

IN THE UNITED STATES DISTRICT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

COMMON CAUSE, et al.,)
)
Plaintiffs,)
)
vs.) Civil Action No.
) 1:16-CV-2016-WO-JEP
ROBERT A. RUCHO, in his official)
capacity as Chairman of the North)
Carolina Senate Redistricting)
Committee for the 2016 Extra)
Session and Co-Chairman of the)
Joint Select Committee on)
Congressional Redistricting, et al.,)
)
Defendants.)

LEAGUE OF WOMEN VOTERS OF NORTH)
CAROLINA, et al.,)
)
Plaintiffs,)
)
vs.) Civil Action No.
) 1:16-CV-1164
ROBERT A. RUCHO, in his official)
capacity as Chairman of the North)
Carolina Senate Redistricting)
Committee for the 2016 Extra)
Session and Co-Chairman of the)
Joint Select Committee on)
Congressional Redistricting, et al.,)
)
Defendants.)

DEPOSITION OF
JANIE S. SUMPTER

2:30 P.M.
Friday, March 24, 2017

OGLETREE DEAKINS NASH SMOAK & STEWART, P.C.
201 SOUTH COLLEGE STREET, SUITE 2300
CHARLOTTE, NORTH CAROLINA

1 Q. Okay. And I'm looking at 1A specifically. And you
2 say you lived at 6329 Bridlewood Lane in Charlotte for over the
3 past ten years. Is that right?

4 A. Yes, I have.

5 Q. How long have you lived at that address?

6 A. It will be 35 years in July of this year.

7 Q. Just kind of quickly doing the math, do you remember
8 what year you moved there?

9 A. At this address?

10 Q. Yes, ma'am.

11 A. July of -- let me -- 1982. 1982.

12 Q. And before that, you lived -- I think did you say you
13 lived abroad?

14 A. I lived at my previous address on 1021 Echo Glen Road,
15 that's 28213, and I lived there from November of '81 to July of
16 '82. And before then, I had come from Europe back home.

17 Q. Okay.

18 A. That was in November of '81.

19 Q. And you were asked in this interrogatory number one
20 whether you had voted for a candidate for congress in the 2016
21 election and your answer was that you had voted for a candidate?

22 A. Yes, I did.

23 Q. Okay. Was your candidate of choice elected in the
24 2016 election?

25 A. Yes.

1 Q. Okay. And who is your representative in congress now?

2 A. That's Alma Adams.

3 Q. And then you also said in here that you voted in every
4 congressional election between 2002 and 2016. Is that right?

5 A. Yes.

6 Q. And for all of those elections, you lived in the 12th
7 Congressional District?

8 A. Yes.

9 Q. Okay.

10 A. Because zip code 28213 was also in District 12.

11 Q. All right. And during the time that you lived in
12 District 12, you have lived in District 12 since -- I guess
13 since 1980. I don't know if it was District 12 always or not,
14 but it was District 12 at least since 1992. Is that correct?

15 A. Yes, uh-huh.

16 Q. Okay.

17 A. Yes.

18 Q. And so you were represented by Mel Watt --

19 A. Yes.

20 Q. -- for a number of years?

21 A. Uh-huh.

22 Q. Okay.

23 A. Yes.

24 Q. And then it was switched to Ms. Adams?

25 A. Yes. I think she was an interim for him for maybe a

1 A. Yes, I have.

2 Q. And have you been involved in drawing any electoral
3 districts before?

4 A. No.

5 Q. And have you ever been involved in any type of
6 redistricting process before?

7 A. The process? What do you mean by process?

8 Q. Well, that's a good question. I mean have you been
9 involved in the process of drawing any kind of maps for
10 redistricting purposes?

11 A. No.

12 Q. And have you ever had any other kind of involvement
13 with redistricting just --

14 A. The only -- the only involvement that I have had with
15 redistricting is -- have been with Democracy North Carolina. I
16 have been a volunteer with them for, I don't know, several years
17 because our purpose is -- we're not -- Democracy North Carolina
18 is nonpartisan and we educate and register people to vote. And
19 during the time, I want to say maybe around 2011 or in that time
20 frame, when it was talk of redistricting, we did have some
21 workshops on that, talking about how it would affect the
22 different counties in North Carolina.

23 Q. And do you remember what timeframe that was in?

24 A. You know, I don't know. I'm not sure. I want to say
25 maybe, you know, it could have been 2009. I'm just not sure. I

1 can't remember, you know.

2 Q. Are you a member of Democracy North Carolina?

3 A. Yes, I am a member of Democracy North Carolina.

4 Q. And what did you have to do to be a member of
5 Democracy North Carolina?

6 A. Just say that I wanted to be a member --

7 Q. Okay.

8 A. -- and help them with voter registration and voter
9 education.

10 Q. How long have you been a member of Democracy North
11 Carolina?

12 A. You know, I want to say maybe 10 to 12 years, in
13 that -- seems like maybe middle of 2000, maybe.

14 (Ms. Mackie joined the deposition.)

15 Q. So why don't we look at interrogatories 10 and 11.
16 And in these interrogatories, you were asked to identify civic
17 and political organizations that you had been involved with for
18 the last 15 years. And so since we started talking about
19 Democracy North Carolina --

20 A. Right.

21 Q. -- I thought this might be a good time to talk about
22 the rest of those.

23 A. Right.

24 Q. So I see you're a member of Democracy North Carolina?

25 A. Uh-huh.

1 MS. EARLS: I don't think she's had a chance to read
2 that.

3 MR. MCKNIGHT: Okay. Sure.

4 A. Okay.

5 Q. All right. And on page eight you list the
6 organizations that you've been involved with?

7 A. Uh-huh.

8 Q. And is this listing of organizations correct?

9 A. The ones that I have listed are correct.

10 Q. Okay.

11 A. I mean, now, it's not inclusive because there's plenty
12 of organizations that I really couldn't even think of the --
13 during the timeframe, you know, that I've worked these
14 organizations because I'm having to go back for quite a bit of
15 years. So I basically listed the ones that I'm currently
16 involved in.

17 Q. Okay.

18 A. Uh-huh.

19 Q. Okay. I see.

20 A. Uh-huh.

21 Q. So you're currently a member of the Mecklenburg County
22 Democratic Party. Is that right?

23 A. Right, right.

24 Q. And you're currently a member of the Democratic Women
25 of Mecklenburg County?

1 A. That's right.

2 Q. And then you're precinct secretary -- is that for the
3 Mecklenburg County Democratic Party?

4 A. Yes. And that was from February 2008 to March 2014.

5 Q. Okay. And what are the Plaza Eastway Partners?

6 A. Plaza Eastway Partners is a coalition of homeowner
7 organizations right there at the Plaza and Eastway that goes up
8 to Milton out The Plaza Extension. And what we do, we have come
9 together because we have common goals and the common goals is
10 mainly making sure that code enforcement is kept up and
11 different other things that any other homeowner would be
12 concerned about with their neighborhood.

13 Q. All right. And then you've got Democracy North
14 Carolina listed here?

15 A. Right.

16 Q. And you may have told me this already --

17 A. Uh-huh.

18 Q. -- but what year -- how long have you been a member of
19 Democracy North Carolina?

20 A. You know, here again I want to say it might go back to
21 maybe 2005, maybe in that timeframe.

22 Q. Okay. And then Women Matter?

23 A. Uh-huh.

24 Q. What is that organization?

25 A. Well, Women Matter is out of -- the headquarters is

1 A. Well, because the lines were redrawn and they were
2 drawn in favor of the Republicans. And here again, we have ten
3 congressional members in Washington that are Republicans and we
4 only have three Democrats. So regardless of when you vote in
5 the other districts, you're just -- your vote is no good when it
6 comes to Democrats, when it comes to Democrats because I'm a
7 Democrat, I'm not going to vote for a Republican.

8 Q. Not ever?

9 A. I won't ever -- that's not a good -- never say never.

10 Q. Okay.

11 A. Never say never. But I have been voting since I was
12 22 because at the time here in North Carolina, you couldn't vote
13 until you were 21. So when the time came around, I voted and I
14 have been voting Democrat since then and I don't think that I'll
15 change.

16 Q. Okay. And you can't think of a time that you voted
17 for a Republican?

18 A. No, I cannot. Now, maybe I did, but I just don't
19 remember it.

20 Q. Now, you say you have been harmed. You don't live in
21 District 9, you live in District 12. Right?

22 A. Well, well, my niece couldn't vote -- didn't have a
23 choice. I mean, so why should I be content just because I had a
24 choice? What about all of the other North Carolinians that
25 didn't have a choice because of the redrawing of the lines?

1 Q. Okay.

2 A. I don't do social media.

3 Q. Okay.

4 A. It's too much. I deactivated that file.

5 MR. MCKNIGHT: Ms. Sumpter, I don't want to keep you
6 any longer. I don't have any further questions for you.

7 THE WITNESS: Okay.

8 MR. MCKNIGHT: Your counsel may have some questions.

9 MS. EARLS: Could you give us just a moment?

10 MR. MCKNIGHT: Sure.

11 MS. EARLS: I don't know that I do, but I need to
12 check.

13 (A recess was taken.)

14 MS. EARLS: I do have a couple questions.

15 EXAMINATION

16 BY MS. EARLS:

17 Q. Have you been harmed by the fact that the 2016
18 congressional redistricting plan was drawn to have ten
19 Republican districts and three Democratic districts can that the
20 resulting delegation in 2016 is in fact a 10-3
21 Republican-Democrat delegation?

22 A. Well, it has harmed me in the fact that in Washington
23 right now, with more Republican congressional people than
24 Democratic, we don't have fair representation. And what has
25 happened is regardless of what the Democrats vote, when it comes

1 to the congress, they're outnumbered and we're not getting our
2 equal due.

3 MS. EARLS: That's -- I have no other questions.

4 EXAMINATION

5 BY MR. MCKNIGHT:

6 Q. Now, the fact that the Democrats in congress you say
7 are outnumbered, that's not solely the result of the number of
8 Democrats or Republicans that are sent to congress from North
9 Carolina, is it?

10 A. Yes, it is. Yes, it is.

11 Q. How is that?

12 A. Well, we have more Republican congress people from
13 North Carolina that's in Washington than we have -- that -- I
14 mean, that's -- the whole legislature in Raleigh, when it comes
15 to Republicans, outnumber the Democrats. And I don't know what
16 the ratio is, but they outnumber them. That's the reason why we
17 can't get anything done in Raleigh right now, it's all partisan.
18 And that's the same way it is in Washington.

19 Q. But you're not saying that the redistricting that was
20 done in 2016 in North Carolina tipped the balance of power in
21 Washington in the congress one way or the other, are you?

22 A. Yes, it has.

23 Q. How is that?

24 A. Well, anytime representatives from North Carolina --
25 more Republicans from North Carolina goes to Washington and they