

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF ALABAMA  
3 SOUTHERN DIVISION

4 ALABAMA STATE CONFERENCE \*  
5 OF THE NAACP, et al., \*  
6 Plaintiffs, \* 2:21-cv-1531-AMM  
7 vs. \* November 14, 2024  
8 WES ALLEN, in his official \*  
9 capacity as Alabama Secretary \*  
10 of State, et al., \*  
11 Defendant. \*  
12 \*\*\*\*\*  
13

14 TRANSCRIPT OF BENCH TRIAL  
15 VOLUME III  
16 BEFORE THE HONORABLE ANNA M. MANASCO  
17 UNITED STATES DISTRICT JUDGE  
18  
19  
20

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**CHRISTINA K. DECKER, RMR, CRR**  
Federal Official Court Reporter

101 Holmes Avenue, NE

Huntsville, AL 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

APPEARANCESFOR THE PLAINTIFFS:

Amanda N Allen  
HOGAN LOVELLS US LLP  
555 13th Street NW  
Washington, DC 20004  
202-637-2521  
Amanda.n.allen@hoganlovells.com

Brittany Carter  
NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC  
40 Rector Street, 5th Floor  
New York, NY 10006  
646-761-0596  
Bcarter@naacpldf.org

Colin Burke  
NAACP Legal Defense and Educational Fund Inc  
40 Rector Street  
New York, NY 10006  
646-531-3485  
Cburke@naacpldf.org

Davin Rosborough  
AMERICAN CIVIL LIBERTIES UNION  
125 Broad Street  
New York, NY 10004  
212-549-2613  
Drosborough@aclu.org

Dayton Campbell-Harris  
AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
125 Broad Street, 18th Floor  
New York, NY 10004  
425-516-8400  
Dcampbell-harris@aclu.org

Deuel Ross  
NAACP LEGAL DEFENSE AND EDUCATIONAL FUND INC  
700 14th Street NW  
6th Floor  
Washington, DC 20005  
202-682-1300  
Dross@naacpldf.org

**CHRISTINA K. DECKER, RMR, CRR**  
Federal Official Court Reporter

101 Holmes Avenue, NE

Huntsville, AL 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

1 Jack Genberg  
2 SOUTHERN POVERTY LAW CENTER  
3 P O Box 1287  
4 Decatur, GA 30031  
5 404-708-0554  
6 Jack.genberg@splcenter.org

7 Jacob Van Leer  
8 American Civil Liberties Union Foundation  
9 915 15th St NW  
10 Washington, DC 20005  
11 603-277-0314  
12 Jvanleer@aclu.org

13 James W Ettinger  
14 HOGAN LOVELLS US LLP  
15 1999 Avenue of the Stars  
16 Suite 1400  
17 Los Angeles, CA 90067  
18 310-785-4608  
19 Jay.ettinger@hoganlovells.com

20 Jess Unger  
21 SOUTHERN POVERTY LAW CENTER  
22 1101 17th Street NW  
23 Suite 550  
24 Washington, DC 20036  
25 771-200-8943  
Jess.unger@splcenter.org

Kathryn Carden Sadasivan  
NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC  
40 Rector Street, 5th Floor  
New York, NY 10006  
332-600-9546  
Ksadasivan@naacpldf.org

Laurel Ann Hattix  
ACLU of Alabama  
ACLU of Alabama  
P.O. Box 6179  
Montgomery, AL 36106  
703-342-9729  
Lhattix@aclualabama.org

**CHRISTINA K. DECKER, RMR, CRR**  
Federal Official Court Reporter  
101 Holmes Avenue, NE  
Huntsville, AL 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

1 Nicki Leili Lawsen  
2 WIGGINS, CHILDS, PANTAZIS, FISHER & GOLDFARB, LLC  
3 301 19th Street North  
4 Birmingham, AL 35203  
5 205-314-0535  
6 Nlawsen@wigginschilds.com

7 Shelita M Stewart  
8 HOGAN LOVELLS US LLP  
9 555 13th Street NW  
10 Washinton, DC 20004  
11 202-637-6960  
12 Shelita.stewart@hoganlovells.com

13 Sidney Monroe Jackson  
14 WIGGINS CHILDS PANTAZIS FISHER & GOLDFARB  
15 301 19th Street North  
16 Birmingham, AL 35203  
17 205-314-0500  
18 Sjackson@wigginschilds.com

19 FOR THE DEFENDANT:

20 Benjamin Matthew Seiss  
21 ALABAMA OFFICE OF THE ATTORNEY GENERAL  
22 P.O. Box 300152  
23 501 Washington Ave (36104)  
24 Montgomery, AL 36130  
25 334-353-8917  
Ben.seiss@alabamaag.gov

Brenton Merrill Smith  
OFFICE OF THE ATTORNEY GENERAL OF ALABAMA  
P.O. Box 300152  
501 Washington Avenue  
Montgomery, AL 36130  
334-353-4336  
Brenton.Smith@AlabamaAG.gov

James W Davis  
OFFICE OF THE ATTORNEY GENERAL  
501 Washington Avenue  
P O Box 300152  
Montgomery, AL 36130-0152  
334-242-7300  
Jim.davis@alabamaag.gov

**CHRISTINA K. DECKER, RMR, CRR**  
Federal Official Court Reporter  
101 Holmes Avenue, NE  
Huntsville, AL 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

1 Michael P. Taunton  
2 Riley Kate Lancaster  
3 BALCH & BINGHAM LLP  
4 1901 Sixth Avenue North, Suite 1500  
5 Birmingham, Alabama 35203  
6 (205) 251-8100

7 J. Dorman Walker  
8 BALCH & BINGHAM LLP  
9 445 Dexter Avenue, Suite 8000  
10 Montgomery, Alabama 35203  
11 (334) 269-3138

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  

COURTROOM DEPUTY: Sarah Carmichael

COURT REPORTER: Christina K. Decker, RMR, CRR

**CHRISTINA K. DECKER, RMR, CRR**  
Federal Official Court Reporter  
101 Holmes Avenue, NE  
Huntsville, AL 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

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Federal Official Court Reporter  
101 Holmes Avenue, NE  
Huntsville, Alabama 35801

256-506-0085/ChristinaDecker.rmr.crr@aol.com

1 MS. SADASIVAN: That's all the questions I have, Your  
2 Honor.

3 THE COURT: All right.

4 MR. DAVIS: No further questions.

5 THE COURT: All right. Is there any reason I may not  
6 excuse Dr. Bagley?

7 MR. DAVIS: No, Your Honor.

8 THE COURT: All right. Dr. Bagley, thank you very  
9 much. You're excused.

10 (Witness excused.)

11 THE COURT: All right. Plaintiffs' next witness.

12 MR. CAMPBELL-HARRIS: Good afternoon, Your Honor.

13 THE COURT: Good afternoon.

14 MR. CAMPBELL-HARRIS: Plaintiffs call Ms. Williams to  
15 the stand.

16 THE COURT: All right.

17 MR. CAMPBELL-HARRIS: It was a little chilly in the  
18 courtroom, so she was warming up in the war room.

19 THE COURT: Understood. Is there a consensus that  
20 it's a little chilly in the courtroom?

21 TARI WILLIAMS

22 having been first duly sworn by the Courtroom Deputy Clerk, was  
23 examined and testified as follows:

24 THE COURTROOM DEPUTY CLERK: Please adjust the  
25 microphone to where it's comfortable for you, and you can pull

1 it down. There you go.

2 Please speak loudly and clearly into it. State your name  
3 and spell it for the record.

4 THE WITNESS: My name is Tari Williams, you spell it  
5 T-A-R-I, last name Williams, W-I-L-L-I-A-M-S.

6 THE COURT: You may proceed.

7 DIRECT EXAMINATION

8 BY MR. CAMPBELL-HARRIS:

9 Q Good afternoon, Tari. How are you?

10 A Good. How are you?

11 Q Doing very well.

12 Where did you grow up?

13 A I grew up in the Birmingham metro area.

14 Q And where do you currently live?

15 A I live in an area called Pleasant Grove.

16 Q And how long have you lived in Alabama?

17 A Most of my life with the exception of attending undergrad,  
18 attending college.

19 Q Have you lived anywhere else?

20 A In Alabama?

21 Q Outside of Alabama.

22 A No.

23 Q Did you graduate from high school?

24 A Yes.

25 Q And did you go to college?



1 A Yes.

2 Q And did you do schooling after college?

3 A Yes. I went to college in Maryland, University of  
4 Maryland College Park. And I attended law school in Baltimore,  
5 the University of Baltimore School of Law.

6 Q Okay. When did you return to Alabama?

7 A I think it was around 2000.

8 Q Okay. And where do you currently work?

9 A Greater Birmingham ministries.

10 Q How long have you worked at Greater Birmingham Ministries?

11 A On and off, for about 20 years.

12 Q And is it okay if we go ahead and call Greater Birmingham  
13 Ministries GBM for short?

14 A Yes.

15 Q What is your title at GBM?

16 A My current title is organizing director.

17 Q What are your responsibilities as organizing director?

18 A As organizing director, I lead GBM's staff volunteers,  
19 board members, and I work with the community around systems  
20 change, which are basically quality of life issues that people  
21 living in poverty face.

22 Q What are some of the quality of life issues that GBM works  
23 on?

24 A We work on issues related to affordable housing, food  
25 insecurity, public transportation, public benefits, voter

1 registration, civic engagement, things of that nature.

2 Q What kinds of voter registration work does GBM do?

3 A We do assistance in education around civic engagement,  
4 civic education. We do voter registration drives and events.  
5 We offer assistance with voter rights restoration, answer  
6 questions, and provide education on resources.

7 Q Thank you.

8 What is rights restoration?

9 A So currently in the state of Alabama, if an individual is  
10 convicted of a crime of moral turpitude, they lose their voting  
11 rights. And then they have to go through a process in order to  
12 get those rights restored. And so we help individuals navigate  
13 that process.

14 Q What is a crime of moral turpitude?

15 A I can't define a crime of moral turpitude, but there's a  
16 list. There's -- the state of Alabama has a list of crimes  
17 that are considered crimes of moral turpitude, and we basically  
18 just follow the list.

19 Q Do you know whether all criminal convictions in Alabama  
20 result in a loss of voting rights?

21 A They do not. All criminal convictions are not crimes of  
22 moral turpitude. The crime -- the list of crimes of moral  
23 turpitude, it's a list of maybe about 50, no more than 60  
24 crimes in all.

25 Q And who decides what crimes qualify on that list of 50

1 crimes as crimes of moral turpitude?

2 A It's a law. It's a state law.

3 Q Thank you.

4 Are any racial populations disproportionately impacted by  
5 the crimes qualifying as crimes of moral turpitude?

6 A In our work that we do, which is primarily with low income  
7 populations and individuals, we overwhelmingly see  
8 African-Americans, specifically males that have issues related  
9 to voter rights restoration.

10 Q How long have you been assisting individuals with  
11 restoring their voting rights?

12 A In all the years that I've been at GBM with the exception  
13 of maybe like the first year or two.

14 Q And how many years is that?

15 A About 20. I have worked at GBM twice. The first time I  
16 worked there about six or seven years. And then I came back,  
17 and this last time I've been there about 15 years.

18 Q Roughly how many individuals has GBM assisted with  
19 restoring their voting rights?

20 A Hundreds. Now, we engage and encounter, I mean, over the  
21 years thousands of individuals, but one-on-assistance  
22 assistance has been well over a hundred.

23 Q And can you speak to what race of individuals have -- has  
24 GBM disproportionately served over the 20 years or so that you  
25 have been working?

1 A Primarily black men.

2 Q Let's speak a little bit more about the rights restoration  
3 process in Alabama.

4 What steps must someone take in order to restore their  
5 voting rights?

6 A So you must first complete whatever sentence was imposed  
7 at the time you went to court. So if that was a period of  
8 incarceration, then you must complete that period of  
9 incarceration.

10 If there's any type of supervision requirements, which  
11 would be considered parole or probation, you must complete  
12 that, as well.

13 If there are any fines, fees, or restitution, we currently  
14 we reference them as LFOs -- legal financial obligations -- you  
15 must pay all of those off related to that crime of moral  
16 turpitude before you can be considered eligible -- what we call  
17 CERV eligible -- certificate of eligibility to register to vote  
18 -- before you are considered CERV eligible. Then you have to  
19 put in the application.

20 Oh, and you must not have any pending felonies when you  
21 put in the application.

22 Q And when you say CERV, is that when you're referring to  
23 the certificate of being eligible to vote again, or can you  
24 define CERV for me?

25 A CERV, C-E-R-V, Certificate of Eligibility to Register to

1 Vote.

2 Q Thank you. Can you speak to some of the challenges that  
3 you have witnessed returning citizens face when reentering  
4 society after incarceration?

5 A Sure. After entering incarceration, and sometimes, you  
6 know, it depends on the length of the incarceration, whether  
7 somebody served 20 years versus 2 years, there's difficulty  
8 finding employment, especially if you have been incarcerated  
9 for an extended period of time, you may not have the requisite  
10 skills for what the job market is today and things of that  
11 nature.

12 There are literacy issues. There are housing issues. And  
13 then there are the -- what do you call -- the mental issues  
14 related to the stigma of being in prison, the issues related to  
15 being separated from your family and now having to rebuild  
16 those connections, rebuilding trust with the community that you  
17 live in, things of that nature.

18 Q Thank you.

19 Where in Alabama are the individuals located who GBM  
20 assists with restoring their voting rights?

21 A So although GBM is located in downtown Birmingham, we do  
22 work statewide. We go to various events normally in  
23 partnership with other organizations so that we can provide  
24 assistance directly to the community members that need it.

25 We -- GBM has a program called Return My Vote, where we

1 work with students from the University of Alabama who can help  
2 individuals with consultation or requests to find out whether  
3 or not they are eligible or on the path to being eligible to  
4 restore their voting rights.

5 We also have a program, Alabama Poor People's Campaign,  
6 that works across the state in various areas, generally around  
7 what I referred to earlier as quality of life issues.

8 Q Thank you.

9 You mentioned the CERV form earlier. Who approves the  
10 CERV forms?

11 A Someone at the Alabama Bureau of Pardons and Paroles. All  
12 the CERV forms go to them, and so whoever their staff or  
13 assigned person is.

14 Q Can we call Alabama Bureau of Pardons and Paroles ABPP for  
15 short?

16 A Sure.

17 Q Okay. Can you provide any other examples of ABPP  
18 impacting voting rights and voter registration in Alabama with  
19 the populations you serve?

20 A Well, so everyone must fill out a form to initiate getting  
21 their voting rights back if you have lost it. Let me clarify  
22 that. If you've lost your voting rights, you must be the  
23 person to initiate getting those voting rights back.

24 That form asks for information related to the crimes of  
25 moral turpitude, and often times individuals don't know which

1 crimes are considered crimes of moral turpitude unless they  
2 have some list, you know. There's no way for them to know  
3 that.

4 It also asks dates and counties and different types of  
5 information that if you're someone who have been incarcerated  
6 for an extended period of time, you may not know all of that  
7 information or have access to that information. So we're able  
8 to help provide access for that particular type of information.

9 There are also situations where the website isn't always  
10 kept up to date. And so as recently as a week ago, there are  
11 two different forms, there are two different CERV forms on the  
12 website, and so if you don't know which form you're looking  
13 for, you may end up filling out the wrong form.

14 Q Thank you. Can you provide any additional examples of the  
15 impact that Alabama's moral turpitude laws have on black  
16 Alabamians' ability to participate in Alabama's elections which  
17 we have not already discussed?

18 A Not at this time.

19 Q Okay. What other issues have you observed with returning  
20 citizens having their voting rights restored?

21 A So when individuals have their voting rights restored,  
22 that's just one step. After you get your voting rights  
23 restored, you still then must apply to register to vote.

24 Some individuals assume that after voting rights are  
25 restored that they're somehow registered or are registered to

1 vote, but there is another step.

2 So when your application is approved, you take a copy of  
3 that application or that letter -- it's -- although it's called  
4 a certificate, it's really just a letter. You get a copy of  
5 that letter. You fill out a voter registration form, and you  
6 attach a copy, or you include a copy when you turn in your  
7 voter registration form. And then you are registered to vote.

8 Many individuals may not recognize or really understand  
9 all the requirements around voting, meaning what type of ID you  
10 need, where your polling precinct may be located, what are the  
11 polling hours, things of that nature.

12 Q Okay. Thank you.

13 And you referenced a website earlier that ABPP had. Can  
14 you recall that website that was that you were speaking to?

15 A It is their website, so I -- yeah. I don't know. I guess  
16 if you just Google it what is -- it's their website.

17 Q And when you say "they," who are you referring to?

18 A Oh, the Alabama Bureau of Pardons and Paroles.

19 Q Thank you. Let's talk about GBM civic engagement. Can  
20 you provide some examples of how GBM offers civic education on  
21 the voting process?

22 A Sure. We have several programs or modules that we use.  
23 We use one, which is called Power Participation, where we go in  
24 communities, and we teach a series of workshops about voting  
25 and the voting process.



1       We also teach individuals about having a voice and being  
2 responsible and connected in their community.

3       And so our civic engagement workshops not only include  
4 information about voting, but we often come into contact with  
5 individuals who can't vote.

6       And so we want them to understand how they can be  
7 civically engaged and also be responsible citizens in their  
8 community.

9       We also do a series of workshops where we use puzzles and  
10 games, especially for individuals that may have some literacy  
11 issues. So we use a series of videos, puzzles, games of that  
12 nature that teaches voting rights history.

13       It does role plays or role modeling how someone can talk  
14 to their employer about voting on a particular day or how  
15 someone can go to the school board, just different -- different  
16 things -- who's responsible for the garbage? Who's responsible  
17 for stray dogs in your neighborhood? Who's responsible for pot  
18 holes, things of that nature.

19 Q     You have mentioned literacy issues. Are there any  
20 populations in your experience that are disproportionately  
21 experiencing these literacy issues that you speak of?

22 A     I will say the majority of people that we do the workshops  
23 for are African-Americans.

24 Q     Ms. Williams, I would like to take a step back and talk  
25 more about GBM's work involving discrimination in Alabama more

1 broadly.

2 Can you tell what, if any, practices you have observed in  
3 Alabama that make it disproportionately harder for black  
4 Alabamians to vote which we have not already discussed?

5 A I would say, because there's a long history of racism and  
6 discrimination, it puts people at a disadvantage, especially  
7 educational opportunities. And so which is why we often  
8 encounter individuals that have some literacy issues.

9 Being that public transportation isn't well funded in a  
10 lot of the areas that we work with, we encounter individuals  
11 with transportation needs and issues and things of that nature,  
12 which is also a concern when it comes to voting.

13 That's all I can think of right now.

14 Q Thank you. Speaking to the transportation concerns, can  
15 you provide any examples of difficulties or barriers that black  
16 voters in Alabama face when attempting to vote either in person  
17 or absentee?

18 A So as far as absentee voting is concerned, we do have a  
19 law around -- with restrictions on providing absentee voting  
20 assistance, which is something GBM has received a lot of  
21 requests from in prior history because we work. We also work  
22 with a lot of elderly individuals, individuals who are unable  
23 to navigate the Internet or who may not have a working computer  
24 at home. And so when they would come to us for food, they may  
25 ask us if we would print out a absentee ballot application for

1 them.

2 So at one point, we could and we did do that. We no  
3 longer -- we no longer do that.

4 Also, with providing assistance with individuals who may  
5 need assistance in turning in that application and things of  
6 that nature.

7 So that has definitely impacted individuals' ability as  
8 far as absentee voting, because a lot of the services that we  
9 provided before, we're no longer able to provide that, meaning  
10 we can't just print out the applications and have them sitting  
11 in our waiting room for anybody to pick up if they -- if they  
12 need it.

13 As far as voting registration, was that the other  
14 question?

15 Q Correct.

16 A As far as voting registration is concerned, filling out  
17 the voter registration application, when individuals -- at the  
18 bottom, there is a statement that says, I affirm that I'm  
19 providing truthful information and things of that nature,  
20 sometimes individuals are afraid and concerned to fill out that  
21 application, afraid that they may be wrongly filling out an  
22 application because they don't know.

23 They think just because they have been in prison or just  
24 because they've been in a courtroom or a court case or  
25 something of that nature that they may have lost their voting

1 rights. And so they don't want to fill out an application when  
2 they really don't know what's going on.

3 Q You mentioned absentee voting. Why do you no longer offer  
4 the assistance for folks who want to vote absentee?

5 A There's been a recent change in the law. And so there is  
6 a law that restricts organizations or individuals who receive a  
7 salary or something of that nature from assisting people with  
8 absentee ballot applications.

9 Q And in your experience, were there any populations who  
10 were disproportionately seeking assistance voting absentee when  
11 GBM was offering those services?

12 A We primarily received the request from black elderly  
13 individuals.

14 Q Thank you. In your experience, Ms. Williams, how  
15 responsive has Alabama's Legislature been to the needs of black  
16 Alabamians?

17 A Over the years working at GBM, we have supported  
18 legislation that would provide better access for people living  
19 in poverty that would provide better health care, better pay,  
20 as far as wages and things of that nature, and almost every one  
21 of those bills were defeated.

22 I'm thinking of one in particular where Birmingham, which  
23 has a large population of low-income individuals, wanted to  
24 raise its minimum wage. It voted to raise the minimum wage,  
25 but before it could be implemented, the State Legislature

1 blocked it, changed the law in a sense where Birmingham could  
2 not raise that minimum wage.

3 Q You mentioned laws and bills about health care. Can you  
4 speak a little bit more on what you're referring to exactly?

5 A The expansion of Medicaid.

6 At GBM, we see a lot of individuals who are I guess what  
7 you call in the gap. They don't make enough -- they make just  
8 a bit above the poverty guidelines, but then they don't quite  
9 make that additional income that they need to really be a part  
10 of the health care market.

11 And so we encounter individuals who are in the gap who  
12 often ask us for assistance with purchasing medication, may  
13 sometimes ask us for assistance -- I'm trying to think  
14 specifically. We recently had a request for -- from an elderly  
15 client for Depends, you know, for adult diapers. And this is  
16 someone who came to us for food, and so thinking along those  
17 terms.

18 Q And, again, in your experience, have there been any  
19 specific racial populations who have been disproportionately  
20 impacted by not being able to purchase these medications that  
21 they need?

22 A Yes. So GBM is an organization where we provide direct  
23 services.

24 So we provide -- we have a food pantry where we provide  
25 food to individuals. We have a clothing closet where we

1 provide clothing. We have a Christmas program. We have a  
2 school supply program. We have different direct services  
3 programs.

4 And so the program is open to everybody. We have no  
5 restrictions other than that you must be in need, and we do an  
6 intake process for that.

7 And the overwhelming majority of individuals that come to  
8 our program are African-Americans.

9 Q Thank you.

10 MR. CAMPBELL-HARRIS: May I have a moment to confer  
11 with my colleagues?

12 THE COURT: You may.

13 MR. CAMPBELL-HARRIS: No more questions, Your Honor.  
14 Thank you so much, Ms. Williams.

15 THE COURT: All right.

16 CROSS-EXAMINATION

17 BY MR. WALKER:

18 Q Good afternoon, Ms. Williams. I'm Dorman Walker. I  
19 wasn't at your deposition, so it's nice to meet you.

20 A Thank you. Nice to meet you.

21 Q I have got just a few questions for you.

22 A Okay.

23 Q You talked about GBM's good efforts to help people to vote  
24 and to restore their voting rights. And I want to ask you some  
25 questions about that.

1           What primarily -- how would you primarily describe the  
2 clientele of GBM's -- of GBM's clients in the areas of voting  
3 rights, voting restoration?

4       A     They're primarily African-American and male.

5       Q     And is that -- is that -- and I'm not saying that you  
6 would not help white males if they came -- but is that because  
7 your activities are primarily targeted towards the  
8 African-American community or you work with African-American  
9 churches or other agencies? Is there a reason for that?

10      A     So it's not targeted. So GBM, we do have congregational  
11 members. We are what you call -- I forget the word. We have a  
12 variety of faith communities that are a part of our membership,  
13 Catholic, Jewish, Greek, Muslim. It's a variety.

14           We do events wherever we're called. And they're not  
15 targeted to a specific race or things of that nature. I mean,  
16 we do help white people. We help Hispanic people. But the  
17 overwhelming majority of individuals that use our services are  
18 African-American.

19      Q     Okay. And you also testified that a majority of the  
20 people that you see who need assistance with voter rights  
21 restoration are also males, black males, I believe you said?

22      A     Yes.

23      Q     Okay. Which is consistent with the population that you  
24 primarily serve?

25      A     Yes.

1 Q Okay. Every person who's convicted of a felony in Alabama  
2 of moral turpitude loses their voting rights; is that correct?

3 A That is correct.

4 Q Okay. Regardless of their race?

5 A That is correct.

6 Q You're not in any way claiming that that law is applied in  
7 a discriminatory manner?

8 A I'm -- I'm not claiming that individuals who --

9 Q I can ask my question better.

10 A Okay.

11 Q We're in agreement that everyone, regardless of race, who  
12 commits a crime of moral turpitude in Alabama loses their right  
13 to vote?

14 A Yes.

15 Q Okay. And could I go ahead and say that we're also in  
16 agreement that poor Alabamians of every race are impacted by  
17 the state's failure to increase or expand Medicaid coverage?

18 A Yes.

19 Q In your deposition, you talk some about registering people  
20 to vote. And you testified that GBM conducts about three or  
21 four voter registration activities in a month. Do you recall  
22 that?

23 A Yes.

24 Q And in your deposition, you said that at those activities,  
25 you and maybe other volunteers that work with y'all will



1 explain the voter registration form to people so that they can  
2 understand it and complete it; is that correct?

3 A I think so, yes.

4 Q Yeah. And it's not a difficult form to fill out, is it?

5 A It's not difficult if you have a certain level of  
6 education and understanding.

7 Q Right. But is that a criticism you could make of every  
8 form? Is there anything unduly difficult about the Alabama  
9 voter registration form?

10 A No.

11 Q Okay. It's just that if you're not well educated or if  
12 you're not literate, every form is difficult?

13 A Sure.

14 Q In registering to vote in Alabama -- well, let me ask you  
15 this question: Putting aside instances relating to voting  
16 rights restoration, when was the last time you can remember  
17 someone having difficulty registering to vote?

18 A I will tell you that we also work with homeless  
19 individuals.

20 Q Uh-huh.

21 A And it's difficult because sometimes they don't understand  
22 the residency rules.

23 Q Uh-huh.

24 A And so having to explain what the residency rules are and  
25 being able to put an address or not put an address on the forms

1 so that they understand that.

2 But right now, nothing else is coming to mind as far as  
3 recent, someone having recent difficulty that I could think of.

4 Q And are you making any sort of claim that it's racially  
5 discriminatory for the state of Alabama to ask for residency  
6 information on the voter application?

7 A Oh, no. I'm not claiming that.

8 Q In your testimony in your deposition, you were asked about  
9 a few people who a few years ago GBM became aware of, you said  
10 it was about ten, who somehow had lost the right to vote,  
11 they'd been on the polling list, and they somehow got removed  
12 from it. Do you recall that part of your deposition?

13 A I recall, but I don't -- that wasn't -- so in the  
14 deposition I referenced, we were at a Second Chance job fair.

15 Q Uh-huh.

16 A Is that what you're talk about? I don't think they were  
17 already on the polling.

18 Q Oh, okay. I misunderstand that.

19 A Right. Right.

20 Q But you were able to help them get back on the polling  
21 list; is that correct?

22 A So what happened was we assisted them with filling out  
23 their certificates of eligibility to register to vote. And if  
24 I remember correctly, it was these individuals that we then  
25 learned -- the application had been changed, like a new

1 application was now being in use.

2 We were not aware of it. We had no notification of it.  
3 And so we had actually assisted these individuals with filling  
4 out the wrong application. And as it was instructed to us,  
5 these new applicants needed to be on the new application. And  
6 so we were not able to follow up and get back in touch with  
7 everybody in order to get their information on the new  
8 applications.

9 Q But I believe you testified that the ones that you were  
10 able to follow up with were --

11 A Yes.

12 Q -- able to register.

13 A Yes.

14 MR. WALKER: One moment please, Your Honor.

15 Thank you, Ms. Williams.

16 THE WITNESS: Thank you.

17 THE COURT: Thank you.

18 MR. CAMPBELL-HARRIS: Nothing from plaintiffs, Your  
19 Honor.

20 THE COURT: Excellent. Thank you. Is there any  
21 reason I may not excuse Ms. Williams?

22 MR. WALKER: No, ma'am.

23 MR. CAMPBELL-HARRIS: No.

24 THE COURT: Thank you, Ms. Williams, for being with us  
25 today, and you are now excused from being on the stand.

1 (Witness excused.)

2 THE COURT: All right. Plaintiffs' next witness?

3 MR. ROSS: May we have a few minutes, Judge?

4 THE COURT: Why don't we take our break a few minutes  
5 early. Let's keep it short.

6 It's 2:43 now. 2:42. Let's be back at 2:55.

7 (Recess.)

8 THE COURT: All right. Be seated.

9 MR. DAVIS: Your Honor, I have spoken with plaintiffs'  
10 counsel. May I raise a brief scheduling issue?

11 THE COURT: You may.

12 MR. DAVIS: It looks like we may finish with Dr. Burch  
13 tonight or maybe just have a brief time left over in the  
14 morning. We presently have Dr. Reilly, defense expert who will  
15 testify tomorrow. We have two fact witnesses scheduled to  
16 come.

17 As things stand, I presently think there's a chance we  
18 could finish mid-afternoon tomorrow with what is currently  
19 lined up.

20 Also, it could go to 5:00. We all know how that goes.

21 I can arrange for -- or try to arrange for a third fact  
22 witness to come tomorrow, but there's a chance that witness  
23 might drive two hours to get here, and we not get to him or  
24 her.

25 Does the Court have a preference with whether we take the

CERTIFICATE

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

Christina K Decker

11-14-2024

Christina K. Decker, RMR, CRR

Date

Federal Official Court Reporter

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