close."
21 Q Did you feel like you could have
22 access to him when you needed to speak to him?

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1 A Yes.
2 Q Did you feel like he valued your
3 opinions?
4 A I do.
5 Q Do you feel like he took your advice?
6 A Yes.
7 Q Did you value his opinions?
8 A Of course.
9 Q When he gave you advice, did you take
10 it?
11 A I don't know that he ever gave me
12 advice. He was my employer.
13 Q Did you consider him a mentor?
14 A No.
15 Q Why not?
16 A Because I'm 10, 15 years older than he
17 is.
18 Q Fair enough.
19 Do you think that he relied on you for
20 advice about the African-American community in
21 Baltimore City?
22 A Yes.

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1 Q Did he rely on you for advice
2 regarding other topics?
3 MS. KATZ: Objection, speculation.
4 THE WITNESS: I don't know.
5 BY MR. MEDLOCK:
6 Q Have you ever attended any social
7 events with Mr. O'Malley?
8 A Well, as -- you know, I don't know
9 what you mean by social events. You mean outside
10 of work social events? Because I have social
11 events in my work.
12 Q That's a good point.
13 So outside of sort of the social
14 events you had to attend for work, either
15 political social events or campaign social
16 events --
17 A Or work related with people.
18 Q Exactly.
19 A No.
20 Q For work-related social events, did
21 you ever attend work-related social events with
22 Mr. O'Malley?

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1 A Yes, of course.
2 Q How frequently did you do that?
3 A Well, when you're in the legislative
4 session, then there are events all the time. And
5 then again, it really depends on what you mean by
6 "social events" because --
7 Q Okay, why don't you define it. What
8 do you consider to be a work-related social event?
9 A Oh, a work-related social event?
10 Q Yes.
11 A A reception by the Association of
12 Retailers during a legislative session, the Morgan
13 State University Technology Day in Annapolis,
14 things like that. That's what I would define as
15 work related.
16 Q Okay. So as you've defined it, did
17 you attend work-related social events with
18 Governor O'Malley?
19 A Yes.
20 Q And based on your definition of
21 work-related social events, how often did you
22 attend work-related social events with

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1 Governor O'Malley?
2 A During the legislative session, that
3 would be the scope and time of that kind of
4 activity.
5 Q Okay.
6 A Outside of that, I don't recall that
7 I -- well, as Deputy Mayor, there could have been
8 lots of things happening in the city that I just
9 don't remember.
10 Q During the time that the legislature
11 was in session, how frequently would you attend a
12 work-related social event that Governor O'Malley
13 was also at?
14 A Once a month.
15 Q Did you ever interact with him at
16 those work-related social events during the time
17 that the legislature was in session?
18 A Yes.
19 Q Would that just sort of be
20 pleasantries, or were you actually trying to get
21 some work done at these events?
22 A I would not have been spending my time

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1 talking to him while I was at an event where I'm
2 trying to work with people who are there.
3 Q Okay, understood.
4 So at some point, Governor O'Malley
5 appointed you to become the chair of the
6 Governor's Redistricting Advisory Committee, or
7 GRAC, correct?
8 A Yes, correct.
9 Q Prior to the time that you were
10 appointed to become the chair of the GRAC, had you
11 ever worked on congressional redistricting before?
12 A No.
13 Q Had you ever worked on legislative
14 redistricting prior to that?
15 A No, uh-uh.
16 Q Did you have any prior experience with
17 drawing legislative maps before you were named to
18 the GRAC?
19 A No.
20 Q Did you have any prior experience with
21 geographic information software, or GIS software,
22 before you were named to the GRAC?

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1 A No.
2 Q Have you ever heard of a program
3 called Maptitude?
4 A Not that I -- no.
5 Q So safe to say, before you were named
6 the GRAC, you had never heard of it either?
7 A Correct.
8 Q When you were named to the GRAC by
9 Governor O'Malley, did you have any conversation
10 with him related to that nomination?
11 A Sure.
12 Q When did that occur?
13 A You have to help me with the years. I
14 don't remember years.
15 Q So if I told you that you were --
16 let's just posit for a moment, and I'll get to the
17 documents --
18 A Okay.
19 Q -- that you were nominated in
20 July 2011 to be the chair of the GRAC.
21 A Okay. When was the election? '12?
22 Q So there would have been elections in

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1 2012, 2014.
2 A Okay, gotcha, right. So '11.
3 Q So if you were nominated in July 2011,
4 how soon before that did you find out you were
5 being nominated?
6 A I don't remember with any accuracy. I
7 really don't remember with any accuracy. It would
8 have been weeks before, months. Weeks before.
9 Q Was that a conversation you had
10 directly with Governor O'Malley, or was it a
11 conversation with another member of his staff?
12 A I don't remember. I don't remember
13 who the chief of staff was. I don't remember
14 that, actually.
15 Q Okay. So you can't remember whether
16 it was Governor O'Malley or someone else that you
17 spoke to about the appointment?
18 A I cannot remember who I spoke to about
19 the appointment.
20 Q Can you remember -- go ahead.
21 A I just can't visualize that
22 conversation. I'm sorry, I just cannot.

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1 Q Do you recall whether it was a
2 conversation that happened in person or over the
3 phone or over e-mail where you found out that you
4 were being appointed to this position on the GRAC?
5 A I don't remember that.
6 Q Do you remember anything at all that
7 was told to you about why you were being appointed
8 to be the chair of the GRAC?
9 A I do have that.
10 Q Okay.
11 A I'm a good listener, and I had had
12 experience in working in communities, and know how
13 to relate to people very well, you know, so I
14 think that was a quality that I was appreciated
15 for within government. So I think that's why I
16 was asked to do it.
17 Q At the time you were told you were
18 being appointed to be the chair of the GRAC, did
19 you think you were qualified for the position?
20 A For what I was charged with doing I
21 think, yes.
22 Q And why do you think you were

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1 qualified for what you were charged with doing on
2 the GRAC?
3 A Because I work well with people and
4 have experience in working with neighborhoods and
5 filtering information from what people say, making
6 them feel comfortable and making them feel that
7 they can express their opinions.
8 So that is what I do.
9 Q You mentioned that you were charged
10 with doing something at the time you were
11 appointed to the GRAC. What did you believe you
12 had been charged to do?
13 A I was charged with going out to
14 various public hearings, and chairing those public
15 hearings with the Speaker and the President and
16 somebody else whose name I can't remember at the
17 moment, and chairing that kind of forum. That's
18 what I was charged with doing because --
19 Q Was there more to your answer?
20 A Well, there had been that kind of
21 public hearing process in other years, and they
22 were duplicating that in this year.

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1 Q I understand, okay.
2 You mentioned that you had experience,
3 I think, reaching out to neighborhoods and
4 communities.
5 A Uh-hmm.
6 Q You felt that that was one of the
7 things that qualified you for your role as chair
8 of the GRAC; is that right?
9 A Qualified me?
10 Q Or that made you well suited to the
11 position.
12 A Yes, that would be better stated I
13 think.
14 Q Prior to being appointed to become the
15 chair of the GRAC, what experience did you have
16 reaching out to communities in Western Maryland?
17 A Well, I worked with legislators from
18 Western Maryland, obviously, but I don't -- I
19 don't remember. I don't remember. I can't
20 remember anything to answer that question. I
21 can't remember jurisdictions like that.
22 Q Okay. Prior to being named to the

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1 position of chair of the GRAC, had you ever gone
2 to Allegany County, Maryland, and met with any of
3 the neighborhoods or communities in Allegany
4 County, Maryland?
5 A I had met -- I had been -- I have
6 visited Western Maryland.
7 Q Sure.
8 A I don't know. We used to have
9 cabinet meetings on the road, so I could very well
10 have been in Western Maryland meeting with local
11 people for Western Maryland cabinet on the road,
12 but I don't remember specifically.
13 Q So as you sit here today, you have no
14 specific recollection of a political meeting that
15 you had with any constituents in Western Maryland
16 prior to being named to the GRAC?
17 A What you said is conflicting a little
18 bit I think. You asked me if I had any political
19 meetings? I don't recall having any political
20 meetings in Western Maryland.
21 Q Okay.
22 A And I tell you I could very well have

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1 met with neighbors and people in Western Maryland
2 if we ever had a meeting in Western Maryland that
3 was a cabinet for a day.
4 Q Prior to being named to the GRAC, did
5 you ever have any meetings with people in Western
6 Maryland regarding their feelings about their
7 political representation in the U.S. Congress?
8 A Prior to GRAC?
9 Q Yes.
10 A No.
11 Q Prior to GRAC, did you have any
12 meetings with individuals in Western Maryland
13 regarding their political values?
14 A No.
15 Q Are you familiar with gerrymandering?
16 A Yes.
17 Q What does the term "gerrymandering"
18 mean to you?
19 A It means drawing lines for a political
20 end, I guess. I don't know.
21 Q When you say drawing lines for a
22 political end, what are you referring to? Are you

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1 saying like -- let me back up.
2 Would an example of political
3 gerrymandering be drawing lines so that more
4 Democrats make it to the U.S. Congress?
5 A Or Republicans.
6 MS. KATZ: Objection.
7 BY MR. MEDLOCK:
8 Q Exactly. So one way or the other, it
9 would be drawing a map to get more Democrats that
10 should be in or to get more Republicans than
11 should be in?
12 MS. KATZ: Objection, leading.
13 THE WITNESS: I know what it means
14 because I read the same thing everybody else reads
15 in the newspaper here. You know, I don't know if
16 I know the legal definition, I don't know if I
17 know any specific definition of it, but --
18 BY MR. MEDLOCK:
19 Q Do you have a personal definition of
20 it?
21 A No.
22 Q Okay. Do you believe, based on what

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1 you've read and what you understand about
2 gerrymandering, that partisan gerrymandering is a
3 problem in the United States?
4 A No, I don't have an opinion on it one
5 way or another.
6 Q Do you think that partisan
7 gerrymandering is improper?
8 A I don't have an opinion on it one way
9 or another.
10 Q Do you think that partisan
11 gerrymandering should be illegal?
12 A I don't have an opinion on that one
13 way or another.
14 Q So you were the chair of the
15 Redistricting Advisory Committee, and you can't
16 tell me whether you have an opinion about whether
17 partisan gerrymandering is wrong?
18 MS. KATZ: Objection, argumentative.
19 THE WITNESS: You know, when I was
20 chair of the -- the legal principle that I
21 remember -- that I remember -- was more on the
22 state side, because Judge Robert Bell had -- this

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1 is what I remember, okay? This is what I
2 remember.
3 BY MR. MEDLOCK:
4 Q Okay.
5 A So I was really focused on that. And,
6 remember, I had both responsibilities, so I was
7 really focused on -- I can remember being focused.
8 Q On that opinion?
9 A On that opinion, yeah, because the --
10 yeah, I can remember, yes.
11 Q Were there any other legal opinions
12 that you were focused on on the federal
13 congressional redistricting side?
14 A Not really, no. I don't recall being
15 focused on that.
16 Q Have you ever heard the term
17 "compactness" before? Actually, let me back up.
18 Have you ever heard the term
19 "compactness" used with respect to redistricting
20 before?
21 A Yes.
22 Q What does the term "compactness" mean

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1 to you?
2 A I really don't remember that. You
3 asked me if I remember that term. Yes, I do
4 remember that term.
5 Q You have a recollection of the term,
6 but you don't remember the definition?
7 A Definition, correct.
8 Q Do you recall whether you received any
9 data regarding compactness when you were the chair
10 of the GRAC?
11 A No, I don't remember that.
12 Q Are you familiar with the term
13 "communities of interest" as it relates to
14 redistricting?
15 A I'm familiar with the term
16 "communities of interest." I'm not sure I
17 remember it from redistricting.
18 Q When you were the chair of the GRAC,
19 do you recall anyone ever speaking to you
20 regarding communities of interest?
21 A Communities of interest. I feel like
22 the term is familiar, vaguely familiar with that.

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1 Q But you can't tell me whether you
2 heard that term when you were on the GRAC or in
3 some other context; is that right?
4 A Well, I remember that term maybe over
5 in that La Plata/Charles County area because that
6 was a shifting population there.
7 Q Can you explain more about that to me,
8 what you meant by that?
9 A I remember the -- no, I really can't.
10 It was something about an explosion of population
11 in that La Plata area and whether it was related
12 to D.C. or some other section, or the eastern --
13 it's very vague in my mind.
14 Do you need some water?
15 Q Why don't we take a quick break.
16 (Off the record at 11:11 a.m.)
17 (Resume at 11:14 a.m.)
18 BY MR. MEDLOCK:
19 Q Before we went off for a break, you
20 were talking about communities of interest, and
21 you said you had heard that term used with respect
22 to La Plata and Charles County before; is that

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1 right?
2 A Vaguely.
3 Q Vaguely.
4 A Yes.
5 Q Do you recall -- and La Plata and
6 Charles County, that's in sort of Southern
7 Maryland, correct?
8 A Yes.
9 Q Do you recall ever hearing the term
10 "communities of interest" used with respect to
11 Western Maryland?
12 A Possibly, but I don't recall
13 specifically.
14 Q Do you have any general recollection
15 of the term "communities of interest" being used
16 with respect to Western Maryland during the time
17 you were on the GRAC?
18 A Do you want to talk about the 270
19 corridor?
20 Q If you want. I mean, I don't know
21 what you're --
22 A That's what I remember, okay? I can

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1 only tell you what I remember vaguely or not
2 vaguely.
3 Q You mentioned the 270 corridor.
4 You're talking about Interstate 270?
5 A Is that the corridor that goes up
6 Western Maryland? Yes.
7 Q And you believe that Interstate 270
8 goes up Western Maryland, right?
9 A I think.
10 Q Okay. Why, if at all, was
11 Interstate 270 relevant to your work on the GRAC?
12 A What was relevant to my work on the
13 GRAC was because there was a population issue
14 there that I remember hearing about in the
15 hearings.
16 Q What was the population issue you
17 remember hearing about?
18 A I get a little confused. Either
19 people in Washington were working in Washington
20 and living in Western Maryland or --
21 Q Vice versa?
22 A Vice versa, yeah. I can't remember.

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1 Q Did you ever see any data regarding
2 commuting patterns on I-270 during the time you
3 were working on the GRAC?
4 A I don't remember that.
5 Q Do you recall ever asking for data
6 regarding commuting patterns on I-270 when you
7 were working on the GRAC?
8 A I would not have asked for that, no.
9 Q Do you recall any member of the GRAC
10 asking for data regarding commuting patterns on
11 I-270?
12 A I don't remember that.
13 Q Besides this testimony that you were
14 talking about with relation to I-270, did you
15 receive any other information regarding commuting
16 patterns on I-270 during the time you were working
17 on the GRAC?
18 A I don't remember that.
19 Q Do you recall whether you spoke to any
20 experts or third parties regarding commuting
21 patterns on I-270 during the time you were working
22 on the GRAC?

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1 A I don't recall doing that.
2 Q Do you recall anyone on the GRAC
3 reaching out to a third party or some sort of
4 expert regarding commuting patterns on I-270?
5 A No.
6 Q So as you sit here today, can you
7 recall any other information that you received
8 regarding commuting patterns on I-270 other than
9 this hearing that you were at as part of the GRAC?
10 A No, I don't remember.
11 Q Can you think of any document or
12 e-mail that I could show you that would refresh
13 your recollection regarding whether you received
14 any other additional information regarding
15 commuting patterns on I-270?
16 A What is your question now?
17 Q Can you think of any document or
18 e-mail --
19 A I can't think of any.
20 Q Okay. Can you think of any
21 information as you sit here today that I could
22 show you to refresh your recollection regarding

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1 whether you received any additional information
2 regarding commuting patterns on I-270?
3 A I cannot think of any document.
4 Q Okay. Besides I-270, can you think of
5 any other community of interest or information
6 that sticks out in your head regarding Western
7 Maryland that you received during your time on the
8 GRAC?
9 A No. There were other issues, but not
10 for Western Maryland I can remember. Oh, the
11 explosion of the Hispanic population.
12 Q And where was the explosion of the
13 Hispanic population in Western Maryland?
14 A I don't know. Name a city.
15 Q Okay. So, for example, would it have
16 been in Cumberland?
17 A No.
18 Q Would it have been in Frederick?
19 A It could have been. I get Frederick
20 and Hagerstown a little bit mixed up in my head.
21 Q So it might have been Frederick or
22 Hagerstown?

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1 A It could have been either one. That
2 rings a bell.
3 Q How about Montgomery County, could it
4 have been in parts of Montgomery County?
5 A Well, I happen to know that it -- you
6 know, I know from some other part of my brain that
7 it's exploding in Montgomery County. It didn't
8 have to come from GRAC necessarily.
9 Q What can you tell me about the
10 explosion of the Hispanic population in Western
11 Maryland that was relevant to your work on the
12 GRAC?
13 A I don't remember. It can get a little
14 foggy there, because there was an issue of --
15 there was another -- English as a second language
16 issue, or the mayor up there did something that
17 was discriminatory to Hispanics, and I just -- so
18 all of that is kind of fuzzy.
19 Q Kind of mixing together?
20 A Mixing together in my head, yeah.
21 Q So you can't recall whether the
22 explosion of the Hispanic population in Western

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1 Maryland was related to this ESL issue or if it
2 was related to redistricting?
3 A It could. Yes, I can't -- I just
4 remember generally.
5 Q Have you ever heard the term
6 "majority/minority community" used with respect to
7 redistricting?
8 A Majority/minority? Yes.
9 Q And what does a majority/minority
10 community mean with respect to redistricting?
11 A You have to understand that some
12 concepts come from other places, but
13 majority/minority to me means racial, that the
14 country is becoming minority/majority, or
15 whatever. You know, it has connotations that way,
16 and that Baltimore City was like that, and
17 Washington, D.C., is like that. So for me, the
18 connotation conjures up racial issues.
19 Q Do you ever hear someone use the
20 phrase "majority/minority district" with respect
21 to Western Maryland?
22 A No.

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1 Q Would that strike you as odd if
2 someone did?
3 MS. KATZ: Objection, leading.
4 THE WITNESS: I don't understand.
5 Would what strike me as odd?
6 BY MR. MEDLOCK:
7 Q That there would be a
8 majority/minority district in Western Maryland.
9 A A majority/minority -- in terms of
10 racial connotations?
11 Q Yes.
12 A That might be odd, because I think of
13 it as race.
14 Q Right.
15 A I don't think of Western Maryland as
16 having more black people than white people.
17 Q Right. You think of Western Maryland
18 as not being particularly diverse, correct?
19 MS. KATZ: Objection, leading.
20 THE WITNESS: Yes.
21 BY MR. MEDLOCK:
22 Q Have you ever heard the term "vote

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1 dilution" before?
2 A Vote dilution. Vote dilution. Yes,
3 I've heard that term before.
4 Q Does it have a particular meaning to
5 you?
6 A I cannot remember that, what it means.
7 Q Okay. When did you first learn about
8 the GRAC?
9 A I would have learned about it at the
10 time that I was talking about chairing it.
11 Q Okay.
12 (Hitchcock Exhibit 97 was marked
13 for identification.)
14 BY MR. MEDLOCK:
15 Q All right, I've marked Exhibit 97 to
16 your deposition. It's a two-page article, and if
17 you look at the bottom, it's from the
18 Baltimore Sun.
19 A Okay.
20 Q And the by line is Julie Bykowicz, and
21 it's dated July 5th, 2011.
22 A Okay.

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1 Q Take a moment to review it, and then
2 let me know had when you're done reviewing it.
3 A (Witness reviewing Exhibit 97.)
4 Ah-ha, right. Okay.
5 Q All right. You've had a chance to
6 review it?
7 A Yeah.
8 Q This is an article that's about
9 Governor O'Malley appointing the members of the
10 GRAC, correct?
11 A Right.
12 Q And you're listed there, and it has a
13 brief bio for you as well.
14 A Yes.
15 Q And then the other members that were
16 appointed to the GRAC were Senate
17 President Miller, right?
18 A Yes.
19 Q Speaker Busch; is that right?
20 A Correct.
21 Q And then James King, correct?
22 A Yes.

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1 Q And Richard Stewart?
2 A Correct.
3 Q I think when you were reviewing the
4 document, you sort of had a revelation. What was
5 that?
6 A I had a revelation.
7 Q What was that?
8 A That's right, I did work on the
9 single-member district project while Deputy Mayor,
10 yeah.
11 Q Do you recall anything other than
12 what's in this article here about the
13 single-member district project?
14 A Yeah, I do remember now. I remember
15 that my role in that was to interface with, again,
16 the city council members and the community
17 regarding moving from a multi-member district to
18 single-member district.
19 Q And this would have been for the
20 Baltimore City Council?
21 A Right.
22 Q So besides this instance where

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1 Baltimore City was moving from multi-member
2 districts for city council to single-member
3 districts, did you have any other experience with
4 what could be called generally redistricting?
5 A I didn't remember this, so I don't
6 remember that.
7 Q Okay, fair enough.
8 One of the individuals listed on here
9 is James King who was named to the GRAC.
10 A Yes.
11 Q Had you worked with Mr. King before in
12 any of your work in Maryland state government
13 before the GRAC?
14 A Other than GRAC?
15 Q Yes.
16 A Not that I recall. I mean, I kind of
17 remember him being around, but I don't remember --
18 no.
19 Q Do you know why Mr. King was appointed
20 to the GRAC?
21 MS. KATZ: Objection, speculation.
22 THE WITNESS: I don't know.

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1 BY MR. MEDLOCK:
2 Q So you don't know why he was?
3 A Well, is he a Republican?
4 Q He is.
5 A Then it would have been for that
6 diversity reason, I suppose.
7 Q So every other member of the GRAC was
8 a Democrat, right?
9 A I think so, yes.
10 Q And he was the sole Republican?
11 A I think he was.
12 Q Do you know whose decision it was to
13 appoint Mr. King to the --
14 A I don't know. I don't know that.
15 Q Do you know how Mr. King was selected
16 from amongst Maryland Republicans to be appointed
17 to this?
18 A I have no idea.
19 Q Do you know if the Maryland
20 Republican Party was consulted on his appointment?
21 A I don't know that.
22 Q Do you have any documents or e-mails

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1 to show that the Republican Party was consulted on
2 this appointment?
3 A I have no documents.
4 Q Did Mr. King ever tell you why he was
5 appointed to the GRAC?
6 A No.
7 Q Did you ever ask him?
8 A No.
9 Q Did you ever ask anyone in the office
10 of Governor O'Malley why Mr. King had been
11 appointed to the GRAC?
12 A Not that I recall.
13 Q Okay. The next individual listed
14 there is Richard Stewart.
15 A Yes.
16 Q He was the fifth member of the GRAC,
17 correct?
18 A Right, correct.
19 Q Before your work on the GRAC, had you
20 ever worked with Mr. Stewart in any capacity?
21 A I don't think so, no.
22 Q Do you have any understanding as to

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1 why Mr. Stewart was appointed to the GRAC?
2 A No, I don't.
3 Q Do you know whether Mr. Stewart had
4 any prior experience with congressional or
5 legislative redistricting prior to being named to
6 the GRAC?
7 A I don't know that.
8 Q I have the same question for Mr. King.
9 Do you know whether he had any prior experience
10 with congressional or legislative redistricting
11 before he was named to the GRAC?
12 A I don't know that.
13 Q If you note here, there's a blurb for
14 Senate President Miller, and it says, "President
15 Miller also served on the GRAC in 1991 and 2001."
16 Do you see that?
17 A Yes, I do.
18 Q So he had prior experience with
19 congressional and legislative redistricting,
20 correct?
21 MS. KATZ: Objection, leading.
22 THE WITNESS: I mean, that's what this

Page 72

1 says. I don't know that.
2 BY MR. MEDLOCK:
3 Q Okay. Besides Mr. Miller, Senate
4 President Miller, do you know whether anyone else
5 on the GRAC had prior experience with
6 congressional or legislative redistricting?
7 A I do not know that.
8 Q Now, do you see above the bios there's
9 a paragraph that begins with, "The Sun's John
10 Fritz"?
11 A Yes.
12 Q And in that paragraph it says,
13 "Closely watched will be U.S. Rep. Andy Harris'
14 Eastern Shore district, which also includes
15 portions of Baltimore, Harford and Anne Arundel
16 counties." Did I read that correctly?
17 A Yes, you did.
18 Q And it mentions that Mr. Harris won an
19 election against Democrat Frank Kratoivil to win
20 that First District seat, correct?
21 A Correct.
22 Q Did you know Frank Kratoivil during

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1 your work in Maryland politics?
2 A Did I know Frank Kratovil? Yeah, I
3 wasn't -- I don't know whether I knew him before
4 or I knew him after. Didn't he become State's
5 Attorney or something?
6 Q I believe he's a judge now.
7 A Yeah.
8 Q So do you know whether you knew
9 Mr. Kratovil before you worked on the GRAC or
10 after you worked on the GRAC?
11 A I think I would have known him after,
12 but I have -- because I have a -- my recollection
13 of Frank Kratovil is that he was a state's
14 attorney. Was he a state's attorney? That's what
15 I remember.
16 Q Did you ever meet with anyone
17 associated with Frank Kratovil during your time
18 that you were working on the GRAC?
19 A No.
20 Q Do you know whether any members of the
21 GRAC met with anyone associated with Mr. Kratovil
22 during the time that the GRAC was in session?

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1 A I don't know.
2 Q Do you have any understanding as to
3 why people would be closely watching the First
4 Congressional District during redistricting?
5 A No.
6 Q In addition to the individuals on the
7 GRAC, there was also Linda Janey, who was a
8 staffer to the GRAC. Do you recall that?
9 A Linda Janey.
10 Q J-A-N-E-Y. I may be mispronouncing
11 her last name.
12 A Is she black?
13 Q I don't know.
14 A I remember a black woman.
15 Q Okay. So you remember the GRAC having
16 a staffer that was assigned to it?
17 A From Department of Planning?
18 Q That would be correct.
19 A And there was an African-American
20 woman.
21 Q Okay. And this African-American woman
22 from the Department of Planning, what was her role

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1 on the GRAC?
2 A She was like a facilitator, a
3 coordinator. She set up the room, she kept the
4 equipment, she made sure there was a timer. I
5 think I gave her -- she collected the documents.
6 That's my recollection of the
7 African-American woman who was there.
8 Q Okay. When you say she collected the
9 documents, what do you mean by that?
10 A People submitted testimony.
11 Q And when you say she set up the room
12 and set up the timer and things like that, you're
13 talking about the actual meetings that the GRAC
14 held around Maryland?
15 A Correct.
16 Q Did this individual ever give you any
17 advice on the map making process?
18 A No.
19 Q Did you ever seek any advice from this
20 individual, or anyone at the Department of
21 Planning, regarding the map mapping process?
22 A Not that I recall, no, I wouldn't.

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1 Q Did you seek any advice from the
2 Department of Legislative Services regarding the
3 map mapping process?
4 A No.
5 Q How about the State Board of
6 Elections, did you seek any advice from them
7 regarding the map mapping process?
8 A No.
9 Q Did you seek any advice from any third
10 parties besides constituents or experts regarding
11 the map mapping process?
12 A I don't know about seeking advice, but
13 there was the lawyer who was there who was giving
14 advice -- or I don't know if he was giving advice,
15 but I could have -- I don't remember, but I would
16 have talked to him if I had talked to anybody.
17 Q Okay.
18 A Again, in my head, sometimes I get the
19 state process and the federal all kind of jumbled
20 up in my head, because my recollection is, when we
21 went out to the hearings, both were being
22 discussed.

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1 Q Okay. Do you recall there ever being
2 meetings of the GRAC where the members of the GRAC
3 would actually sit down and work on drawing the
4 congressional maps?
5 A No, we never did that, not me, where
6 there was actual drawing.
7 Q Was there ever a meeting where
8 potential congressional maps were discussed?
9 A Yeah, I could see a map.
10 Q So there would be maps like displayed
11 on the wall?
12 A Yeah.
13 Q Do you know where those maps came
14 from?
15 A From the people who drew them, I
16 guess.
17 Q Do you know who drew those maps?
18 A I would assume the staff did.
19 Q When you say the staff, who are you
20 referring to?
21 A I'm referring to Jeremy and the other
22 young man.

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1 Q Patrick Murray possibly?
2 MS. KATZ: Objection, leading.
3 THE WITNESS: Didn't Pat go on to
4 another job?
5 BY MR. MEDLOCK:
6 Q He did at some point, yes.
7 A Okay.
8 Q How about Jake Weissman?
9 A Jake, yeah.
10 Q So when you're referring to Jeremy,
11 you're referring to Jeremy Baker; is that right?
12 A Yes, uh-huh.
13 Q And when you say staff, you're talking
14 about staff to Speaker Busch and Senator President
15 Miller?
16 A I'm talking about those two people.
17 Q And when you were in the meetings and
18 you received maps from Jeremy Baker and
19 Jake Weissman, did they tell you where they got
20 those maps from?
21 A I don't know. No -- yeah. I mean, I
22 don't know how to answer that question, where did

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1 they come from. I assume they prepared them to
2 show me.
3 Q Do you know if they actually sat down
4 with some sort of map drawing software and drew
5 the maps themselves?
6 A I have no idea what they did.
7 I remember the concept of the number
8 of people that had to be in district. I was
9 focused on that a little bit.
10 Q You were focused on the
11 districts having a certain population?
12 A Meeting that legal standard.
13 Q Okay. Besides that, do you remember
14 any other standard that you were focused on during
15 these meetings?
16 A The Judge Bell lawsuit.
17 Q Okay. Anything else?
18 A Yeah. The minority representation,
19 meaning African-American representation, was an
20 issue.
21 Q Was there any other factor that you
22 considered besides those?

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1 A Population trends or concepts that
2 keep coming to my head, not crossing the
3 Chesapeake Bay kind of comes to mind.
4 Again, this was -- I don't know
5 whether this was state or federal, but the
6 movement by African-Americans to have more
7 representation comes to mind.
8 Those are sort of the issues that I
9 remember.
10 Q How about partisan considerations?
11 Were partisan considerations part of the factors
12 that you looked at?
13 A I would think that, you know, not
14 wanting people to lose their seats.
15 Q Besides that, was there any other
16 partisan consideration that came into the --
17 A No.
18 Q When you say not wanting people to
19 lose their seats, what do you mean by that?
20 A Well, again, I think I'm more focusing
21 on the state.
22 Q Okay.

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1 A Yeah. You know, they like really came
2 down on the Eastern Shore in Southern Maryland,
3 that population was shifting a little bit.
4 Q Uh-hmm.
5 A If you ask me the issues that I come
6 to the table with, those are the issues I come to
7 the table with.
8 Q How about Roscoe Bartlett's
9 congressional district, the Sixth Congressional
10 District?
11 A Roscoe Bartlett, which one is that?
12 Q He would have been a Republican from
13 Western Maryland in the U.S. House.
14 Do you recall his district being
15 discussed during these meetings?
16 A Remind me now, which is One and which
17 is Six? Where's One?
18 Q So if we were looking at a map, Andy
19 Harris' district, the First Congressional
20 District, that would be the Eastern Shore. That
21 would be One, and then the Sixth Congressional
22 would be Western Maryland.

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1 A Okay. So what is your question?
2 Q So my question is, do you recall the
3 Sixth Congressional District being discussed at
4 any GRAC meetings?
5 A Yes. We had a hearing on Western
6 Maryland.
7 Q I should say not the public hearings,
8 but your private meetings of the GRAC. Do you
9 recall that district being discussed?
10 A I remember discussing population
11 trends, the Western Maryland population trend.
12 I told you this before, the two things
13 I remember. The Western Maryland 270 population
14 trend I remember, and I remember the increase in
15 the Hispanic population, which could be merged
16 with the state thing.
17 Those are the two Western Maryland
18 issues that I remember.
19 Q Do you recall anything else being
20 discussed in the private GRAC meetings regarding
21 Western Maryland besides those two issues that you
22 say could have come up?

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1 A That is what I remember.
2 Q Okay.
3 A And I didn't have private GRAC meeting
4 discussions. You know, I remember the hearings
5 and taking back the information and processing it,
6 and looking at things to make sure that what I
7 heard was reflected, and what I remember being
8 reflected was the population trend in Western
9 Maryland.
10 Q Were there ever meetings of the GRAC
11 that the public was not invited to that was just
12 the GRAC members with their staff?
13 A I don't remember, but there obviously
14 would have been.
15 Q So if you go to Exhibit 97, the title
16 of the article is "Md. redistricting team meets
17 tomorrow." Do you see that?
18 A Yes, I do.
19 Q And if this article is July 5th, 2011,
20 tomorrow would be July 6th, 2011.
21 A Yes.
22 Q Do you recall whether that July 6,

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1 2011, meeting was open to the public?
2 MS. KATZ: Objection, leading.
3 THE WITNESS: I thought all of them
4 were.
5 BY MR. MEDLOCK:
6 Q So you believe that this July 6, 2011,
7 meeting was open to the public?
8 MS. KATZ: Objection, foundation.
9 THE WITNESS: I don't know. I don't
10 know. I'd have to see the dates of the hearings.
11 BY MR. MEDLOCK:
12 Q Okay. So looking at the second
13 paragraph of this article, first sentence, it
14 reads, "The Governor's Redistricting Advisory
15 Committee meets tomorrow in Annapolis to set a
16 series of public hearings."
17 A Wait a minute, wait a minute. Where
18 are we?
19 Q So I'm on the first page --
20 A First page.
21 Q -- second paragraph.
22 A Now, the first paragraph is "yesterday

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1 announced," second paragraph is, "Governor's ...
2 meets tomorrow." Okay.
3 Q And that second paragraph, the first
4 sentence reads, "The Governor's Redistricting
5 Advisory Committee meets tomorrow in Annapolis to
6 set a series of public hearings."
7 Did I read that correctly?
8 A Yes.
9 Q Does that refresh your recollection as
10 to whether there was a meeting in Annapolis,
11 Maryland, on July 6, 2011, of the GRAC?
12 A Meets tomorrow in Annapolis to set a
13 series -- okay, now what is your question?
14 Q Does that refresh your recollection as
15 to whether the GRAC met on July 6th, 2011, in
16 Annapolis, Maryland?
17 A That does not refresh my recollection.
18 Q Do you have any reason to doubt that
19 this meeting occurred?
20 A Do I have any reason to doubt? I
21 don't have any reason to doubt that it occurred.
22 Q But you have no recollection of the

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1 meeting whatsoever?
2 A Correct.
3 Q Okay. And you have no recollection of
4 there being meetings of the GRAC other than the
5 public meetings that occurred around the state?
6 A I cannot visualize meetings, but I
7 have no doubt that we met outside of the public.
8 Q Okay, I see.
9 And would those meetings outside of
10 public be the ones where you saw the maps that
11 Jeremy Baker and Jake Weissman --
12 A That's my recollection.
13 Q Okay. And these maps that
14 Jeremy Baker and Jake Weissman presented to you,
15 were they maps of Maryland's eight congressional
16 districts?
17 A As well as the state maps.
18 Q Yes. So there would have been
19 legislative maps and congressional maps?
20 A Yes.
21 Q Did the congressional maps have
22 particular names associated with them? Did they

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1 call them things like Option 1, Option 2, things
2 like that?
3 A No, I don't remember.
4 MS. KATZ: Objection, leading.
5 THE WITNESS: I don't remember that.
6 BY MR. MEDLOCK:
7 Q During these meetings, did
8 Mr. Weissman or Mr. Baker speak to the GRAC
9 regarding the maps?
10 A Yes.
11 Q Were they speaking from notes, or were
12 they speaking extemporaneously?
13 A I would have no recollection of that.
14 Q What sort of information did they
15 convey about the congressional maps when they were
16 presenting them?
17 A I don't have a recollection of what
18 they conveyed.
19 Q Okay. When these maps were presented
20 by Mr. Weissman and Mr. Baker during these GRAC
21 meetings, did Mr. Weissman or Mr. Baker present to
22 you any sort of tables or spreadsheets about the

Page 88

1 demographic information related to the map?
2 A I don't recall specifically, but I
3 would think that they would have done that because
4 I was concerned about minority representation and
5 that number, to make sure that that legal
6 requirement was being met and minority
7 representation.
8 Q Do you recall ever --
9 A Issues.
10 Q I'm sorry, go ahead.
11 A Yeah, minority representation issues.
12 Q Okay. Do you ever recall receiving
13 any sort of spreadsheet or table that had
14 information about Maryland's eight congressional
15 districts and sort of the demographic makeup of
16 them?
17 A Other than race?
18 Q No, I'm thinking primarily about race
19 right now.
20 A You have to understand that that's
21 what I remember, because I had Black Caucus
22 issues, I had shifting of population of minorities

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1 all over the state, I had Baltimore City issues
2 with Judge Bell's opinion. So that's what I
3 remember.
4 Q Okay. Have you ever heard the term
5 "Democrat performance" before?
6 A Yeah, I think I've heard that term
7 before.
8 Q What does that mean to you?
9 A How many people turn out in any given
10 election.
11 Q Have you ever heard the term "federal
12 Democratic performance" before?
13 A I can't distinguish that.
14 Q You don't have a recollection of it?
15 A Yeah.
16 Q So it's possible you heard it, but you
17 just don't remember?
18 A That's right.
19 Q How about state Democratic
20 performance?
21 A Same thing. I can't distinguish.
22 Q Okay. So it would be the same, you

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1 may have heard it, you just don't remember?
2 A Right.
3 Q Do you recall Mr. Weissman ever
4 speaking to the members of the GRAC regarding
5 Democratic performance?
6 A I don't remember him -- I don't
7 remember that. I don't remember those kinds of
8 specific conversations.
9 Q Okay. You just don't remember one way
10 or the other whether it occurred?
11 A Yeah, I don't remember one way or
12 another.
13 Q Would the answer be the same for
14 Mr. Baker, you don't remember one way or the
15 other?
16 A One way or the other.
17 Q Can you recall anything else regarding
18 the maps and presentations that Mr. Weissman and
19 Mr. Baker made during the GRAC meetings?
20 A I remember the -- yes.
21 Q Okay, please go ahead.
22 A I remember the Prince George's County

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1 and Montgomery County issue with Donna Edwards.
2 Q What was that issue?
3 A That issue was that she wanted to have
4 her district cross jurisdictional lines, and I
5 remember that because, in the hearings, people
6 didn't want to do that. I remember the Prince
7 George's County people --
8 Q They didn't want to be lumped with
9 Montgomery County?
10 A They didn't want to be lumped with
11 Montgomery County.
12 And I remember the La Plata issue. I
13 remember that.
14 And I remember -- I don't remember how
15 it worked out. I just vaguely remember a
16 Baltimore City line issue, that Judge -- I
17 remember being conscious of not losing
18 representation for Baltimore City. You know, I
19 just remember the way he had written that opinion.
20 So those are the kind of -- again,
21 minority representation, what was happening on the
22 Eastern Shore, Rudy Cane.

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1 Those are the things that I remember.
2 Q Okay. You mentioned earlier that you
3 had, I think you said Black Caucus issues --
4 A Uh-hmm.
5 Q -- during the time that you were on
6 the GRAC.
7 A Uh-hmm.
8 Q What do you mean by that?
9 A I think they submitted a plan. They
10 submitted a plan that would increase the number of
11 African-American representation, and I vaguely
12 remember the plan was flawed for some reason. I
13 don't remember why, but I remember the plan was
14 flawed.
15 Q Who told you the plan was flawed?
16 A I think it was that numbers issue.
17 Q Oh, you mean that the population was
18 not equal?
19 A Yeah, yeah. And I remember, you know,
20 saying, oh, gosh, what am I going to do this about
21 this? They gave me a plan that doesn't meet legal
22 standards, and I've got this legal standard, so

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1 that's not going to work.
2 Q Was there a point at which the GRAC
3 actually voted on a final proposed congressional
4 map?
5 A I think so.
6 Q Do you recall whether you voted for or
7 against the congressional map?
8 A For.
9 Q How about the other four Democrats on
10 the committee, did they vote for or against?
11 A For.
12 Q And how about Mr. King?
13 A Against.
14 Q Did Mr. King explain why he was voting
15 against?
16 A No, he never did to me.
17 Q Was there sort of an open discussion
18 prior to voting, or did he just show up and vote?
19 A You know, I don't actually remember
20 him sitting around very much.
21 Q Okay. So were there meetings of GRAC
22 members where it was just you, Speaker Busch,

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1 President Miller and Mr. Stewart?
2 A I don't remember that there really was
3 ever a meeting with me and Busch and Miller and
4 other GRAC members for the most part outside of
5 the public hearing.
6 Q Well, there must have been some sort
7 of meeting where you voted on this stuff.
8 A There must have been, but that was not
9 a regular occurrence.
10 Q Certainly. Did you only vote once for
11 one map, or did you vote on other draft maps as
12 the process was going along?
13 A I don't recall voting on more than one
14 map.
15 Q Okay. Who presented the map that
16 became the map that was voted on?
17 A I really don't remember that.
18 Q Do you know if it was one of the maps
19 that Mr. Baker or Mr. Weissman presented to you?
20 A Okay, say that again. I'm sorry, I
21 got diverted by this.
22 Q That's okay.

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1 A What is the question?
2 Q You said earlier that Mr. Baker and
3 Mr. Weissman would present maps to members of the
4 GRAC, and that those would be projected on the
5 wall and you'd discuss them.
6 A No, let me back up for a minute.
7 I remember them showing me maps if I
8 came in and left.
9 Q I see.
10 A I don't actually remember that there
11 were times when all five of us were sitting there
12 looking at a map. I don't remember that it
13 happened ever that way.
14 Q Okay. So you said that there were
15 times that you would come in, and Mr. Baker or
16 Mr. Weissman would show you a map, correct?
17 A Yes.
18 Q Come into where?
19 A To wherever we were -- an office over
20 in the Senate Building, I think, where either Jake
21 or Jeremy had an office. I don't remember which
22 one.

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1 Q Okay. So it was their office that you
2 went to?
3 A Yes.
4 Q And how often would you go to
5 Mr. Weissman or Mr. Baker's offices to discuss the
6 maps?
7 A I don't remember that.
8 Q Do you remember whether it was more
9 than once?
10 A Yes.
11 Q Was it more than five times?
12 A Okay, now you're getting me into
13 whether it was the federal or the state.
14 Q I'm asking just generally right now.
15 A So generally what are you asking?
16 Q How many times you went to Mr. Baker
17 or Mr. Weissman's office to look at maps.
18 A To look at maps?
19 Q Yes.
20 A Generally?
21 Q Yes.
22 A Covering both?

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1 Q Yes.
2 A I don't know, maybe after every GRAC
3 meeting? I mean, there's no -- I can't -- the
4 state one I remember having a lot of dialogue,
5 like lots of -- much more dialogue regarding the
6 state because of the number of issues that were
7 bubbling up.
8 So three or four times per -- I'm
9 speculating because I don't remember that, but I'm
10 speculating that that could have happened that
11 way.
12 Q So at least three or four times you
13 are speculating that you met with Mr. Weissman or
14 with Mr. Baker to discuss --
15 A No, to look at a map.
16 Q To look at maps?
17 A Yes.
18 Q How many times out of those three or
19 four times were you looking at congressional maps,
20 federal congressional maps?
21 A I meant three or four times each.
22 Q Okay. So there were about three or

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1 four times, to your recollection, that you met
2 with Mr. Baker or Mr. Weissman at their office?
3 A I am speculating that. Generally
4 speaking, yes, that would have been the case.
5 Q Okay. During the times that you were
6 at Mr. Baker or Mr. Weissman's office, was anyone
7 present for that meeting besides you or Mr. Baker
8 or Mr. Weissman?
9 A Probably Joe Bryce from the governor's
10 office.
11 Q What was Joe Bryce's title at the
12 time?
13 A Legislative Officer, I think.
14 Q So he had the title Chief Legislative
15 Officer before you?
16 A Yeah, I think so, yeah.
17 Q And during those meetings where you
18 were looking at maps, who would be doing most of
19 the speaking at the meeting?
20 A I would be asking questions relating
21 to either what I had heard or what I thought a
22 legal standard was.

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1 Q These maps that you were talking
2 about, these congressional maps, they were on
3 Mr. Weissman or Mr. Baker's computer; is that
4 right?
5 A No. They were on a screen.
6 Q Oh, they were like on sort of a screen
7 on the wall?
8 A Uh-hmm.
9 Q And were they being projected on
10 there, or were they actual printouts? So was it
11 being projected from Mr. Weissman or Mr. Baker's
12 computer, or had they actually printed out a map
13 and put it on the wall?
14 A I don't remember that.
15 Q Did the maps that were on the wall,
16 did they have any sort of logos or anything that
17 would identify who had actually created them?
18 A No.
19 Q Do you know what software, if any, was
20 used to create those maps?
21 A No.
22 Q Did you take any notes during those

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1 meetings with Mr. Weissman and Mr. Baker?
2 A No.
3 Q Do you know if they did?
4 A I don't recall that they did.
5 Q Do you know if Mr. Bryce took any
6 notes during the meeting?
7 A I don't recall that. I wouldn't pay
8 attention to that.
9 Q Was there any sort of agenda
10 circulated before the meeting?
11 A No.
12 Q Were there any e-mails sent afterwards
13 to summarize what was discussed at the meeting?
14 A Not from me.
15 Q Did anyone take minutes during the
16 meeting?
17 A No.
18 Q Did any other GRAC member ever attend
19 those meetings that you had with Mr. Weissman and
20 Mr. Baker?
21 A I think the last time before a final
22 map was done, either Busch or Miller would come in

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1 and look.
2 Q Was there any time that Mr. Stewart
3 came into those meetings with you?
4 A Maybe.
5 Q But you can't recall one way or the
6 other?
7 A Yeah, I can't recall one way or
8 another.
9 Q Do you recall whether Mr. King ever
10 came to those meetings?
11 A I can't recall one way or the other.
12 Q Do you have any recollection of him
13 being there at those meetings, Mr. King, the
14 Republican?
15 A I can see him at the table once. I
16 don't know what we were talking about though.
17 Q You don't know if you were talking
18 about the maps at the time?
19 A Yeah, I just don't know what we were
20 talking about. Yeah, I can only tell you what I
21 remember. I can see him sitting there one time.
22 Q When you say sitting at the table, are

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1 you talking about a table in the office of either
2 Senate President Miller or Speaker Busch?
3 A Uh-uh.
4 Q So it would have been Mr. Weissman or
5 Mr. Baker's office?
6 A Correct.
7 Q When you had these meetings regarding
8 the maps with Mr. Baker and Mr. Weissman, how long
9 would they generally last?
10 A Half an hour.
11 Q Did you discuss any information that
12 you learned during these meetings with Mr. Baker
13 and Mr. Weissman with anyone else on the GRAC?
14 A No, I can't -- Joe maybe.
15 Q Joe Bryce?
16 A (Witness nodding head up and down.)
17 Q Was there ever any time that any
18 third-party person or expert came to the meetings
19 with you, Mr. Bryce, Mr. Weissman and Mr. Baker?
20 A It would have been the lawyer.
21 Q Besides the lawyer?
22 A Not that I recall.

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1 Q Was there a lawyer at each of these
2 meetings?
3 A No, absolutely not.
4 Q Was there a lawyer at some of them?
5 A Yes.
6 Q Do you recall who that lawyer was?
7 A Yeah.
8 Q Was it Dan Friedman?
9 A Yes.
10 Q Was there anybody else from the Office
11 of the Attorney General?
12 A Not that I recall.
13 Q Do you know why Mr. Friedman was
14 there?
15 A I was very conscious of Judge Bell's
16 decision.
17 Q Okay, all right. It's exactly noon,
18 so why don't we take a break for lunch, okay?
19 A Do we have to? How long are we going
20 to be?
21 Q We're going to be here a little bit
22 longer, so I think it's best. I think I've got

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1 probably 90 minutes to two hours left.
2 (Lunch break taken at 12:01 p.m.)
3 (Resume at 12:33 p.m.)
4 (Mr. Stein now present.)
5 MR. MEDLOCK: So we'll mark the next
6 exhibit.
7 (Hitchcock Exhibit 98 was marked
8 for identification.)
9 BY MR. MEDLOCK:
10 Q We put in front of you what we've
11 marked as 98 to your deposition. It's a
12 three-page document that's a printout from a
13 Maryland website, and it is titled "Governor's
14 Redistricting Advisory Committee."
15 Please take a moment to review the
16 document, and let me know when you're done
17 reviewing it. And I'm going to be focusing
18 primarily on the first page.
19 A (Witness reviewing Exhibit 98.)
20 Do I have to read the other two pages?
21 Q You can if you'd like to. I'll tell
22 you that one's really blank.

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1 A Okay. Okay.
2 Q All right.
3 A Linda Janey is not who I'm
4 remembering, by the way. The woman was clearly a
5 staffer and not a lawyer.
6 Q Okay. So when you say --
7 A I don't remember Linda Janey at all.
8 Q When you say Linda Janey, the woman
9 that you were talking earlier, you're talking
10 about the African-American woman from the
11 Department of Planning, correct?
12 A Right.
13 Q Okay. So this actually refreshed your
14 recollection that you don't know who Linda Janey
15 is?
16 A I don't remember.
17 Q Remember who she is, yes.
18 A Yeah.
19 Q All right. So I wanted to focus on
20 the first paragraph under Congressional Election
21 Districts. Do you see that first body paragraph
22 there?

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1 A Yes, I do.
2 Q Okay. That paragraph reads, "The
3 Governor authorized the Governor's Redistricting
4 Advisory Committee in July 2011. The Committee
5 charge was to draft redistricting plans for the
6 State's forty-seven legislative election
7 districts, and eight congressional election
8 districts. To do so, it drew on information and
9 analysis offered at public hearings, from public
10 comment, and following review of the federal
11 census returns."
12 Did I read that correctly?
13 A Is that a question?
14 Q Yeah. Did I read that correctly?
15 A Yes, you did.
16 Q So does this paragraph accurately
17 reflect the information that the GRAC considered
18 when analyzing potential congressional maps for
19 the State of Maryland?
20 A My recollection is that my role was in
21 one and two, public hearings and public comment.
22 I don't remember ever reviewing

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1 federal census returns.
2 Q Okay. Do you know whether any other
3 member of the GRAC reviewed federal census
4 returns?
5 A I do not know.
6 Q Did you ever ask to see federal census
7 returns when you were on the GRAC?
8 A I don't remember doing that, no.
9 Q Were they ever made available to you?
10 A I don't remember that.
11 Q Okay. Do you ever recall federal
12 census returns being discussed at any of your
13 meetings with any other members of the GRAC?
14 A I don't know what federal census
15 returns means, actually.
16 Q Okay. In your mind, is this an
17 accurate depiction of the sources of information
18 that the GRAC relied upon when drafting its
19 congressional map?
20 A There could have been more sources of
21 information. I don't know about them, don't
22 recall them. I focused on public hearings and

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1 public comment.
2 Q Okay. Did you ever work closely with
3 members of Maryland's U.S. Congressional
4 Delegation on the maps?
5 A Maryland's what?
6 Q Did you ever work closely with members
7 of Maryland's U.S. Congressional Delegation --
8 MS. KATZ: Objection.
9 MR. MEDLOCK: -- when drawing the --
10 when working on the congressional map?
11 THE WITNESS: I remember having -- say
12 that again.
13 BY MR. MEDLOCK:
14 Q Did you ever work closely with anybody
15 in Maryland's U.S. Congressional Delegation?
16 A Work closely is a term that I wouldn't
17 use. I remember having conversations.
18 Q Do you disagree with the
19 characterization that you worked closely with
20 members of Maryland's Congressional Delegation
21 when you were on the GRAC?
22 A I don't know what you mean by "work

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1 closely." You know, I remember input from certain
2 of them and not others.
3 Q When you say "certain of them," who
4 were the certain of them?
5 A Donna Jacobs --
6 Q Donna Edwards?
7 A Donna Edwards. Donna Jacobs is
8 another --
9 Q I understand.
10 A Donna Edwards was always talking to me
11 about black representation. So I remember having
12 more discussions with her than anybody.
13 Q When you say "than anybody," who were
14 the other people?
15 A Well, the other -- I mean, I don't
16 remember -- well, the other congressional -- she
17 stands out because she was -- her issue was very
18 much aligned to what I personally care about, and
19 that is racial representation in Baltimore -- I
20 mean in Maryland.
21 Q How about Donna Edwards' chief of
22 case, Adrienne R. Christian, do you remember

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1 having conversations with her regarding the
2 congressional map?
3 A No, I don't. I don't remember who
4 that is.
5 Q Did you have any conversations with
6 Steny Hoyer regarding the draft congressional map?
7 A I remember making a presentation to
8 the congressional delegation, and that's the
9 conversation I remember.
10 Q When did that presentation occur?
11 A Before we even started to explain --
12 before we even started.
13 Q When you say before we even started,
14 do you mean before July 6, 2011?
15 A Before whenever the first public
16 hearing was held, that's what I remember.
17 Q When did that briefing for
18 Congressman Hoyer and other members of Maryland's
19 U.S. Congressional Delegation take place?
20 A I have --
21 MS. KATZ: That's okay.
22 THE WITNESS: I don't remember the

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1 date of it.
2 BY MR. MEDLOCK:
3 Q Okay. Do you recall where it took
4 place?
5 A Yes, in Washington.
6 Q Do you know where in Washington it
7 took place?
8 A In the office of the House of
9 Delegates, I guess.
10 Q In the U.S. House of Representatives?
11 A I'm sorry, yeah, U.S. House of
12 Representatives.
13 Q Do you remember if it was in one of
14 the U.S. House office buildings?
15 A I don't remember that. It was in a
16 conference room.
17 Q Were any congressional staffers at the
18 meeting?
19 A Yes.
20 Q Do you recall which congressional
21 staffers were at the meeting?
22 A I remember Terry Lierman.

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1 Q And who did Terry Lierman work for?
2 A He worked for Steny.
3 Q Steny Hoyer?
4 A Yeah. And I remember Vernon -- maybe
5 Vernon wasn't there.
6 Q And Vernon Simms would have worked for
7 Congressman Cummings?
8 A Yeah.
9 Q How about Brian Romick in
10 Steny Hoyer's office?
11 A I don't know him -- remember him.
12 Q How about Jason Gleason from the
13 younger Sarbanes office?
14 A I don't remember him.
15 Q Do you remember C.R. Wooters being at
16 the meeting?
17 A No.
18 Q Do you know who C.R. Wooters is?
19 A No, I don't.
20 Q When you were at this meeting briefing
21 the U.S. Congressional Delegation, did you have
22 any briefing materials that you brought with you?

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1 A Not that I recall, no.
2 Q Did you have a PowerPoint
3 presentation?
4 A No, not that I recall.
5 Q Okay. Did you have any notes or
6 prepared remarks that you were working off of?
7 A Not that I recall.
8 Q During the briefing, who was doing
9 most of the speaking?
10 A Me.
11 Q Was there anybody else from the GRAC
12 who was present at the meeting?
13 A No.
14 Q Were any staffers to Senate
15 President Miller at the meeting?
16 A President Miller, would that have been
17 Jake?
18 Q Jake would have been one of them.
19 A I wasn't there by myself, I can tell
20 you that. I actually cannot visualize who was
21 there. I can tell you that Miller and Busch were
22 not, nor were any other -- so there had to be a

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1 staffer or someone with me.
2 Q Okay. When you say a staffer, you
3 wouldn't mean a staffer to you. You mean a
4 staffer possibly to Senate President Miller or
5 Speaker Busch?
6 A Yes.
7 Q Did Mr. King attend the meeting?
8 A No other GRAC person was there.
9 Q Okay. How about Joe Bryce, did he
10 attend the meeting?
11 A He could have. I don't remember that.
12 Q Do you remember if anybody from the
13 governor's office attended the meeting?
14 A No.
15 Q Did you take any notes of what was
16 discussed at the meeting?
17 A No.
18 Q Do you know if anyone else at the
19 meeting took any notes?
20 A I don't know.
21 Q Was an agenda circulated before the
22 meeting about what would be discussed?

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1 A Uh-uh.
2 Q Do you recall there being any e-mail
3 or document that was sent out after the meeting
4 summarizing what was discussed at the meeting?
5 A No.
6 Q Was there any minutes taken at the
7 meeting?
8 A No, not be me, and not by anyone I
9 know.
10 Q Do you recall seeing anyone taking any
11 minutes at the meeting?
12 A I don't remember seeing anybody taking
13 any minutes. I wouldn't have been focused on the
14 staffers, what they were doing.
15 Q Sure. How many people in total were
16 in the room during this briefing?
17 A 15 approximately.
18 Q Approximately, understood.
19 How long did the meeting last?
20 A Hour, approximately.
21 Q Did any of the Maryland Congressional
22 Delegation ask any questions during the meeting?

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1 A Yes.
2 Q Do you recall any questions that were
3 asked?
4 A Well, let me back up.
5 Q Sure.
6 A I remember statements being made.
7 Q Okay. Can you tell me what those
8 statements were?
9 A This meeting has only one clear issue
10 for me, and that was Donna Edwards, who was
11 very -- I don't even remember what -- I actually
12 don't remember what she said. I remember knowing
13 how I felt. Would you like to know that?
14 Q Yeah, I would.
15 A I felt a little bit talked down to.
16 Q Why is that?
17 A Because that's -- have you ever met
18 Donna Edwards?
19 Q I haven't had the pleasure.
20 A She has that way about her sometimes,
21 and I felt that I wasn't given the respect for my
22 age as it relates to her. That's how I felt.

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1 That's why I remember -- I don't
2 remember what she actually said, or what anybody
3 else said. That was my recollection of the
4 meeting.
5 Q When you say that you felt talked down
6 to, was that because of the tone that she used or
7 the content?
8 A Yeah, the tone. The tone.
9 Q Which of Maryland's congressional
10 delegation were there besides Representative
11 Edwards?
12 A Ruppertsberger, Hoyer, Donna, Cummings,
13 Sarbanes.
14 Q Was Andy Harris there?
15 A No, he was not there.
16 Q How about Roscoe Bartlett, was he
17 there?
18 A No, he wasn't there.
19 Q Was a staffer to Andy Harris at the
20 meeting?
21 A I don't remember the staffers there.
22 Q You don't have any recollection of a

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1 staffer from Andy Harris being there?
2 A No, I don't have a recollection of any
3 of the staffers there.
4 Q Okay. Do you know if anyone
5 associated with Roscoe Bartlett was at the
6 meeting?
7 A I have no idea.
8 Q Do you know if any Maryland
9 Republicans were at the meeting?
10 A I have no idea.
11 Q You just don't know one way or the
12 other?
13 A I have no idea.
14 Q I want to get back to this idea of
15 working closely.
16 A Okay.
17 Q Do you disagree that you worked
18 closely with members of Maryland's U.S. House
19 Delegation?
20 MS. KATZ: Objection, vague.
21 THE WITNESS: Yes, I do, actually.
22 Me personally?

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1 BY MR. MEDLOCK:
2 Q Uh-hmm.
3 A Not me personally, no. I did not work
4 closely with any member of the delegation
5 personally that I recall.
6 Q Okay. Other than this one --
7 A Excuse me.
8 Q Yeah.
9 A I remember Donna Edwards calling me.
10 I don't remember any others doing that. She
11 called me because I think she wanted to discuss
12 race issues with me.
13 Q Do you recall when that conversation
14 happened?
15 A No.
16 Q Okay. Did it happen before or after
17 the GRAC voted on and announced its map?
18 A Before.
19 Q Did it happen before or after the GRAC
20 started having meetings around Maryland?
21 A After.
22 Q Okay. And how long did the

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1 conversation last?
2 A Not long. A couple minutes, five or
3 ten minutes. Didn't she have a plan? I think she
4 had a plan.
5 Q I believe she did.
6 A Yeah.
7 Q Was she discussing her plan, or was
8 she discussing general ideas of how redistricting
9 should occur?
10 A She was discussing -- I don't
11 remember.
12 Q Was anyone else on the line besides
13 you and Representative Edwards?
14 A No, that I know of.
15 Q How was the call set up? Did she just
16 call you out of the blue, or were you expecting
17 her call?
18 A I don't remember that.
19 Q Did you do anything as a result of
20 receiving that phone call?
21 A Not really, not that I remember.
22 Q Okay. So you mentioned before we took

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1 our break that you would attend these GRAC
2 meetings that took place around the State of
3 Maryland, and then you were also attending
4 meetings at Jake Weissman or Jeremy Baker's
5 office, correct? Do you remember that?
6 A I didn't say I was attending meetings.
7 Q You would go to their office.
8 A Yes, I would go to their office,
9 right.
10 Q During the time that you went to
11 Jeremy Baker or Jake Weissman's office, did you
12 tell them anything that had happened at the GRAC
13 meetings that were occurring around Maryland?
14 A They were there.
15 Q They were at the meetings?
16 A I think they were.
17 Q Okay. And they were attending because
18 they were staffers to members of the GRAC; is that
19 right?
20 A Yes.
21 Q During those times that you went into
22 Jeremy Baker or Jake Weissman's offices, did they

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1 ever tell you that they had made alterations to
2 the map based on anything that they had heard
3 during these GRAC meetings?
4 A Not that I recall. I don't have a
5 recollection of that specifically.
6 Q During the times that you went to
7 Jeremy Baker or Jake Weissman's offices and looked
8 at potential congressional maps, did Mr. Baker or
9 Mr. Weissman ever represent to you that they had
10 altered the draft congressional map based on any
11 comments that they had received from the public?
12 A That they had altered?
13 Q Yes.
14 A Maybe that it reflected -- that it
15 reflected. Not altered, but maybe reflected.
16 Q Can you think of any alterations that
17 were made to the draft congressional maps that you
18 were shown based on any testimony that was given
19 at any of the GRAC hearings?
20 A No.
21 Q Can you think of any alterations that
22 were made to the draft congressional map based on

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1 any public comments whatsoever that the GRAC --
2 A Alterations made?
3 Q Yes.
4 A Yeah, you want to say alterations. I
5 want to say that what I saw reflected what we
6 heard.
7 Q Uh-hmm. And when you say what you
8 saw, you're talking about the maps that were in
9 the office?
10 A Right.
11 Q And when you say they reflected what
12 you heard, can you explain what you mean by that?
13 A Again, the line did not cross
14 Montgomery and Prince George's County on the
15 federal side; that we did not lose representation
16 in Baltimore City, I remember that; and then other
17 recollections have to do with the state.
18 Q Okay. I'd like to mark the next
19 document.
20 (Hitchcock Exhibit 99 was marked
21 for identification.)
22

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1 BY MR. MEDLOCK:
2 Q I'm going to show you what we've
3 marked as Exhibit 99 to your deposition. It's a
4 three-page document that's entitled at the top
5 Democratic Caucus Meeting, Monday, October 3rd, at
6 7:00 p.m., Majority Caucus Room in James Senate
7 Office Building. Do you see that?
8 A Yeah.
9 Q Take a moment to review it, and I'll
10 have a few questions for you about the document.
11 A Okay.
12 Q But let me know when you're done.
13 A Okay. (Witness reviewing Exhibit 99.)
14 Q So you've reviewed Exhibit 99?
15 A Yes, I have.
16 Q First off, do you recall attending a
17 meeting on Monday, October 3rd, 2011, with the
18 Democratic Caucus?
19 A I don't recall the date.
20 Is this the Senate?
21 Q This would have been with the entire
22 Democratic Caucus of both the House and the

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1 Senate.
2 A At seven o'clock at night? I do not
3 remember that specifically.
4 Q Regardless of whether you remember the
5 specific date and time, do you recall being at a
6 Democratic Caucus meeting where you presented the
7 draft congressional map that the GRAC had voted
8 on?
9 A I don't remember a joint Democratic
10 Caucus. I don't remember a joint caucus.
11 Q What do you remember?
12 A I remember a House caucus. I don't
13 remember a Senate caucus, and I don't remember a
14 joint conference.
15 Q Does this document refresh your
16 recollection about attending such a caucus
17 meeting?
18 A It refreshes my recollection -- no.
19 Q It doesn't?
20 A It really doesn't, no.
21 Q Okay. All right, let's flip -- well,
22 on the first page, do you see there's a heading

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1 that says TOPICS TO ADDRESS?
2 A Yes.
3 Q And then there are three bullets on
4 the first page underneath that, correct?
5 A Yes, I do.
6 Q And the third one reads, "Specifically
7 recognize Secretary Hitchcock for her leadership
8 of GRAC."
9 A Yes.
10 Q And if you flip in, there's a
11 paragraph of text underneath that, correct?
12 A Yes.
13 Q And I'm looking at the next-to-last
14 sentence --
15 A You skipped the part about Harford
16 County.
17 Q I did.
18 A Yes, you did.
19 Q Yeah, but humor me for a second while
20 I do.
21 A All right. Okay, I'll humor you.
22 Q After the Harford County sentence it

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1 says, "In addition, she worked closely with
2 members of our congressional delegation and with
3 many of your colleagues, including the
4 Black Caucus, to make sure their concerns were
5 heard."
6 A Yes.
7 Q Did I read that correctly?
8 A Yes, you did.
9 Q Do you agree with that sentence?
10 A That's how they interpret that. I
11 don't disagree with it. I don't remember -- I
12 don't disagree with it.
13 Q Okay. Now, do you see the bullet
14 underneath that that says, "Acknowledge that the
15 map does some good things"?
16 A I do.
17 Q Below that there are four sort of
18 white bullet points, correct?
19 A Yes, uh-huh.
20 Q I'm looking at the third one. It
21 reads, "It preserves all six incumbent Democrats
22 in 'safe' districts."

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1 A Yeah.
2 Q "Not one of our incumbents will be in
3 a district with less than 58% Democratic
4 performance." Did I read that correctly?
5 A Yes, you did.
6 Q In your mind, is this one of the good
7 things that the map did?
8 A I don't -- I'm not venturing an
9 opinion about whether it was good or bad. This
10 was a Democratic Caucus; they view things as they
11 want to view it.
12 Q Do you disagree with the
13 characterization that this is a good thing?
14 A I neither agree or disagree.
15 Q Do you think that this statement about
16 preserving six incumbent Democrats in safe
17 districts is accurate or inaccurate?
18 A I would not have characterized it that
19 way.
20 Q Sure. Regardless of whether you
21 characterize it that way, is it accurate?
22 MS. KATZ: Objection, foundation.

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1 THE WITNESS: Assuming that the
2 statistics below that are accurate, then I suppose
3 the way they characterize it would be accurate
4 from their perspective.
5 BY MR. MEDLOCK:
6 Q Do you see the reference to 58 percent
7 Democratic performance.
8 A I sure do.
9 Q What does that mean?
10 MS. KATZ: Objection, foundation.
11 THE WITNESS: What do I remember that
12 that meant? My recollection -- I don't have a
13 real recollection, except I do have sort of a
14 common sense interpretation of it.
15 BY MR. MEDLOCK:
16 Q Okay. What's your common sense
17 interpretation of it?
18 A That if you have more Republicans than
19 Democrats, then maybe you'll have a
20 Republican seat. If you have more Democrats than
21 Republicans, you might have a Democratic seat.
22 Q Got it.

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1 A Yeah, I'm sure you do.
2 Q Do you know where the 58 percent
3 Democratic performance metric came from?
4 A No, but I --
5 MS. KATZ: Objection.
6 THE WITNESS: I think the guys
7 probably do.
8 BY MR. MEDLOCK:
9 Q Who do you mean by "the guys"?
10 A Jake and Jeremy and Joe.
11 Q Just so I've got it real clear,
12 Jake Weissman, Jeremy Baker and Joe Bryce?
13 A Correct.
14 Q What makes you believe that
15 Jake Weissman, Jeremy Baker and Joe Bryce would
16 know where this Democratic performance number came
17 from?
18 A Because I was not focusing on
19 statistics. I assumed that they were.
20 Q Okay.
21 A And numbers. You know, they had to
22 look at all the -- they were looking at numbers.

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1 Q To your mind, they were focused on
2 numbers and statistics?
3 A To my mind.
4 Q Okay. Did you ever hear them use the
5 term "Democratic performance" when you were
6 speaking with them?
7 A I have heard that term, yes.
8 Q Did you ever hear it when you were
9 speaking with Mr. Bryce, Mr. Weissman or
10 Mr. Baker?
11 A Yeah, they would have mentioned that,
12 yes.
13 Q Do you remember in what context they
14 would have mentioned it?
15 A I can't visualize a meeting or
16 conversation, but I can remember that there was
17 that discussion, or that I've heard that or I'm
18 familiar with that.
19 Q Uh-hmm.
20 A I was focused on race.
21 Q I understand.
22 A Okay.

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1 Q I understand.
2 A So if you refresh my recollection, it
3 would be sharper on the issue of minority
4 representation than it would be on this issue.
5 Q Okay. So you were more focused on
6 minority representation than you were on the
7 Democratic performance issue?
8 A I will say this: My recollection is
9 sharper on those issues because those are issues
10 that resonate in the mind of Jeanne Hitchcock.
11 Q Okay.
12 A Okay? All right. That's what I mean
13 when I say that.
14 Q How many times did you hear Mr. Baker,
15 Mr. Weissman or Mr. Bryce mention the term
16 "Democratic performance"?
17 MS. KATZ: Objection.
18 THE WITNESS: I don't know. Maybe
19 in -- sort of like at the end where you're sort
20 of -- where I'm being briefed about the elements
21 of the map would be what I would speculate would
22 be when I would hear that.

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1 BY MR. MEDLOCK:
2 Q So you said when you were being
3 briefed about the elements of the map at the end.
4 Was there a briefing towards the end
5 of the GRAC process where you were actually
6 briefed about certain elements?
7 A Yes, that would have been true.
8 Q When did that briefing occur, to your
9 knowledge?
10 A Well, obviously at the end of all the
11 hearings, and obviously before I would have to say
12 anything in public, and I would think it was
13 before the principals saw it.
14 Q Who gave you that briefing?
15 A It would have been Jeremy, Jake, Joe,
16 I would think.
17 Q Where did that briefing take place?
18 A It would have been in that same
19 office.
20 Q How long did the briefing last?
21 A I don't remember that specifically,
22 but it would have been an hour. I would have --

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1 an hour. I mean, not long.
2 Q Were any other members of the GRAC
3 present for this briefing?
4 A First, I can't actually remember the
5 briefing, okay?
6 Q Okay.
7 A I am speculating that a briefing would
8 have taken place because somebody would have shown
9 me a briefing, a map, before I was finished.
10 So what is your question?
11 Q My question is, to the extent you
12 recall the briefing, were any other members of the
13 GRAC present for that briefing?
14 A I actually can visualize a meeting
15 with us in that meeting seeing a final map.
16 Q When you say "us," who do you mean?
17 A Miller, Busch, I think -- what's the
18 other guy's name?
19 Q Mr. Stewart?
20 A No.
21 Q Mr. King?
22 A King, Mr. King. I have a vague

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1 recollection of such a briefing.
2 Q And do you have a recollection of the
3 term "Democratic performance" being mentioned
4 during that briefing?
5 A No, I would not have a recollection of
6 that being mentioned at that meeting.
7 Q Okay. But you just have a general
8 recollection of having heard the term "Democratic
9 performance" from either Mr. Weissman, Mr. Baker
10 or Mr. Bryce?
11 A Correct.
12 Q So you can't tell me when you actually
13 heard that?
14 A Yeah, I cannot tell you that.
15 Q Okay. When you heard the term
16 "Democratic performance" from Mr. Baker,
17 Mr. Weissman or Mr. Bryce, did they ever explain
18 to you what the term meant?
19 MS. KATZ: Objection, leading.
20 THE WITNESS: Well, you understand,
21 you're asking me questions that I really have no
22 specific recollection of event or time or place or

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1 anything, so ...
2 BY MR. MEDLOCK:
3 Q Okay. My question is more about the
4 content. Did they actually tell you what the term
5 "Democratic performance" meant?
6 A I don't remember that. I don't have a
7 recollection of being told that.
8 Q Okay. And do you have a recollection
9 of them telling you where they got the term
10 "Democratic performance" from?
11 A No.
12 Q Okay, let's go down to -- it's the
13 last bullet on this page under Acknowledge that
14 the map does some good things, and it kind of
15 bleeds over to the next page.
16 A Yeah.
17 Q And that bullet begins, "It gives
18 Democrats a real opportunity to pick up a seventh
19 seat in the delegation by targeting Roscoe
20 Bartlett." Did I read that correctly?
21 A Yes.
22 Q Do you have any reason to dispute the

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1 accuracy of that sentence?
2 MS. KATZ: Objection, foundation.
3 THE WITNESS: I have no reason to.
4 BY MR. MEDLOCK:
5 Q Do you have any reason to doubt that
6 that sentence is accurate?
7 MS. KATZ: Objection, foundation.
8 THE WITNESS: I have no reason to.
9 BY MR. MEDLOCK:
10 Q Do you have any documents or evidence
11 in your possession showing that this sentence is
12 inaccurate?
13 A No, I don't.
14 Q Do you have any evidence whatsoever to
15 show that this sentence is inaccurate?
16 A No.
17 Q Okay, you can put that document to the
18 side.
19 A Are we going to do Harford County?
20 Q Do you want to talk about
21 Harford County?
22 A No, I really don't.

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1 Do I give this back to you now?
2 Q You just kind of hold on to them. The
3 only rule with the exhibits is I just ask you
4 don't take them with you at the end.
5 (Hitchcock Exhibit 100 was marked
6 for identification.)
7 BY MR. MEDLOCK:
8 Q So Exhibit 100 is a one-page document
9 that at the top says "Governor's Redistricting
10 Advisory Committee."
11 A Right.
12 Q Please take a moment to review it, and
13 let me know when you're done audibly on the
14 record.
15 A Done.
16 Q Okay. Have you ever seen Exhibit 100
17 before?
18 A I do not recall this.
19 Q Okay. You just don't know one way or
20 the other whether you've seen it?
21 A I don't recall it, right.
22 Q And the document refers to a meeting

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1 taking place on July 6, 2011. Do you see that?
2 A Yes.
3 Q And according to this, it took
4 place at the Governor's Reception Room at the
5 State House in Annapolis, correct?
6 A Yes.
7 Q Do you recall attending a GRAC meeting
8 on July 6, 2011?
9 A No.
10 Q Do you recall attending a GRAC meeting
11 shortly after you were appointed to the GRAC?
12 A No.
13 Q Do you recall attending a sort of
14 introductory meeting of the GRAC members before
15 the GRAC started holding committee hearings?
16 A Is this the meeting you were talking
17 about before?
18 Q This appears to be the meeting that's
19 referenced in one of the other exhibits for
20 July 6.
21 A You didn't say that.
22 Q I didn't.

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1 A No, you didn't.
2 I don't remember this meeting.
3 Q Okay. All right.
4 The document refers to you giving
5 welcoming remarks and giving an overview of the
6 proposed process. Do you recall doing that?
7 A No, I don't remember this meeting.
8 Q Okay. So there's nothing, even having
9 reviewed this document, that you can tell me about
10 what was discussed at this meeting?
11 A Yeah. No, I don't remember this
12 meeting at all.
13 Q And you can't tell me who attended it?
14 A No, I can't.
15 Q Okay. All right. Put 100 aside.
16 (Hitchcock Exhibit 101 was marked
17 for identification.)
18 BY MR. MEDLOCK:
19 Q So I'm showing you what we've marked
20 as Exhibit 101 to your deposition.
21 A Is that this particular lawsuit?
22 Q This is a document that was served in

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1 this lawsuit. I know you probably haven't seen it
2 before, but I want to ask you about a particular
3 response to a request for admission, but you can
4 take your time to review the whole thing and let
5 me know when you're done, or I can direct you
6 there.
7 A You can direct me there. We'll start
8 there.
9 Q Can you turn to page 6, please? Do
10 you see number 25 that's about halfway down the
11 page?
12 A Yes.
13 Q And 25 reads, "When considering the
14 lines of the Sixth District, the GRAC moved
15 registered Republican voters out of the Sixth
16 District by reason of their party affiliation for
17 partisan purposes."
18 Do you see that?
19 A Yes. Who said that? You said that.
20 Q We said that.
21 A Oh, you said that, okay.
22 Q Yes. Were you ever shown a copy of

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1 these questions?
2 A No.
3 Q Were you ever consulted on how these
4 requests for admissions should be answered?
5 A I was interviewed, and I don't know
6 that it was for a specific -- by my lawyers, and I
7 don't know if I had specific questions or answers
8 or whatever, but they asked me questions. I
9 answered them.
10 Q I don't want to get into anything that
11 was discussed, but what I do want to get into is
12 some of the facts around that.
13 A Okay.
14 Q When did that meeting happen, that
15 interview?
16 A When the lawsuit was first filed, or
17 when you subpoenaed me or something. I don't
18 know.
19 Q You don't know exactly when?
20 A Yeah. When it became evident that
21 somehow I was going to be subpoenaed, or you had
22 already subpoenaed me or something.

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1 Q And when you say you spoke to
2 attorneys, which attorneys did you speak to?
3 A Ms. Jennifer.
4 Q Ms. Katz?
5 A Jennifer Katz.
6 Q Did you speak to any other attorneys
7 at the Office of Attorney General during that
8 interview?
9 A Who else did I speak to?
10 Q I don't know.
11 A Give me another one. You know who
12 they are.
13 Q Sarah Rice?
14 A Yes.
15 Q How long did that interview last?
16 A Less than an hour.
17 Q Was it in person or over the phone?
18 A Which meeting are you talking about?
19 The initial one?
20 Q Initial one.
21 A Over the phone.
22 Q Was there a subsequent meeting?

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1 A Was there a subsequent conversation?
2 Q Conversation, yes.
3 A Yes.
4 Q And did that relate to a general
5 interview or about this deposition?
6 A I talked to them at whatever stage you
7 initiated.
8 Q All right.
9 A Being kept informed.
10 Q I understand.
11 A Okay.
12 Q Let's move down. Do you see response
13 25 below number 25?
14 A Yeah, I do.
15 Q And that reads, "Defendants admit
16 that, when considering the lines of all districts,
17 the GRAC moved population groups in and out of
18 potential districts by Census Block Group, at the
19 smallest unit of consideration. Defendants
20 further admit that the GRAC considered turnout and
21 party affiliation data at either the Census Block
22 Group or precinct level, as that data was

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1 available." Do you see that?
2 A Yes.
3 Q Do you have any recollection as a
4 member of the GRAC of considering turnout and
5 party affiliation by Census Block Group or
6 precinct level?
7 A No.
8 Q Do you know whether any member of the
9 GRAC did?
10 A I don't know.
11 Q Did you ever ask members of the
12 GRAC whether --
13 A Never asked.
14 Q Do you know whether turnout
15 information was made available to the GRAC?
16 A Members of the GRAC, or GRAC?
17 Q Let's start with the GRAC as a whole.
18 A I don't remember that as GRAC as a
19 whole.
20 Q Do you know whether turnout
21 information was made available to members of the
22 GRAC?

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1 A I don't know that.
2 Q Do you know whether party affiliation
3 data was made available to the GRAC as a whole?
4 A I don't know that either.
5 Q Do you know whether party affiliation
6 data was made available to certain members of the
7 GRAC?
8 A I don't know that.
9 Q Did you ever have any conversations
10 with any other members of the GRAC regarding
11 turnout or party affiliation data or statistics?
12 A Okay, repeat that question.
13 Q Yes. Did you ever have any
14 conversations --
15 A Seems to me this is one of your
16 important questions. I want to make sure I answer
17 it accurately.
18 Q Okay. Did you ever have any
19 conversations with any other members of the GRAC
20 regarding turnout or party affiliation data or
21 statistics?
22 A I have no specific recollection of

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1 that.
2 Q Do you have a general recollection of
3 that?
4 A I do not have a general recollection
5 of that.
6 Q You just don't know one way or the
7 other?
8 A One way or the other.
9 Q Okay, we can put 101 aside.
10 (Hitchcock Exhibit 102 was marked
11 for identification.)
12 BY MR. MEDLOCK:
13 Q Take a moment to look through this
14 document, and then let me know when you've done
15 so. I'm going to have questions about particular
16 pages, but you should probably review the whole
17 thing.
18 A Uh-hmm.
19 (Witness reviewing Exhibit 102.)
20 Okay, I'm not going to take the time
21 to refresh my recollection, so go for it.
22 Q Okay. Have you ever seen this

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1 PowerPoint deck before?
2 A It looks familiar, yes.
3 Q Do you know whether you drafted it?
4 A No, I didn't draft this.
5 Q Do you know if anyone drafted this
6 presentation for you to give to other members of
7 the public?
8 MS. KATZ: Objection, foundation.
9 THE WITNESS: I don't know how to
10 answer that question, because I'm a manager. I
11 don't draft things.
12 BY MR. MEDLOCK:
13 Q Fair enough. Did anyone ever draft
14 this for you?
15 A I would assume that they would have.
16 Q Do you know who drafted this for you?
17 A No, I don't remember which of the
18 staff members would have done that.
19 Q When you say the staff members, who
20 would be in that group that could have drafted
21 this for you?
22 A You want me to speculate on that?

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1 Q Well, no. Who are the staffers that
 2 could have potentially drafted this for you?
 3 A Well, that would be a speculation.
 4 Q Okay, then go ahead.
 5 A Jake. I do not remember when Pat came
 6 and left.
 7 Q Uh-hmm.
 8 A Okay, Jake, Joe, Jeremy. I don't
 9 think anybody from Planning would have done that.
 10 Q Okay. But you don't know who drafted
 11 this for sure?
 12 A I don't know who did this version.
 13 Q Do you recall ever giving this
 14 presentation to anyone?
 15 A Yeah, I do remember giving this
 16 presentation. I don't remember where.
 17 Q Is it possible that you gave this
 18 presentation to members of the Democratic Caucus?
 19 A It is possible.
 20 Q Do you know if it's possible you gave
 21 this presentation at the October 3rd, 2011,
 22 meeting that we saw referenced earlier in

Page 150

1 Exhibit 99?
 2 A The reason why I don't remember that
 3 is because I don't remember giving a presentation
 4 to the Joint Caucus.
 5 Q I see. Understood.
 6 Okay, let's flip in. I'm on page 3,
 7 which at the bottom has the Bates
 8 number MCM002456.
 9 A Yes.
 10 Q The title of that slide is
 11 "Recommended Plan Highlights," correct?
 12 A Yes.
 13 Q And I'm on the third bullet. That
 14 reads, "Plan does not draw any incumbent member of
 15 Congress out of his/her district."
 16 Did I read that correctly?
 17 A Yes, you did.
 18 Q Do you have an understanding of what
 19 that bullet means?
 20 A The plan was not disruptive.
 21 Q Do you think that's true?
 22 A I think that's true.

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1 Q You do?
 2 A Yes, I do, that it was not disruptive.
 3 Q And when you say it's not disruptive,
 4 what do you mean by that?
 5 A That it was fair, it met the standards
 6 of the law, it reflected public input. That's
 7 what I mean.
 8 Q Okay. So at the time, one of the
 9 incumbent members of Congress from Maryland was
 10 Roscoe Bartlett, the Republican from the Sixth
 11 Congressional District, correct?
 12 A For one of the few times, I'm going to
 13 assume you are telling me the correct information.
 14 Q That is --
 15 A That is correct.
 16 Q I'm trying.
 17 A Okay, that's good.
 18 Q Do you have any documents, apart from
 19 this presentation, to show that the GRAC did not
 20 draw Roscoe Bartlett out of his district?
 21 A I have no documentation of anything.
 22 Q Do you have any evidence whatsoever in

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1 your possession that the GRAC did not draw Roscoe
 2 Bartlett out of his congressional district?
 3 A I think that that is a lot of stuff,
 4 but I'll answer to, in my possession, I have
 5 nothing in my possession.
 6 Q Did anyone from the GRAC ever tell
 7 you, any other GRAC member, did they ever tell you
 8 that they did not intend to draw Roscoe Bartlett
 9 out of his congressional district?
 10 A Did any -- say it again.
 11 Q Did any member of the GRAC ever tell
 12 you that they did not intend to draw Roscoe
 13 Bartlett out of his congressional district?
 14 A No.
 15 Q Okay. Turn back to Exhibit 99.
 16 A 99?
 17 Q Yes.
 18 A Okay.
 19 Q And go to the second page, bottom
 20 bullet, where it says the map, quote, "gives
 21 Democrats a real opportunity to pick up a seventh
 22 seat in the delegation by targeting Roscoe

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1 Bartlett."
2 A Uh-hmm.
3 Q Do you see that?
4 A Yes, I see that.
5 Q How do you reconcile that statement
6 with this bullet saying the plan does not draw any
7 incumbent member of Congress out of his/her
8 district?
9 MS. KATZ: Objection.
10 THE WITNESS: I have no idea how to
11 reconcile that.
12 MR. MEDLOCK:
13 Q Can you?
14 A No, I can't.
15 MS. KATZ: Objection.
16 THE WITNESS: I'm not saying it's not
17 reconcilable, I'm just saying I can't do it.
18 BY MR. MEDLOCK:
19 Q So as you sit here today, you can't?
20 A Yeah, I don't --
21 Q Okay. Let's flip further in to
22 page -- it's the next-to-last page of the

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1 presentation. It has the Bates numbers at the
2 bottom MCM002467.
3 A Yes.
4 Q Okay. Do you recall discussing the
5 proposed Sixth and Eighth Congressional Districts
6 during any of your meetings or meeting with
7 members of the Senate or House Caucus?
8 A Can I read this first?
9 Q Sure.
10 A (Witness reviewing document.)
11 Okay, what's your question?
12 Q Do you recall giving a presentation to
13 any members of the Maryland General Assembly
14 regarding the draft Sixth and Eighth Congressional
15 Districts?
16 A Yes.
17 Q And is that the meeting that you
18 believe happened with the House Democratic Caucus?
19 A No.
20 Q What do you recall about this?
21 A I recall -- wait a minute. Say that
22 again. House Democratic Caucus?

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1 Q Yes.
2 A I don't think this document was at the
3 House Democratic -- this doesn't look like a
4 document given at the House Democratic Caucus.
5 Q How was the document that was
6 presented at the House Democratic Caucus different
7 than this one?
8 A I don't know. I don't remember the
9 House Democratic Caucus.
10 Q Do you recall ever giving a
11 presentation with the slide that's depicted
12 MCM002467?
13 A You know, there was a hearing on each
14 side about the plan which I presented.
15 Q Uh-hmm.
16 A So this looks like a fairly formalized
17 presentation.
18 Q Okay.
19 A So this could have been the
20 presentation before the Senate or the House at the
21 hearing on the document.
22 Q Understood. Was your presentation to

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1 the caucus less formal than what's depicted in
2 this slide?
3 A I don't recollect a presentation to
4 the caucus.
5 And when you say the caucus, do you
6 mean this joint conference? I don't remember
7 this.
8 Q No, I'm talking about the one you said
9 you recalled at the Democratic House Caucus.
10 A House Caucus. It would have not been
11 this formal. This looks like the presentation
12 that was made more formally at the hearing before
13 the House and the Senate.
14 Q When you say that the presentation to
15 the House Democratic Caucus was less formal, did
16 you have a PowerPoint that you brought to the
17 presentation?
18 A Not that I recall.
19 Q Do you recall bringing any maps to
20 that presentation?
21 A I would think there would be a map.
22 Q But you don't recollect that?

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1 A I don't recollect that.
2 Q Do you recall providing any sort of
3 information, demographics or Democratic
4 performance, about the eight congressional
5 districts to the House Democratic Caucus?
6 A No.
7 MS. KATZ: Objection, compound.
8 THE WITNESS: No. My role was
9 processed. I didn't do deep dives into statistics
10 and analysis; mine was process.
11 BY MR. MEDLOCK:
12 Q Who on the GRAC did a deep dive into
13 statistics and analysis?
14 A I don't know.
15 Q Do you know whether anyone did?
16 A Well, whoever drew the lines, I would
17 assume.
18 Q Okay. Can you tell me, sitting here
19 today, who actually drew the lines?
20 A I can't tell you, sitting here today,
21 who actually drew those lines.
22 Q Do you have any evidence or documents

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1 in your possession regarding who actually drew the
2 lines of the congressional map?
3 A No, I don't.
4 Q Did you ever ask before you voted on
5 the map who drew the lines?
6 A Did I ever ask?
7 Q Uh-hmm.
8 A I will just tell you I assumed I knew.
9 I assume I knew who drew the lines, but that's not
10 what you asked me. I'm going to give you that
11 one.
12 Q You say you assume you knew.
13 A Yeah. There were staff there, and
14 there were Jake, Jeremy and Joe, and so I assumed
15 that they drew the lines. They gave me the map to
16 look at, and so I didn't draw the lines.
17 Q And none of the other members of the
18 GRAC, to your knowledge, drew the lines?
19 A Not to my knowledge, right.
20 Q And your assumption that Mr. Baker,
21 Mr. Weissman or Mr. Bryce drew the lines is based
22 solely on receiving the maps from them; is that

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1 right?
2 MS. KATZ: Objection, leading.
3 THE WITNESS: I don't know how to
4 answer stuff that's fairly obvious. Yes, I think.
5 BY MR. MEDLOCK:
6 Q Okay. All right, so let's look at
7 this actual slide that's in front of you.
8 A Okay.
9 Q So Districts 6 & 8, Western Maryland,
10 Frederick, and Montgomery Counties, that's how
11 this slide is titled.
12 A Yes.
13 Q Underneath that to the right on the
14 page, that blurb begins, "District 6 keeps Western
15 MD together (all of Washington, Allegany, and
16 Garrett Counties)."
17 Did I read that correctly?
18 A Yes, you did.
19 Q Okay, flip it to the next page.
20 A Okay.
21 Q Because I think it's a bit easier to
22 see on this page. We're on MCM002468.

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1 Are you there?
2 A Yes.
3 Q All right. And do you see that this
4 is a map of the entire State of Maryland, correct?
5 A Yes, I do.
6 Q And it's got the proposed eight
7 congressional districts on it in different colors,
8 correct?
9 A Yes, I see that.
10 Q And there's a couple of call-out boxes
11 in the bottom left-hand side for Prince George's
12 and Montgomery County and the Baltimore region.
13 A Yes.
14 Q I'm looking at Frederick County.
15 Are you there with me?
16 A In the cut-out box or the whole thing?
17 Q The whole thing.
18 A Okay, the cut-out box doesn't include
19 that. Frederick, yes.
20 Q Okay. So Frederick has two different
21 colors in it, correct?
22 A Yes.

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1 Q So Frederick County, part of it is the
2 Eighth Congressional District, and the other part
3 of Frederick County is the Sixth Congressional
4 District.
5 A Yes.
6 Q So Frederick County was not kept
7 together in the draft congressional map, correct?
8 A Correct. Well, yes.
9 Q On this map, it's not kept together?
10 A On this map, right.
11 Q Let's look at Carroll County. Do you
12 see that to the right of Frederick?
13 A Carroll to the right of Frederick,
14 yes.
15 Q And Carroll County again has two
16 colors in it, correct?
17 A Yes, correct.
18 Q Part of it is in the First
19 Congressional District; is that right?
20 A Yes.
21 Q And part of it is in the Eighth
22 Congressional District?

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1 A Correct.
2 Q So on this map, Carroll County was not
3 kept together, correct?
4 A Correct.
5 Q So we've been about an hour, and I
6 need to confer with my colleagues, so why don't we
7 take a quick break.
8 (A break was taken at 1:32 p.m.)
9 (Resume at 1:39 p.m.)
10 MR. MEDLOCK: Mark the next exhibit.
11 (Hitchcock Exhibit 103 was marked
12 for identification.)
13 BY MR. MEDLOCK:
14 Q So I'm showing you what we've marked
15 as Exhibit 103 to your deposition. It is a
16 document entitled Senate Democratic Caucus Meeting
17 Agenda. Take a moment to review it, and let me
18 know when you have.
19 A Got it.
20 Q Okay. If you look down at the entry
21 for 7:15 p.m., are you there with me?
22 A Yes.

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1 Q It says, "Congressional
2 Redistricting."
3 A Yes.
4 Q And below it it has your name,
5 Sec. Jeanne Hitchcock.
6 A Yes.
7 Q And then there's a reference to
8 Joe Bryce as well.
9 A Yes.
10 Q Do you recall being at a meeting at
11 the Senate Democratic Caucus where you and
12 Mr. Bryce briefed the caucus?
13 A I think I do remember that.
14 Q What do you remember about it?
15 A I just remember the room. I just
16 remember -- bear with me, but lots of things
17 happened in my tenure, and I can see myself in a
18 room over at the Senate, and I can't imagine why
19 else I would be there, so I have to just say I
20 vaguely remember this meeting.
21 Q Okay. Besides the vague recollection
22 of yourself being in the room, do you remember

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1 anything that you discussed during the meeting?
2 A No, I don't.
3 Q Do you remember anything that
4 Mr. Bryce discussed during the meeting?
5 A No, I don't.
6 Q Do you remember whether any of the
7 members of the Senate Democratic Caucus asked any
8 questions during the meeting?
9 A No, I don't.
10 Q Do you remember whether you had any
11 sort of presentation that you gave during the
12 meeting?
13 A No, I don't.
14 Q So can you tell me anything about this
15 meeting other than the fact that you have a vague
16 recollection of attending it?
17 A No, I can't.
18 Q Okay, put that one aside.
19 Okay, we'll mark the next exhibit,
20 104.
21 (Hitchcock Exhibit 104 was marked
22 for identification.)

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1 BY MR. MEDLOCK:
2 Q All right, I'm showing you what we've
3 marked as Exhibit 104.
4 A Okay.
5 Q It is a document that is several
6 hundred pages long entitled "Governor's
7 Redistricting Advisory Committee Briefing Book
8 2011." Do you see that?
9 A Yes, I do.
10 Q And at the bottom of the first page it
11 says, "Prepared by: Maryland Department of
12 Planning."
13 A Yes.
14 Q Do you recall receiving a briefing
15 book from the Maryland Department of Planning as a
16 member of the Redistricting Advisory Committee?
17 A No.
18 Q Do you recall ever asking for such a
19 briefing book?
20 A No.
21 Q Okay. Do you recall our conversation
22 earlier today about the I-270 corridor?

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1 A Yes.
2 Q Here's what I'd like to do. I'll give
3 you the next 15 minutes to look through this.
4 Show me where you can find information about the
5 I-270 corridor in it.
6 A Is it in there?
7 Q I'll let you find it if it's in there.
8 A You want me to --
9 Q Sure.
10 A Okay, I will do that. I don't know
11 what I'm looking at, actually. Okay, we'll be
12 here for a minute.
13 Okay, so is there an easier way to do
14 this? Because if it's about District 5, then it
15 wouldn't be there, right?
16 Q I'm not really sure how this is put
17 together.
18 A Never mind. Okay, I'll do it.
19 (Witness reviewing Exhibit 104.)
20 I think this is put together by --
21 Why is he smiling? He's smiling.
22 MS. KATZ: Steve, can I speak to you?

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1 MR. MEDLOCK: Sure.
2 (Pause in the proceedings
3 for counsel to confer.)
4 MS. KATZ: I'm just going to object to
5 this -- I don't even know if it's a question
6 that's been posed.
7 Ms. Hitchcock has testified that she
8 didn't recall seeing this document. This is
9 inappropriate and borders on harassment to have
10 her do this.
11 MR. MEDLOCK: Are you done with your
12 objection?
13 MS. KATZ: Yes.
14 MR. MEDLOCK: Okay. I'll make my
15 response now.
16 First, there was a question, and she's
17 trying to answer it.
18 Second, this is not harassment. This
19 is a question that goes to the exact heart of this
20 case, which is what evidence the GRAC received,
21 what evidence the GRAC looked at, and what
22 evidence the GRAC considered. This is a document

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1 titled "Governor's Redistricting Advisory
2 Committee Briefing Book 2011."
3 And then, third, I'll add that
4 speaking objections are not allowed in this
5 district, and this is exactly why, because people
6 end up putting their briefs on the record.
7 So with that said, I'd still like an
8 answer to my question.
9 THE WITNESS: Repeat your question.
10 BY MR. MEDLOCK:
11 Q Sure. You've had a chance to review
12 the entirety of the briefing book, correct?
13 A Briefly, briefly, briefly.
14 Q You've flipped through it?
15 A Yes.
16 Q Okay. When you flipped through it,
17 could you find any information regarding the I-270
18 corridor in the briefing book?
19 A I did not see it.
20 Q Did you ever request a briefing book
21 from the Maryland Department of Planning regarding
22 the I-270 corridor?

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1 A No.
2 Q Did anyone else on the GRAC ever
3 request a briefing book or any information -- let
4 me back up.
5 Did anyone else on the GRAC request a
6 briefing book from the Maryland Department of
7 Planning regarding the I-270 corridor?
8 MS. KATZ: Objection.
9 THE WITNESS: I don't know.
10 BY MR. MEDLOCK:
11 Q Do you know whether anyone on the
12 GRAC requested any information regarding the I-270
13 corridor from the Maryland Department of
14 Legislative Services?
15 A I don't know.
16 Q Do you know whether anyone on the GRAC
17 requested any information from any outside group
18 regarding the I-270 corridor?
19 A I don't know.
20 Q Did you do so?
21 A Request it?
22 Q Yes, make that request.

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1 A No, I did not.
2 Q Do you recall making any request at
3 any point in time that you were on the GRAC for
4 any information regarding the I-270 corridor?
5 A Not that I recall, no.
6 Q Do you recall anyone else --
7 A Wait a minute, say that question.
8 Q Sure.
9 A Do I remember making a request for
10 data?
11 Q Any sort of information regarding the
12 I-270 corridor.
13 A Did I make a request for it?
14 Q Yes.
15 A No.
16 Q Do you recall ever receiving any
17 information regarding the I-270 corridor?
18 A At the hearing.
19 Q Besides the hearing, do you recall
20 receiving any information?
21 A No, no.
22 Q Okay. When you gave feedback on

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1 proposed congressional maps in Mr. Weissman or
2 Mr. Baker's office, did you ever indicate to them
3 that the maps did not reflect the public comments
4 that you had received?
5 A Possibly on the state side with that
6 La Plata/Charles County stuff. That's the only
7 thing I remember.
8 Q Besides that, you can't remember ever
9 doing that?
10 A No, I can't remember doing that.
11 Q And that's because you don't recall
12 doing it; is that right?
13 A I don't recall doing it.
14 Q You just don't remember one way or the
15 other whether you did or didn't?
16 A I don't recall one way or the other.
17 Q Okay. Do you recall Mr. Weissman or
18 Mr. Baker ever changing the lines of the
19 congressional map during your meetings with them?
20 A No.
21 Q Do you recall Mr. Baker or
22 Mr. Weissman ever saying that they would change

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1 the lines of the draft congressional map based on
2 the feedback that you gave them?
3 A I don't know. I don't remember.
4 Possibly Baltimore City.
5 Q With the exception of Baltimore City,
6 do you recall Mr. Baker or Mr. Weissman ever
7 saying that they would change the lines of any
8 other part of the draft congressional map based on
9 the feedback you gave them?
10 A Not that I recall, no.
11 Q Do you ever recall discussing former
12 Congressman Frank Kratovil with Mr. Weissman or
13 Mr. Baker?
14 A No.
15 Q Do you recall ever speaking to
16 Mr. Weissman or Mr. Baker during these meetings
17 where you were shown the maps about Roscoe
18 Bartlett?
19 A No.
20 Q You just don't recall one way or the
21 other?
22 A What's your question about Roscoe

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1 Bartlett?
2 Q Yeah. Do you recall one way or the
3 other whether you actually discussed Roscoe
4 Bartlett during these meetings?
5 A I don't recall. I do not recall
6 discussing Roscoe Bartlett with staff.
7 Q Okay. Did you ever speak to
8 Governor O'Malley about the GRAC process before
9 the GRAC released its map?
10 A Yes.
11 Q When did that conversation occur?
12 A Before it was publicly released.
13 Q Do you remember how many days or weeks
14 before that?
15 A No, I don't.
16 Q Do you recall where that conversation
17 took place?
18 A I don't recall. I can speculate.
19 Q If you were going to speculate, what
20 would you say?
21 A In his office.
22 Q Was it a one-on-one meeting, or were

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1 there other people at the meeting?
2 A It's a speculation, so I don't
3 remember.
4 Q Do you recall it ever being discussed
5 at cabinet meetings?
6 A No.
7 Q Do you recall what you told
8 Governor O'Malley about the draft congressional
9 map?
10 A I remember telling him that I tried to
11 be true to Judge Bell's legal standard.
12 I remember telling him -- talking with
13 him about the Black Caucus map.
14 That's all I remember, actually.
15 Q What did you -- sorry, go ahead, keep
16 going.
17 A Did I say Baltimore City?
18 Q You talked about Judge Bell, but I
19 don't think you said Baltimore City specifically.
20 A Baltimore City, yeah, trying to not
21 violate what Judge Bell had said about -- I can't
22 even remember that, but it was crossing district

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1 lines or something like that, yeah.
2 Q Okay. With regard to the Black Caucus
3 map, what did you tell Governor O'Malley about the
4 Black Caucus map?
5 A I don't remember telling him about
6 the -- I'm speculating that I would have advised
7 him -- that he would have asked me and I would
8 have advised. That's a speculation.
9 Q Do you recall any questions that
10 Governor O'Malley asked you during this meeting?
11 A No.
12 Q Do you recall whether you actually
13 brought the draft map to the meeting?
14 A I don't remember that.
15 Q Do you recall whether
16 Governor O'Malley had seen the draft map prior to
17 your meeting with him?
18 A I don't remember. I'm the process
19 lady. I'm discussing process.
20 Q Do you remember whether
21 Governor O'Malley received any other briefings
22 from other individuals regarding the GRAC's

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1 decision-making process?
2 A I don't know. I don't know that.
3 Q Whose idea was it for
4 Governor O'Malley to be briefed by you regarding
5 the GRAC's decision making?
6 A I have no idea. I don't know.
7 Q Was it your initiative, or was it his
8 initiative?
9 A I don't remember that.
10 Q Okay. Did you have any written
11 materials that you brought with you to that
12 meeting?
13 A No.
14 Q Do you know how long the meeting
15 lasted for?
16 A No.
17 Q Can you recall anything else about the
18 meeting?
19 A First of all, I don't remember the
20 meeting, but I told you I speculate that I would
21 have had a conversation with him, and so I would
22 think that I would have discussed the things that

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1 I heard in my travels. And I don't remember it
2 specifically, but I speculate that it would have
3 been important for me to tell him about Baltimore
4 City and the Black Caucus.
5 Q Okay. You testified a minute or so
6 ago that you were sort of the process person,
7 correct?
8 A Uh-hmm.
9 Q From your perspective, who on the GRAC
10 was in charge of decision making?
11 A Decision making?
12 Q Regarding the congressional map.
13 A The principals.
14 Q And when you say the principals, you
15 mean the five appointed members?
16 A No. I mean the speaker, the president
17 and the governor.
18 Q Okay. And who amongst the principals
19 was in charge of day-to-day decision making?
20 MS. KATZ: Objection, foundation.
21 THE WITNESS: I don't know what
22 day-to-day decision making would have -- I don't

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1 know.
2 BY MR. MEDLOCK:
3 Q Why do you refer to the governor, the
4 speaker and the senate president as the
5 principals?
6 A Well, that's just my language from my
7 corporate experience.
8 Q I see, okay. But what caused you to
9 use that language with respect to them?
10 A Because I generally speak of leaders
11 as the principals.
12 Q Okay. What made them the principals
13 with respect to the GRAC?
14 A Okay, your managing partner, named
15 partner, is going to be a principal. I refer to
16 all CEO type people as principal.
17 Q I see, uh-hmm.
18 A It has nothing to do with anything
19 other than my language characterization of people
20 who lead things.
21 Q I see.
22 A He led the Senate, he led the House.

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1 He was the governor.
2 Q Were they leading the GRAC's
3 decision-making process?
4 A I have no idea what you mean by that.
5 They did not -- what do you mean by that?
6 Q From your perspective, who was in
7 charge of presenting draft maps to the GRAC
8 members?
9 A The staff.
10 Q Okay. From your perspective, who was
11 in charge of advocating on behalf of particular
12 draft maps?
13 MS. KATZ: Objection, foundation.
14 THE WITNESS: I don't recall that, an
15 advocating of anything, other than my advocating
16 that it comply with the law.
17 BY MR. MEDLOCK:
18 Q From your perspective, who was
19 primarily responsible for the final map that the
20 GRAC voted on?
21 A Who was responsible for drawing it?
22 Q Let's start there.

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1 Who was responsible for drawing it?
2 A Jeremy, Jake.
3 Q Who was responsible for presenting
4 that final map to the GRAC?
5 A It would have been I think the staff,
6 the two of them, and Joe maybe.
7 Q When that map was presented to the
8 GRAC, did any of the members of the GRAC speak up
9 in favor of it?
10 A No, I don't recall that happening.
11 Q Do you recall there being any
12 discussion between when the final map was
13 presented and when the five members of the GRAC
14 voted on it?
15 A Repeat that question.
16 Q So after Mr. Baker or Mr. Weissman
17 presented the final map to the GRAC, did the GRAC
18 have any discussions about that final map before
19 the GRAC voted on them?
20 A I don't remember that.
21 Q Do you recall there being any -- do
22 you recall when, I guess I should say, the final

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1 map was presented to the GRAC by Mr. Weissman or
 2 Mr. Baker?
 3 A I can see a meeting when we're all
 4 sitting there, including what's his name.
 5 Q Mr. King?
 6 A Yes. I don't remember that that took
 7 place a lot, but I can visualize that, and I can
 8 speculate that that was the meeting I have in my
 9 head.
 10 Q Was that the same meeting where the
 11 GRAC members voted on the map, or was there a
 12 separate meeting?
 13 A I think that is what I'm remembering.
 14 Q How much time elapsed between the end
 15 of that presentation and the beginning of the
 16 voting?
 17 A I think it was not much.
 18 Q Okay. Was there any time for
 19 discussion in between the presentation and the
 20 voting?
 21 A I don't remember discussion. Could or
 22 couldn't, but I don't remember discussion.

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1 Q You just don't recall it?
 2 A No.
 3 Q Okay. Let's take five minutes. I may
 4 be done, but let's take five minutes so I can look
 5 at my notes.
 6 A Okay.
 7 (A break was taken at 2:12 p.m.)
 8 (Resume at 2:14 p.m.)
 9 BY MR. MEDLOCK:
 10 Q All right, Secretary Hitchcock, I have
 11 no further questions. Thank you for your time
 12 today.
 13 THE REPORTER: Read and sign?
 14 MS. KATZ: I don't have any questions,
 15 and yes. So when the transcript is done, you'll
 16 have an opportunity to read it just to make sure
 17 there aren't any typos or things of that nature.
 18 (Whereupon, at 2:15 p.m., the taking
 19 of the deposition was concluded.
 20 Reading and signature RESERVED.)
 21
 22

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1 CERTIFICATE OF NOTARY PUBLIC
 2 I, DAWN A. JAQUES, a Notary Public in and for
 3 the State of Maryland, before whom the foregoing
 4 deposition was taken, do hereby certify that witness
 5 whose testimony appears in the foregoing pages was
 6 duly sworn by me; that the testimony of said witness
 7 was taken by me in shorthand at the time and place
 8 mentioned in the caption hereof and thereafter
 9 reduced to typewriting under my supervision; that
 10 said deposition is a true record of the testimony
 11 given by said witness; that I am neither counsel
 12 for, related to, nor employed by any of the parties
 13 to the action in which this deposition is taken;
 14 and, further, that I am not a relative or employee
 15 of any attorney or counsel employed by the parties
 16 thereto, nor financially or otherwise interested in
 17 the outcome of the actions.
 18
 19
 20 _____
 21 Dawn A. Jaques, CSR, CLR
 22 Notary Public in and for
 State of Maryland
 My commission expires:
 July 9, 2019

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1 Jeanne D. Hitchcock c/o
 2 Office of the Attorney General
 3 200 St. Paul Place
 4 Baltimore, Maryland 21202
 5
 6 Case: O. John Benisek, et al. v. Linda Lamone, et al.
 7 Date of deposition: April 7, 2017
 8 Deponent: Jeanne D. Hitchcock
 9
 10 Please be advised that the transcript in the above
 11 referenced matter is now complete and ready for signature.
 12 The deponent may come to this office to sign the transcript,
 13 a copy may be purchased for the witness to review and sign,
 14 or the deponent and/or counsel may waive the option of
 15 signing. Please advise us of the option selected.
 16 Please forward the errata sheet and the original signed
 17 signature page to counsel noticing the deposition, noting the
 18 applicable time period allowed for such by the governing
 19 Rules of Procedure. If you have any questions, please do
 20 not hesitate to call our office at (202)-232-0646.
 21
 22 Sincerely,
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5 SIGNATURE PAGE
6 Case: O. John Benisek, et al. v. Linda Lamone, et al.
7 Witness Name: Jeanne D. Hitchcock
8 Deposition Date: April 7, 2017

9 I do hereby acknowledge that I have read
10 and examined the foregoing pages
11 of the transcript of my deposition and that:

12 (Check appropriate box):
13 () The same is a true, correct and
14 complete transcription of the answers given by
15 me to the questions therein recorded.
16 () Except for the changes noted in the
17 attached Errata Sheet, the same is a true,
18 correct and complete transcription of the
19 answers given by me to the questions therein
20 recorded.

21 _____
22 DATE WITNESS SIGNATURE

DATE NOTARY

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5

6 ERRATA SHEET

7

8 Case: O. John Benisek, et al. v. Linda Lamone, et al.
9 Witness Name: Jeanne D. Hitchcock
10 Deposition Date: April 7, 2017
11 Page No. Line No. Change

12
13
14
15
16
17
18
19
20
21 _____
22 Signature Date

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