

STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
COUNTY OF WAKE 11 CVS 16896  
11 CVS 16940

MARGARET DICKSON, et al., )  
 )  
 Plaintiffs, )  
 vs. )  
 ROBERT RUCHO, in his )  
 official capacity only as )  
 the Chairman of the North )  
 Carolina Senate )  
 Redistricting Committee, )  
 et al., )  
 )  
 Defendants. )  
 )  
 \_\_\_\_\_ )  
 NORTH CAROLINA STATE )  
 CONFERENCE OF BRANCHES OF )  
 THE NAACP, et al., )  
 )  
 Plaintiffs, )  
 vs. )  
 STATE OF NORTH CAROLINA, )  
 et al., )  
 )  
 Defendants. )  
 )

DEPOSITION OF CHERIE POUCHER  
WAKE COUNTY BOARD OF ELECTIONS

1:52 P.M.

TUESDAY, MARCH 27, 2012

POYNER SPRUILL  
301 FAYETTEVILLE STREET  
SUITE 1900  
RALEIGH, NC 27601

By: Denise Myers Byrd, CSR 8340, RPR

**Exhibit 1**

1 they elect in odd number or even numbered years?

2 A. Our Board of Ed elects in odd. County  
3 commissioners elect in even. For the county  
4 commissioners, they must reside in the district,  
5 but they are elected countywide so they will be on  
6 every ballot.

7 Q. Okay. Thank you. I think that is all the  
8 questions I have.

9 You or Mr. Sims may have eluded to this  
10 already, but of the 200 precincts in Wake county,  
11 are any of them divided by municipal lines?

12 A. Yes.

13 Q. How many municipalities are there in Wake county?

14 A. 12. 13 -- 13 now because we have voters in Angier.

15 Q. Really.

16 A. Yes.

17 MR. WARREN: We've gotten Morris, Clayton.

18 THE WITNESS: Clayton is on its way. We  
19 have Cary voters in Chatham county, Raleigh voters  
20 in Durham county, Wake Forest voters in Franklin  
21 county and some of our precincts have three  
22 municipalities in the precinct plus unaffiliated --  
23 unincorporated.

24 BY MR. PETERS:

25 Q. I'm sorry. Did you say there are some precincts

1 Tabulation District to equalize those numbers.

2 One of the reasons -- besides the fact we  
3 didn't get the funding from the county  
4 commissioners, one thing that has to be considered  
5 now is voting equipment because for the type of  
6 equipment that we use, the M100, they are no longer  
7 manufactured. The next step up equipment has not  
8 been certified through the federal government,  
9 therefore, it can't be used in the state.

10 So the equipment that we purchased this  
11 summer was refurbished equipment, so that's an  
12 added layer that we have to look at if we create a  
13 precinct. We have chosen to try to have additional  
14 early voting sites.

15 Q. But my question is, Ms. Poucher: Is there any  
16 criteria that restricts or limits how you actually  
17 drew the precinct line?

18 A. No.

19 Q. Is the State Board of Elections given you -- other  
20 than respecting the VTDs, I got that part, but if  
21 you're doing this within a VTD, is there any  
22 criteria that tells you how you have to draw the  
23 precinct line if you're splitting a VTD?

24 A. None.

25 Q. So has the State Board ever told you if you split a