

EXHIBIT 32

Soto Palmer, et al.

v.

Hobbs, et al.

* * * * *

Deposition Upon Oral Examination of
Josue Q. Estrada, Ph.D.
December 21, 2022

* * * * *

REPORTED BY:

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Josue Q. Estrada, Ph.D.

December 21, 2022

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SUSAN SOTO PALMER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
STEVEN HOBBS, in his official)	
capacity as Secretary of State)	
of Washington, and the STATE OF)	
WASHINGTON,)	No. 3:22-cv-05035-RSL
)	
Defendants,)	
)	
and)	
)	
JOSE TREVINO, ISMAEL G. CAMPOS,)	
and State Representative)	
ALEX YBARRA,)	
)	
Intervenor-Defendants.)	
)	

REMOTE DEPOSITION UPON ORAL EXAMINATION OF

JOSUÉ Q. ESTRADA, Ph.D.

Wednesday, December 21, 2022
9:02 a.m. to 3:03 p.m.

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(Continued on next page)

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10 * * * * *

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1 December 21, 2022, Remote Proceedings:

2 PROCEEDINGS: 9:01 a.m.

3 (Discussion off the record.)

4 JOSUÉ Q. ESTRADA, Ph.D.,

5 having been sworn/affirmed on oath to tell the truth, the
6 whole truth, and nothing but the truth, testified as
7 follows:

8 E X A M I N A T I O N

9 BY MR. HOLT:

10 Q Good morning, Dr. Estrada. How are you?

11 A I'm doing well.

12 Q Awesome. Well, my name is Dallin Holt, and I'm an
13 attorney with the Law Firm of Holtzman Vogel; and I'm one
14 of the attorneys that represents the Intervenor-Defendants
15 in this case and the Cross Plaintiffs.

16 As you probably heard us talking, we're going to try
17 to keep this as short and painless as possible. I know
18 this is not exactly how you want to spend your entire day,
19 but I would imagine -- again, I don't know the exact
20 timing, but I would imagine we'll probably be questioning
21 for a total of anywhere from three to five hours, just
22 kind of depending on how it goes. That's the hope today.

23 Now, the plan is to kind of start off with some more
24 general questions about yourself, about your background,
25 and then as we get deeper into the deposition we'll kind

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1 of start going through your expert report in this case.

2 Would you please state your full name, and spell it
3 for the record as well?

4 A My name is Josué Estrada, J-O-S-U-É, Estrada,
5 E-S-T-R-A-D-A.

6 Q Awesome. Thank you.

7 And have you ever been deposed before?

8 A Yes.

9 Q How many times?

10 A Just one other time.

11 Q When was that?

12 A It's been a while now. I can't think about the
13 exact -- remember the exact date.

14 Q What was the nature of the deposition?

15 A I was asked to give a talk about my experience
16 living in the Yakima Valley.

17 Q Were you a fact witness then or an expert?

18 A I was a fact witness.

19 Q Okay. And was it -- Was this in some of the Yakima
20 litigation that is referenced in your report from the last
21 decade?

22 A Yes. It related to the -- Yes.

23 Q Okay. Was it the cases involving the at-large
24 council districts?

25 A It was in relation to -- Yes, one of the cases

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1 involving the at-large elections.

2 Q Okay. And so you did not provide an expert report
3 in that case?

4 A No, I did not provide an expert report.

5 MR. HOLT: Okay. Now, before we get
6 started with kind of our line of questioning, I just want
7 to put on the record that counsel has conferred, and we
8 have agreed that for preservation purposes an objection of
9 one attorney will apply to all attorneys. There's no need
10 for all counsel to object, unless they feel a desire to do
11 so.

12 Q (By Mr. Holt) Now, as you see here, we have a
13 wonderful court reporter that's going to be typing this up
14 for us. Jeanne has been with us -- I don't know. She
15 seems like a close friend now. We've been together for
16 many hours in the last few months. But she's going to be
17 recording this, putting this down.

18 Are you recording this in any way, Dr. Estrada?

19 A No.

20 Q Okay. Now, I know that Zoom has a mute function,
21 but I ask that you do not use it during this deposition
22 unless it's clear that we're going off the record or
23 taking a break. Is that okay?

24 A Yes.

25 Q Okay. And to the extent there's something that

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1 happens that you need to use it -- sometimes someone
2 knocks on your door or a dog goes crazy -- just let us
3 know what's going on. That stuff is perfectly
4 understandable.

5 A Yes.

6 Q Is there anyone else in the room with you who is not
7 on camera?

8 A No.

9 Q Will you let me know if anyone else enters the room
10 during this deposition?

11 A Yes.

12 Q Okay. Thank you.

13 Do you have any applications open on your computer
14 that someone could use to communicate with you during this
15 deposition?

16 A No.

17 Q Do you have any -- your phone, a tablet within
18 eyesight that someone could use to communicate with you
19 during this deposition?

20 A I have my phone here to the left of me. I can
21 remove that.

22 Q Yes. If possible, just turn it upside down or
23 something. Obviously if you need to speak with counsel
24 during breaks, all that is permissible. Just while we're
25 questioning it just makes it easier.

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1 And since we're on Zoom I would just ask that you --
2 and I will do my best to do this as well -- we take extra
3 care not to speak over each other. Is that okay?

4 A Yes.

5 Q So I will ask questions, and then if you could just
6 pause for a brief moment to make sure No. 1, I've finished
7 my question, and No. 2, allow any other attorneys the
8 opportunity to object to those, to my questions in the
9 event they have an objection, and then move forward with
10 the answer. Is that okay?

11 A Yes.

12 Q Now, regarding objections, there will be -- Your
13 counsel and counsel for the State and others might object
14 to something I say or ask you. Unless you're specifically
15 instructed not to answer my question, notwithstanding the
16 objection you're still required to answer my question.

17 Do you understand that?

18 A Yes.

19 Q Okay. Thank you. Now, all the responses here will
20 need to be audible, meaning the court reporter cannot
21 transcribe head nods or shakes or shoulder shrugs.

22 Does that make sense?

23 A Yes.

24 Q And you understand you're under oath today; correct?

25 A Yes.

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1 Q The same as if you were sitting in a court of law?

2 A Yes.

3 Q Okay. Now, if any of the questions I ask you are
4 unclear, would you please let me know that you don't
5 understand it so I can clarify that for you?

6 A Yes.

7 Q Thank you. And if you answer a question, I'm going
8 to assume that you understood it. Is that okay?

9 A Yes.

10 Q Okay. Thank you. Now, we'll be taking breaks
11 throughout the day today. If anything comes up that
12 requires that you need a break, whether it's you're not
13 feeling well, you need to use the restroom or take care of
14 something else, if you would just -- if we could just
15 finish the question that I'm on, and then just let us know
16 that you need a break; and we're happy to accommodate you
17 and whatever you need to be comfortable.

18 Does that make sense?

19 A Yes.

20 Q Okay. Thank you. And finally, are you on any
21 medication today that could affect your ability to answer
22 fully and truthfully the questions I ask you?

23 A No.

24 Q Can you think of any other reason why you would not
25 be able to fully answer the questions truthfully today?

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1 A No, I can't.

2 Q Awesome. Now, other than conversations with your
3 attorney, did you do anything to prepare for today's
4 deposition?

5 A I met with the attorneys, and I also read my report.

6 Q Okay. Who did you meet with as far as your
7 attorneys?

8 A I met with Simone.

9 Q Okay. And how -- Was it just one meeting?

10 A Yeah, we had several meetings.

11 Q Okay. Approximately how many hours did you meet
12 with Simone?

13 A Maybe around three to four --

14 Q Okay.

15 A -- hours.

16 Q Did you speak with anyone else about your deposition
17 today?

18 A Besides attorneys, no.

19 Q Okay. And besides your expert report, did you
20 review any documents in preparation for today?

21 A No.

22 Q How much time did you spend reviewing your expert
23 report?

24 A It's hard to put a number of hours, but I know that
25 I reviewed it within the past week very carefully.

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1 Q Okay. Probably three or four hours, more or less,
2 or would you say more than that?

3 A Probably more than three hours.

4 Q More than five hours?

5 A Yeah, probably more than five hours.

6 Q How about more than seven hours?

7 A I'm not entirely sure if it was more than seven
8 hours.

9 Q Okay. The reason I ask is that it helps me to
10 understand how well, how familiar you will be with your
11 expert report during our discussion. It just adds a
12 little ease to my understanding.

13 Did you review any of the underlying data that you
14 used to opine in your expert report?

15 A What data are you specifically referring to?

16 Q I mean, data is probably not the best word. I would
17 refer to any underlying documents or information, whether
18 it's news articles, anything you cite as authority in your
19 expert report or that you reviewed to arrive at your
20 conclusions that you did.

21 Did you review any of that in preparation for today?

22 A I mainly focused on the information that was in my
23 report that I had written out.

24 Q Okay. Anything in particular come to mind that you
25 did look at in addition to the report?

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1 A No, I can't think of any other information that I
2 reviewed.

3 Q Okay. Thank you.

4 Now, I have reviewed your CV that was attached to
5 the back of your expert report. So while I don't need you
6 to kind of restate everything that is on there, could you
7 please briefly walk me through your educational background
8 and history, starting with college?

9 A Yes. So I have a Ph.D. in History from the
10 University of Washington, focused on 20th Century, and I
11 looked at the history of voting rights in the
12 United States.

13 I also have a Master's degree from the University of
14 Washington, also in History. And I have a second Master's
15 degree from Washington State University in American
16 Studies where I studied under two historians.

17 And I also have a Bachelor's degree from the
18 University of Washington, focused on Chicano history in
19 the Pacific Northwest, got to work under the mentorship of
20 a prominent Pacific Northwest historian. So I've studied,
21 researched the history of the Latinos in the Pacific
22 Northwest extensively.

23 Q Okay. Who is the prominent historian that you just
24 referenced? What is his or her name?

25 A That is Professor Erasmo Gamboa, who has written

1 several books about the Pacific Northwest.

2 Q Okay. I got my Bachelor's degree in American
3 Studies. So people always asked me what I will do -- what
4 I was going to do with my American Studies degree, and I
5 said I have to go to graduate school. That's what I will
6 do with my American Studies degree.

7 Now, I show that you got your Bachelor's in 2005,
8 your first Master's in 2007, and then your second Master's
9 in 2014; is that correct?

10 A I don't have my CV in front of me; but if you're
11 reading from my CV, then yes, that is correct.

12 Q From an education standpoint what did you do between
13 your 2007 Master's and your 2014 Master's?

14 A Yeah, I worked at Washington State University.

15 Q What did you do there during that time?

16 A I worked for a federally funded program called the
17 College Assistance Migrant Program, worked as a recruiter
18 first and then was able to become the director of this
19 program.

20 Q What did your work entail there?

21 A The College Assistance Migrant Program supports
22 students from migrant farm-working backgrounds; and I
23 helped to recruit, and I helped to direct that project.

24 Q Okay. What caused you to decide to go back and get
25 a second Master's degree in history in 2014?

1 A Yeah, after I completed my studies at Washington
2 State University I realized that I was going to take a
3 short break, and I wanted to continue my studies.

4 Q Okay. And then you finished your -- You got your
5 2014 degree in History, and then it showed on your CV that
6 you got your Ph.D. in History in 2021.

7 Did you teach between those two degrees, or what did
8 you do professionally between the 2014 degree and the 2021
9 degree?

10 A During that time I was a full-time student at the
11 University of Washington, and I was able to write about
12 the Pacific Northwest. I also taught courses at the
13 University of Washington while attending graduate school
14 full-time.

15 Q Okay. Now, we've kind of touched on it a little
16 bit. Could you walk me through kind of your professional
17 track that you've gone through as you've progressed in
18 academia?

19 A Can you please let me know what information you want
20 to know about my professional career?

21 Q Yes. I just kind of want to walk through a timeline
22 here. So you got your Bachelor's in 2005, your first
23 Master's in 2007. Then you said you worked for Washington
24 State as a director of the migrant program, and then you
25 went back to school full-time from 2014 essentially

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1 through 2021.

2 And during that time you taught some classes while
3 working as a full-time -- Well, I guess studying as a
4 full-time student up until 2021; is that right?

5 A Yes. I was a -- continued to be a full-time
6 student, and then I also was able to work for Central
7 Washington University as well while I worked on my
8 dissertation full-time.

9 I worked as a director of the GEAR UP program,
10 another federally funded program at Central Washington
11 University, while I was completing my studies.

12 Q What is the Europe program?

13 A The GEAR UP program --

14 Q GEAR UP. I'm sorry.

15 A -- is another federally funded program at --

16 Q Could you spell that, please?

17 A Yeah. GEAR UP, G-E-A-R U-P, GEAR UP.

18 Q Got it. Thank you.

19 What did that program entail?

20 A That program was another program that helped
21 students from a low-income background graduate from high
22 school and continue on to postsecondary education.

23 Q Okay. When did you start working at Central
24 Washington?

25 A I started working at Central Washington -- again, I

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1 don't have my CV in front of me, but I believe it was back
2 in two thousand and -- I don't want to get the year
3 incorrect. If I can --

4 Q You're fine.

5 A Is it possible for me to look at my CV?

6 Q Yeah. No, that's fine. I'm not -- We'll pull out
7 the report here in just a little bit.

8 I'm just trying to kind of understand. So you
9 currently work at Central Washington now; correct?

10 A Yes, that's right.

11 Q And what is your position currently?

12 A I'm a Professor of History.

13 Q What classes do you teach?

14 A I teach classes in 20th Century U.S. History.

15 Q Any specific types of courses that you teach?

16 A Yes. So I've taught general U.S. History survey
17 courses. I've taught a class on the transnational history
18 of Latinos in the Pacific Northwest. I taught a Pacific
19 Northwest history course. I taught a historical
20 methodologies class.

21 Q Okay. And do you primarily teach undergraduate
22 students, or do you also teach graduate level students?

23 A I teach undergraduate and graduate students.

24 Q Okay. What type of graduate level courses do you
25 teach?

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1 A So the courses that I teach are upper division
2 courses, and undergraduate and graduate students are able
3 to enroll in those upper division courses.

4 Q Okay. What experience do you have with Washington
5 state politics?

6 A I have written about Washington state. In my
7 dissertation I examined how Latinos across the country and
8 including Washington state mobilized to expand the
9 coverage of the Voting Rights Act of 1965. And I've also
10 written articles about Latinos mobilizing against voter
11 suppression in Washington's Yakima County.

12 Q Do you have experience participating as an
13 individual in that type of political work or more as just
14 studying it as an academic?

15 A I have focused on studying the history of Latinos in
16 the Pacific Northwest.

17 Q Okay. So you would not consider yourself involved
18 politically outside of academia?

19 A I'm not sure I understand your question.

20 Q Do you volunteer on political campaigns?

21 A No.

22 Q Have you helped Get Out the Vote drives?

23 A No.

24 Q Have you worked on any voter registration drives?

25 A No.

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1 Q Have you helped deliver leaflets or pamphlets for
2 issues, ballot issues or other things?

3 A No.

4 Q Is there anything that comes to mind where -- You
5 know, when I say involved politically outside of academia
6 would mean kind of those questions I just asked.

7 Is there anything that comes to mind where you've
8 personally been involved outside of academia?

9 A No, I can't think of anything right now.

10 Q Okay. And are you from the Yakima Valley?

11 A Yes.

12 Q What part?

13 A I'm from Grandview, Washington.

14 Q Okay.

15 A In the Yakima Valley.

16 Q Born and raised?

17 A I was raised in the Yakima Valley.

18 Q Okay. Where were you born?

19 A I was born in Mexico.

20 Q Okay. Did your family immigrate here? How old were
21 you when they -- your family immigrated to -- I guess was
22 Washington the first location where you lived, or were
23 there others before that?

24 A My family immigrated to the United States when I was
25 a year old, under a year old.

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1 Q And did they first settle in Washington?

2 A They arrived in California at first.

3 Q Okay. How old were you when your family moved to
4 Washington?

5 A I was probably under the age of five when my family
6 moved to Washington.

7 Q And did they -- Did they move to Grandview then?

8 A They moved to the Yakima Valley.

9 Q Okay. And do you currently live in Grandview?

10 A No.

11 Q Where do you live now?

12 A I live in Ellensburg, Washington.

13 Q And how long have you lived there?

14 A I've lived here in Ellensburg for about three years
15 now.

16 Q Okay. Did you move there from Grandview? Outside
17 of your studies. Sorry. That was a bad -- a poorly
18 worded question.

19 I assume you've spent a fair amount of time in
20 Seattle.

21 A Yes. I lived in Seattle, yes.

22 Q Okay. And did you stay physically in Seattle up
23 until you graduated in 2021, or when did you move back
24 to -- When did you move back to -- or when did you move to
25 Ellensburg?

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1 A Yeah, again, I believe I started the GEAR UP
2 position, and it was the GEAR UP position that moved me to
3 Ellensburg, Washington.

4 Q And you did that while you were working on your
5 dissertation?

6 A Yes, that's right.

7 Q Okay. So besides drafting and researching this
8 report, can you walk me through the other research you
9 have done regarding race and politics in the Yakima
10 Valley?

11 A I've studied the Latino voting rights movement in --
12 across the nation and in Washington state, and I've
13 focused in on how they -- Latinos organize to broaden the
14 protections of the Voting Rights Act, and also looked at
15 this particular activism in Washington state.

16 And I also wrote an article about this particular
17 activism as it applied to Washington's Yakima County.

18 Q Okay. What was the name of that article?

19 A The article was called "Democratizing Washington's
20 Yakima County."

21 Q Okay. And you cite to that multiple times in your
22 expert report; is that correct?

23 A Yes, I reference that article in my expert report.

24 Q Okay. I did not see that article in the information
25 that was produced to us with your expert report. Did you

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1 provide that to your counsel to produce?

2 A No, I didn't provide the article to the counsel.

3 Q Okay. Would you be able to do that?

4 MS. LEEPER: Yeah, I'll just jump in here,
5 Dallin. To the extent you feel anything is missing from
6 that production, we'd be happy to have that conversation
7 off the record and make sure you get anything that you
8 need.

9 MR. HOLT: Sounds good. We'll touch base
10 later today then. Thank you.

11 Q (By Mr. Holt) Now, generally speaking, Dr. Estrada,
12 how does understanding a particular race -- in this case
13 Hispanic and Latinos -- differ depending on geographical
14 location throughout the United States?

15 MS. LEEPER: Object to form.

16 A Is there something specifically you want me to
17 answer?

18 Q (By Mr. Holt) No, I'm just trying to understand, you
19 know, in studying Hispanic and Latinos throughout the
20 United States, does that understanding differ depending on
21 the different region of the United States those
22 individuals are located in?

23 MS. LEEPER: Same objection.

24 A I think that's a broad question. I don't know how I
25 would answer that.

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1 Q (By Mr. Holt) Do you agree all Latinos and Hispanics
2 are the same throughout the United States?

3 MS. LEEPER: Object to form.

4 A Again, that's a -- I think there are differences
5 among a lot of people.

6 Q (By Mr. Holt) Can you further elaborate on that
7 answer? What type of differences? What type of people
8 are you referencing in that response?

9 A Just in general there's differences among -- among
10 individuals and persons.

11 Q Okay. Let's look at Hispanic and Latinos in South
12 Florida compared to Hispanic and Latinos in South Texas.
13 How do those two populations differ?

14 MS. LEEPER: Object to form.

15 A I didn't do any research or study in regards to
16 those two communities, so I wouldn't be able to answer
17 that question.

18 Q (By Mr. Holt) Okay. You haven't done any research
19 regarding the different Hispanic and Latino communities
20 throughout the United States?

21 MS. LEEPER: Objection, misstates
22 testimony.

23 A I've written about Latinos in the United States and
24 studied their history.

25 Q (By Mr. Holt) Okay. How would Latinos and Hispanics

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1 from Central Washington differ from those in South Texas?

2 MS. LEEPER: Object to form.

3 A For the report that I produced I didn't conduct any
4 research or studies comparing Latinos in Washington state
5 and in Texas.

6 Q (By Mr. Holt) In your past studies have you had the
7 chance to study that?

8 A In researching the history of Latinos, you know,
9 I've looked at different regions.

10 Q Okay. I guess -- I'm trying to understand the
11 difference between the Hispanic and Latino community in
12 Central Washington as compared to other parts of the
13 country.

14 So in your opinion do the Hispanic and Latino
15 populations in Central Washington differ from other
16 Hispanic and Latino populations elsewhere in the
17 United States?

18 MS. LEEPER: Objection, compound.

19 A For the information that I produced for this report
20 I didn't look into these different Latino communities. I
21 focused in on the area of the Yakima Valley and Pasco
22 region.

23 Q (By Mr. Holt) And I understand that. Some of the
24 questions I ask you today might be particularly about your
25 report, and some of them might be about your general

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1 understanding of Hispanic or Latinos -- and you still need
2 to answer those questions to the extent you have an answer
3 to those questions.

4 So I understand you didn't opine on the differences
5 between South Texas Hispanic and Latinos and Central
6 Washington Hispanic and Latinos in your report, but I'm
7 trying to -- I want you to explain the difference to me if
8 indeed you are able to do so.

9 MS. LEEPER: Object to form to the extent
10 that was a question.

11 MR. HOLT: And it was a question, so --

12 A Can you rephrase the question, please?

13 Q (By Mr. Holt) Yes. I mean, I just started more with
14 the proposition that there will be some questions I ask
15 you that you did not directly opine on in your report.
16 There will be some that I ask you that you directly opined
17 on in your report.

18 Right now I'm trying to get a general understanding
19 of how the Hispanic and Latino population in Central
20 Washington may differ from the Hispanic and Latino
21 populations elsewhere in the United States.

22 MS. LEEPER: Object to form.

23 Q (By Mr. Holt) Can you think of any reasons or areas
24 where the Hispanic and Latino populations in Central
25 Washington differ from the Hispanic and Latino populations

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1 elsewhere?

2 MS. LEEPER: Object to form.

3 A Yeah, this is something that I didn't consider for
4 this report, so I don't have -- I don't have an opinion
5 about the differences between these two communities.

6 Q (By Mr. Holt) Okay. I mean, so it's your testimony
7 today that you have no opinion on whether or not the
8 Hispanic and Latino populations are different at all from
9 other Hispanic and Latino populations in the
10 United States?

11 MS. LEEPER: Objection, form.

12 MS. SEPE: Objection, misstates testimony.

13 A I guess what I'm trying to get across is that there
14 are specific comparisons that are being made that I
15 didn't -- I didn't conduct any research and investigation
16 on; but if there are specific questions related to my
17 report, I'm happy to answer those questions.

18 Q (By Mr. Holt) So you've never researched the
19 Hispanic and Latino communities in South Texas?

20 MS. LEEPER: Object to form.

21 A In my work that I've done as a historian I've looked
22 at the experience of people from the northeast. I've
23 looked at the experience of people from Texas and other
24 parts of the United States, and I've used this to produce
25 knowledge about Latinos in the United States.

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1 Q (By Mr. Holt) And in that experience that you had
2 in researching that did you become aware of any
3 differences you perceived in the different Hispanic and
4 Latino populations? From again, we're using South Texas
5 right now and Central Washington.

6 A Is there something specific you want to ask me about
7 these two communities?

8 Q Do you view these two communities as identical?

9 A I would say that no communities are the same.
10 There's differences among them.

11 Q What political issues would be -- might be important
12 to the Hispanic and Latinos in Central Washington that
13 would not be important to or not be as important to those
14 in South Texas?

15 MS. LEEPER: Objection, calls for
16 speculation.

17 A Again, this is not something that I looked on --
18 looked or examined or reviewed for this particular report,
19 so I have no opinion related to these two different
20 communities.

21 Q (By Mr. Holt) Okay. We'll get into some specific
22 parts of your report where I believe you do opine
23 generally on similarities of Latino communities, but we'll
24 get to those specifically later on.

25 What experience do you have being hired as an

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1 expert?

2 A I have not been hired as an expert before.

3 Q Okay. What experience do you have preparing the
4 kind of report that you prepared for this case?

5 A As an academic scholar I'm asked to produce
6 research, use a specific methodology, use a wide range of
7 sources to make conclusions, and I've used those skills
8 that I gained while studying at the University of
9 Washington and Washington State University to be able to
10 produce the report that I've written.

11 Q Prior to preparing this report had you done any
12 research into the Senate Factors?

13 A No.

14 Q Had you ever heard of the Senate Factors?

15 A I've read about the Senate Factors.

16 Q Okay. But this was your first instance doing
17 specific research into them; correct?

18 A Yes.

19 Q What did you do to help you understand the Senate
20 Factors?

21 A I carefully read the Senate Factors. I went to the
22 government website that listed the Senate Factors and read
23 them to make sure that I clearly understood each factor.

24 Q Okay. Did you converse with someone who had more
25 experience in the Senate Factors to confirm your

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1 understanding?

2 A Yes.

3 Q And who did you speak to?

4 A I spoke with the attorneys.

5 Q Anyone else besides your attorneys?

6 A No.

7 Q Were there specific Senate Factors that you were
8 asked to opine on?

9 A Yeah. All the Senate Factors that I was asked to
10 give an opinion on are in my report.

11 Q So you did not provide an opinion on Senate Factors
12 2, 4 and 9. Is that because you were asked not to?

13 A For this report I gave an opinion on Senate Factors
14 1, 3, 5, 6, 7 and 8. And I was also asked to give an
15 opinion on the shared history between Latinos in the
16 Yakima Valley and Pasco areas and show that there's common
17 interests.

18 Q Okay. Did you review the Senate Factors 3, 4 and 9?

19 A In reading the documents related to the Senate
20 Factors, I did read those other factors, about those other
21 factors.

22 Q Why did you not provide an opinion regarding Senate
23 Factors 2, 4 and 9?

24 A The counsel, the attorneys let me know that they
25 wanted me to focus on specific factors, those that I've

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1 mentioned already.

2 Q Okay. So you were not retained to provide any
3 opinion as to Senate Factors 2, 4 and 9; is that correct?

4 A Yes.

5 Q Did you initially look into the Senate Factors 2, 4
6 and 9?

7 A No.

8 Q Okay. So you do not have any opinions regarding
9 racially polarized voting in the Yakima Valley?

10 A Yes.

11 Q Yes, as in you do not have an opinion?

12 A Yes, I don't have an opinion about that factor.

13 Q Have you ever done any research regarding racially
14 polarized voting in the Yakima Valley?

15 A No.

16 Q Would you -- Do you have any training as a
17 statistician?

18 A No.

19 Q Do you have any training as a demographer?

20 A No.

21 Q So the tables that you provide in your report with
22 statistics, did you independently confirm the data that
23 you relied upon?

24 A Are you referring to specific data?

25 Q Just throughout your report you cite to about a

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1 dozen different tables and include them in your report
2 that include various statistics. We'll review those
3 throughout our deposition, but did you independently
4 confirm the accuracy of those numbers upon which you
5 relied?

6 MS. LEEPER: Objection, compound.

7 A Is there a specific table that you're referring to?
8 There was -- There was a number of a tables that I
9 included.

10 Q (By Mr. Holt) Can you think of any table that you
11 included where you independently verified the data that
12 you relied upon?

13 MS. LEEPER: Objection, form.

14 A I don't think I understand the question.

15 Q (By Mr. Holt) For example, let's -- Never mind.
16 We'll get to this later. We'll go through some specific
17 tables.

18 Needless to say, you agreed you have no training as
19 a statistician; correct?

20 A Yes.

21 Q And you have no training as a demographer?

22 A With respect to my training, in order to draw
23 conclusions historians use a wide range of sources,
24 including U.S. Census data and reports, and so we take
25 those into account to inform the conclusions that we're

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1 making.

2 Q Okay. Senate Factor 4 is to discuss the exclusion
3 of members of a minority group from the candidate-slating
4 processes.

5 Do you have an opinion regarding that?

6 A No, I don't have an opinion regarding the slating.

7 Q Do you know how many judges identify as Latino or
8 Hispanic that sit on the Washington State Supreme Court?

9 A No.

10 Q Have you ever looked into that?

11 A No.

12 Q Do you know how many Hispanic or Latino State
13 Senators are currently serving in the Washington State
14 Senate?

15 A In my report I mention that there are Latinos in
16 the -- or persons with Spanish surnames in the state
17 elected to public office, state public office.

18 Q Do you know if Emily Randall identifies as Latino or
19 Hispanic?

20 MS. LEEPER: Objection, calls for
21 speculation.

22 A I'm not a -- I don't know who this person is.

23 Q (By Mr. Holt) Would you agree that Randall is not a
24 Hispanic or Latino surname?

25 A It could be, but I don't have an opinion in regards

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1 to that.

2 Q In your research where you identified legislators
3 that had Hispanic or Latino surnames, did you view Randall
4 as a surname that you included in that analysis?

5 A I identified -- I saw that there was five persons
6 with Spanish surnames.

7 Q Okay. Do you know how many Latino or Hispanic
8 senators will be serving next session?

9 A No.

10 Q Do you know the political party of the State
11 Senators who identify as Hispanic or Latino?

12 A Can you repeat that again?

13 Q Do you know the political party that the candidates
14 that you identified as being Hispanic or Latino identify
15 with?

16 MS. LEEPER: Objection, compound.

17 A No.

18 Q (By Mr. Holt) How about the State House, do you know
19 how many Hispanic or Latinos -- how many representatives
20 that identify as Hispanic or Latino serve in the
21 Washington State House?

22 A No, I don't know that specific number. I think when
23 I wrote in my report I referenced that there was five
24 persons of Spanish surnames serving in the State Senate --
25 in the State Legislature. Excuse me.

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1 Q Okay. Do you know how many representatives will be
2 -- that identify as Hispanic or Latino will be serving in
3 the State House next session?

4 A No.

5 Q Have you ever looked into that?

6 A No. That was not something that I considered for
7 this report or looked into.

8 Q Why not?

9 A I only considered the information when I -- that --
10 I only considered information about Latinos in state
11 public office during the time that I was writing the
12 report.

13 Q You would agree that there are presently elected
14 members of the Washington State House at the time you
15 wrote your report; correct?

16 A When I wrote the report I explicitly stated that
17 there was five persons with a Spanish surname in elected
18 office that could be elected to the Senate or the House.

19 Q How do you -- Scratch that.

20 How do you understand the makeup of the Washington
21 State Legislature?

22 MS. LEEPER: Object to form.

23 Q (By Mr. Holt) By that I mean how does it work from a
24 Schoolhouse Rock standpoint?

25 MS. LEEPER: Object to form.

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1 A Yeah, and I wasn't asked to look at how the State
2 Legislature works, so I wouldn't be able to give you an
3 answer to that.

4 Q (By Mr. Holt) Is the Washington State Legislature
5 bicameral?

6 A I wouldn't -- I don't know.

7 Q Do you know what a bicameral legislature means?

8 A No.

9 Q So you did not -- In your report you viewed --
10 Correct me if I'm wrong. Did you view when you said those
11 currently serving in state elected office to be synonymous
12 with serving in the State Senate?

13 MS. LEEPER: Objection, misstates prior
14 testimony.

15 A Yeah, when I referenced that Latinos served in the
16 State Legislature, I understand that there is the House
17 and the Senate.

18 Q (By Mr. Holt) Did you review the House?

19 A Could you be more specific?

20 Q Did you review how many elected representatives in
21 the House you believed to identify as Hispanic or Latino?

22 A When I reviewed the persons that were elected to the
23 Senate and the House, I looked at elected officials from
24 both the Senate and the House with Spanish surnames.

25 Q And how many did you identify at the time you

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1 drafted the report from both the House and the Senate?

2 A There was five persons with a Spanish surname.

3 Q Okay. And how did you identify those with Spanish
4 surnames?

5 A I looked at the list of candidates and saw if they
6 -- in both the Senate and the House and saw if they had a
7 Spanish surname.

8 Q How did you determine which surnames you would view
9 as a Hispanic surname?

10 A I looked -- I looked at the information and read the
11 names, and if they had a Spanish -- that I perceived was a
12 Spanish surname, I identified them as a Spanish surname
13 candidate.

14 Q And that was based off of your personal experience?

15 A It's based on the -- It's based on my background as
16 a Spanish-speaking person and my knowledge of Spanish.

17 Q Do you feel it would be important to understand
18 which Hispanic -- which Representatives or State Senators
19 identify as Hispanic or Latino that did not have a
20 Hispanic or Latino surname?

21 MS. LEEPER: Object to form.

22 A That information may have -- may have been useful;
23 however, it wouldn't change any of the opinions that I've
24 made in my report.

25 Q (By Mr. Holt) So if, let's say, the number of

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1 elected state officials in the House and Senate doubled
2 based on lack of Hispanic surnames, that wouldn't change
3 any conclusions you've reached?

4 MS. LEEPER: Object to form.

5 A If there was one or two individuals that identified
6 as Latino, it would not change the opinions that I've made
7 in this report.

8 Q (By Mr. Holt) But if there was three, would that
9 change your opinions?

10 A I think additional information about -- additional
11 information still would not really change my opinion that
12 I've written in this report.

13 Q Okay. So if the number of Hispanic and Latinos
14 serving in the State Legislature increased by 100 percent,
15 based upon your knowledge that would not change any
16 conclusions you reached in your report?

17 MS. LEEPER: Objection, calls for
18 speculation.

19 A When I -- At the time that I wrote the report, from
20 my observation there was five persons that I identified as
21 having a Spanish surname, and that was the only
22 information that I relied on for this report.

23 Q (By Mr. Holt) So aside from scanning the legislative
24 rosters and seeing if a last name jumped out at you as
25 being Spanish in nature, did you do anything else to

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1 identify Hispanic or Latinos serving in the State
2 Legislature?

3 A No.

4 Q Can you tell me how many cities in the Yakima Valley
5 have elected Hispanic or Latino city council members or
6 mayors?

7 A I couldn't tell you that information. I wasn't
8 asked to look into that or consider that for this report.

9 Q You said you were raised in Grandview; correct?

10 A Yes.

11 Q Do you know how many Hispanic or Latino city council
12 members are in Grandview?

13 A No, I don't.

14 Q Do you know if the mayor of Grandview is Latino,
15 identifies as Latino or Hispanic?

16 A No, I don't.

17 Q Now, throughout your report you relied on several
18 lawsuits that had been filed in the Yakima Valley
19 pertaining to the city council districts or county
20 commission districts. Do you remember that?

21 A Yes, I remember that. Yes, I remember those cases.

22 Q And you relied on the makeup of a city council
23 district as indicative of racial discrimination in the
24 region, did you not?

25 A In my report I do write that there is a long history

Soto Palmer, et al. v. Hobbs, et al.
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1 of discrimination as it pertains to voting in the Yakima
2 Valley and Pasco areas.

3 Q But you specifically relied on the type of
4 districts, meaning at-large districts for city council
5 members in the Yakima Valley as being particularly
6 informative of your opinion that there was a history of
7 racial discrimination in the Yakima Valley?

8 A In the report I consider a whole, well, wide range
9 of factors that contributed to discrimination in the
10 Yakima Valley and Pasco area -- considered literacy tests,
11 at-large elections and other factors.

12 Q But you also considered at-large council districts
13 in the Yakima Valley as being indicative of discrimination
14 in the area; correct?

15 A When I considered Senate Factor 3 related to the
16 practices and procedures that tend to enhance
17 discrimination, that is something that I considered for
18 that particular factor.

19 Q But you never actually went through and looked at
20 how many Hispanic and Latinos have been elected to the
21 various city councils in the Yakima Valley?

22 MS. LEEPER: Object to form.

23 A With regards to the election of candidates in the
24 Yakima Valley, I was not asked to consider this. I was
25 asked to look at the history of discrimination in the

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1 area, in the Yakima Valley and Pasco area.

2 Q (By Mr. Holt) Were you told by someone what to
3 consider and what not to consider in arriving at your
4 opinion under Senate Factor 3?

5 A As I wrote my opinion about Senate Factor 3 I used
6 primary and secondary sources, and I used my expertise as
7 a historian to come up with my conclusions -- my own
8 conclusions related to Senate Factor 3.

9 Q And you say you never looked into how many Hispanic
10 or Latinos had been elected to city council or mayoral
11 positions in cities throughout Yakima? [sic]

12 MS. LEEPER: Object to form.

13 A As I looked at the history of discrimination -- As I
14 looked at the Senate Factors I was not -- I didn't need to
15 look at that information to answer the questions related
16 to the Senate Factors that I was asked to give an opinion
17 on.

18 Q (By Mr. Holt) Okay. So in your opinion you did not
19 view the ability of Hispanic and Latinos to be elected at
20 the city level as being something that you needed to
21 consider --

22 MS. LEEPER: Objection.

23 Q (By Mr. Holt) -- in arriving at your conclusions?

24 MS. LEEPER: Objection, misstates prior
25 testimony.

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1 A When I considered the elections of Latinos into
2 office I looked at the barriers candidates faced with
3 regards to running for elected office.

4 Q (By Mr. Holt) Did you examine if Hispanic or Latinos
5 were indeed successful in getting elected in the Yakima
6 Valley?

7 A I wasn't asked to write an opinion about whether
8 Latino candidates were successful or not successful -- or
9 weren't successful.

10 I was asked to look at the factors that hinder
11 Latinos' ability to fully exercise the ballot in the
12 Yakima Valley and Pasco areas.

13 Q Okay. So in a city like Grandview -- and I'll
14 represent to you that the mayor and three of the seven
15 city council members are Hispanic or Latino -- that would
16 not inform your opinion as to whether or not those
17 elections were discriminatory in nature?

18 MS. LEEPER: Object to form.

19 A As I wrote this report I didn't consider the people
20 who were elected to office in Grandview. What I
21 considered was the different barriers Latinos encounter
22 with respect to being able to exercise the franchise. I
23 looked at that historically and also the present day
24 conditions to be able to effectively cast a ballot.

25 Q (By Mr. Holt) Okay. So in a city like Granger in

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1 Yakima County the mayor and four of the five city council
2 members identify as Latino or Hispanic.

3 You don't believe that would inform your opinion
4 regarding discrimination in the Yakima Valley in the
5 voting process?

6 MS. LEEPER: Object to form.

7 A For this report I was not asked or -- to look at the
8 makeup of city council positions. What I was asked and
9 what the Senate Factors were asking is to look at the
10 history, long history of discrimination as it applies to
11 voting, and also how those have a lingering effect and how
12 that impacts Latinos' ability to vote and participate in
13 the electoral process.

14 Q (By Mr. Holt) Okay. And forgive me if I
15 mispronounce this. In Mabton, M-A-B-T-O-N, are you
16 familiar with that city in Yakima County?

17 A Yes.

18 Q The fact that the mayor and five out of five city
19 council members identify as Hispanic or Latino, you don't
20 believe that informs your opinion as to the Senate Factors
21 regarding discrimination --

22 MS. LEEPER: Object to form.

23 Q (By Mr. Holt) -- of Hispanic or Latinos in the
24 region?

25 MS. LEEPER: Object to form.

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1 A When I look at the Senate Factors and what I'm asked
2 to give an opinion about, I was not asked to look at or
3 consider the number of Latinos elected to these city
4 council positions.

5 I was asked to look at broadly how Latinos in this
6 area have encountered challenges to exercise the ballot
7 over time.

8 Q (By Mr. Holt) Okay. You keep referring to, "I was
9 not asked to look into this particular fact," or whatnot,
10 but you would agree that you are the expert historian
11 here; correct?

12 A Yes, I'm a historian.

13 Q Do you typically take instruction from those who
14 have hired you to opine on a particular issue as to what
15 you should consider as being relevant or not in
16 understanding a historical point in that area, or is that
17 something you would come up with on your own?

18 MS. LEEPER: Object to form.

19 A The opinions that I have written about the Senate
20 Factors I use the methodology of a historian to produce
21 and draw conclusions related to the information that I
22 gathered --

23 Q (By Mr. Holt) Okay. And you said this is --

24 A -- about the Senate Factors.

25 Q My apologies. I'm sorry. I didn't mean to cut you

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1 off. Anything else?

2 A I use the knowledge of a historian to respond to the
3 Senate Factors that I was asked to give an opinion on.

4 Q Okay. Are you familiar with Senate Factor 7?

5 A Yes.

6 Q What is Senate Factor 7?

7 A In Senate Factor 7 they said there is a weak
8 history -- there is a weak record of electing Latinos to
9 public office.

10 Q Okay. Would you consider the city council in a city
11 of Yakima County as a public office?

12 A Yes.

13 Q How about the office of mayor in a city in Yakima
14 County as a public office?

15 A Yes.

16 Q And you were asked to provide an opinion as to
17 Senate Factor 7; correct?

18 A Yes.

19 Q And indeed you did provide an opinion for Senate
20 Factor 7; correct?

21 A Yes.

22 Q And your opinion was that there is a weak record of
23 electing Latino candidates to public office in the Yakima
24 Valley; correct?

25 A As I wrote my opinion for Senate Factor 7, I

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1 considered the number of elected Latinos to the State
2 Legislature.

3 Q You didn't consider at all the number of elected --
4 Latinos and Hispanic elected to any county or city office?

5 MS. LEEPER: Objection, compound.

6 Q (By Mr. Holt) You did not -- Scratch that.

7 You did not consider the ability of a Latino or
8 Hispanic to be elected to a county office?

9 A What I looked at was the weak record of electing
10 Latinos to state public offices, and I saw that there was
11 very few that were elected to state public office.

12 Q You would agree that Senate Factor 7 does not say
13 state public office; correct?

14 A Yes.

15 Q It just says public office; correct?

16 A It says public office; but as I wrote my opinion in
17 arguing that there is a shared history between Latinos in
18 the Yakima Valley and also the Pasco areas, I observed
19 that there was very few Latinos elected to specific
20 Legislative Districts when multiple candidates had run but
21 had not been elected.

22 Q But you did not look at city council races in the
23 Yakima Valley, did you?

24 A As I -- When I considered the Latinos running for
25 public office, I focused my attention on certain

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1 Legislative Districts in eastern Washington.

2 Q I'll just ask the question again. I'd just ask you
3 to answer my question.

4 Did you consider city council races when you
5 analyzed the term public office under Senate Factor 7?

6 A What I considered was the public office as it
7 pertains to State Legislative Districts, and that's what I
8 considered for this case, for --

9 Q You did not --

10 A -- this opinion.

11 Q You did not consider city council races?

12 A No, I didn't consider city council races. I
13 considered races for the State Senate and the House.

14 Q You viewed the way boundaries were drawn for city
15 council districts as being discriminatory, but you did not
16 view the ability of an Hispanic or Latino to get elected
17 in that particular district as being important here?

18 MS. LEEPER: Object to form.

19 Q (By Mr. Holt) Help me understand that.

20 A I was -- I don't have an opinion as it pertains to
21 how particular districts were drawn. What I have an
22 opinion is looking at that there's a shared history; there
23 are shared interests across the Yakima Valley and Pasco
24 areas.

25 Q You specifically state in your report the existence

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1 of at-large voting districts for city council was
2 indicative of discrimination in the Yakima Valley.

3 Did you not arrive at that opinion?

4 A Now, the report that I produced was quite long.
5 There was a lot of information there.

6 Is there a specific page you're referencing?

7 Q We'll get to a specific page.

8 Did you examine the fact that in the City of
9 Toppenish, that four of the seven city council members,
10 including the mayor and the mayor pro tem, identify as
11 Hispanic or Latino?

12 A No.

13 Q How about the City of Yakima, the fact that two of
14 the seven city council members identify as Hispanic or
15 Latino, did you consider that?

16 A No.

17 Q What you did consider was a handful of state
18 Legislative Districts.

19 MS. LEEPER: Object to form.

20 Q (By Mr. Holt) Correct?

21 A Is it in reference to a specific Senate Factor?

22 Q You had referenced in particular in reference to
23 Senate Factor 7 that in looking at the ability of Hispanic
24 and Latinos to get elected to public office, that you only
25 looked at State Senate races, and a handful of them at

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1 that; is that correct?

2 MS. LEEPER: Objection, misstates prior
3 testimony.

4 A I looked at -- I looked at a number of times when
5 Latinos were running for office in the Yakima Valley and
6 also Franklin County as it relates to the discrimination
7 they face and with regards to direct and indirect racial
8 appeals, and so I did consider Latinos who were running
9 for elected office.

10 MS. LEEPER: Dallin, I apologize. I
11 haven't been wanting to cut you off while you've been on
12 one line of questioning, but I very desperately need to
13 use the restroom. If you can find a good stopping point
14 relatively soon, I'd really appreciate it.

15 MR. HOLT: We can take a break now. Ten
16 minutes?

17 MS. LEEPER: Yes, thank you.

18 MR. HOLT: Okay. We'll be back here at
19 10:35.

20 MS. LEEPER: Sounds good. Thank you so
21 much.

22 (Break 10:24 a.m. to 10:36 a.m.)

23 THE REPORTER: Back on the record.

24 MR. HOLT: Awesome.

25 Q (By Mr. Holt) Dr. Estrada, while we were on a break

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1 did you speak with anyone about your deposition today?

2 Can you hear me, Dr. Estrada?

3 MS. LEEPER: It looks like he might be
4 having some audio issues.

5 MR. HOLT: That's what it looks like.

6 Dr. Estrada, can you hear me?

7 THE REPORTER: Do you want to go off the
8 record and resolve this?

9 MR. HOLT: Sure.

10 (Discussion off the record.)

11 THE REPORTER: We are back on the record.

12 Q (By Mr. Holt) Dr. Estrada, while we were on break
13 did you speak with anyone about the deposition today?

14 A Yes. I spoke with attorneys.

15 Q Okay. Did they tell you how you should answer any
16 particular questions that I'm asking you?

17 A No.

18 Q Okay. So I'm just going to kind of go back to the
19 line of questioning that we were just in. You had
20 mentioned you particularly looked at Yakima and Franklin
21 County when you were determining Senate Factor 7; is that
22 right?

23 A Yes.

24 Q Let's look at Franklin County. Are you aware that
25 in the City of Mesa that two of the five city council

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1 members elected there identify as Hispanic or Latino?

2 A No.

3 Q How about the City of Pasco, that two of the seven
4 city council members, including the mayor, identify as
5 Hispanic or Latino?

6 A No.

7 Q How about the City of Connell, C-O-N-N-E-L-L -- my
8 apologies if I pronounced that incorrectly -- the fact
9 that two of the five city council members identify as
10 Hispanic or Latino?

11 A No.

12 Q Now, you stated earlier this is first report you had
13 done where you identify -- where you analyzed the Senate
14 Factors; is that correct?

15 A Yes.

16 Q Going forward if you were to analyze Senate
17 Factor 7, would you plan on analyzing the local -- the
18 city council and mayoral elections?

19 A I wouldn't know how to answer that question.

20 Q Well, as we talked about today, do you think it's
21 something that would be important to consider in
22 understanding whether or not Hispanic or Latinos have the
23 ability to get elected to public office to consider city
24 council races?

25 MS. LEEPER: Objection, calls for

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1 speculation.

2 A There is certainly more information, more primary
3 and secondary sources that I could have considered, but
4 that doesn't change the opinions that I've written in my
5 report.

6 Q (By Mr. Holt) Okay. So the fact that some of the
7 larger cities in the counties you claim don't elect
8 Hispanic or Latinos, the fact that a large number of those
9 cities have majority Hispanic and Latino city councils,
10 you don't feel that's important in arriving at your
11 opinions --

12 MS. LEEPER: Objection.

13 Q (By Mr. Holt) -- of whether or not Hispanic or
14 Latinos can get elected?

15 MS. LEEPER: Objection, mischaracterizes
16 prior testimony, and form.

17 A With regards to the election of candidates in the
18 Yakima Valley and Pasco areas at the city level, that's
19 not something I considered; but again, it wouldn't change
20 my opinions that I've written in this report.

21 Q (By Mr. Holt) Why wouldn't it change your opinion?

22 A I'm looking at how past and present discrimination
23 in voting have affected Latinos in the Yakima Valley area,
24 and my opinion is that those past and present inequalities
25 continue to hamper Latinos' ability to fully participate

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1 in elections.

2 Q Okay. Do you feel it's important to consider as a
3 historian why certain cities in Yakima have been able to
4 successfully elect majority Hispanic and Latino city
5 councils?

6 MS. LEEPER: Object to form.

7 A Could you please repeat that question?

8 Q (By Mr. Holt) In trying to understand the effect of
9 what you stated, of prior discrimination on the current
10 ability of someone to be elected, do you think it would be
11 important to analyze why it is that some cities in the
12 Yakima Valley have been able to elect majority Hispanic
13 and Latino city councils?

14 MS. LEEPER: Object to form.

15 A There are a number of factors that one could
16 consider with regards to the election of candidates, but
17 that's not something I considered for this report.

18 Q (By Mr. Holt) Why didn't you consider instances
19 where Hispanic and Latinos have been successful at getting
20 elected?

21 A While there have been Latinos elected to city
22 council offices, I also demonstrate in my report that
23 there are continuing policies and practices that continue
24 to affect candidates.

25 Q In your academic writing do you feel it's important

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1 to acknowledge both sides of an argument?

2 MS. LEEPER: Object to form.

3 A Yes.

4 Q (By Mr. Holt) What would you say to an outside
5 observer who viewed your report as being disingenuous
6 because it fails to examine the many successes that
7 Hispanic and Latinos have had at becoming elected in the
8 Yakima Valley?

9 MS. LEEPER: Object to form.

10 A I wouldn't know how to answer that question.

11 Q (By Mr. Holt) Why wouldn't you know how to answer
12 that question?

13 A As historians we have arguments, and we have counter
14 arguments that we develop, and what we want to do is tell
15 the most accurate historical account considering counter
16 arguments as well.

17 Q Did you consider any counter arguments in this
18 report?

19 A For this report I wanted to answer the questions
20 that were posed by the Senate Factors that I considered
21 and that are written in my report.

22 Q So you did not consider any counter arguments in
23 this report; correct?

24 MS. LEEPER: Objection, misstates prior
25 testimony.

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1 A What -- Are there specific counter arguments that
2 you're referring to?

3 Q (By Mr. Holt) I have been unable to identify a
4 single counter argument in your report, so I'm asking if
5 you analyzed the other side of the argument as to why you
6 could be wrong on a particular Senate Factor.

7 MS. LEEPER: Object to form.

8 A And as a historian we use a wide range of sources.
9 We use primary, secondary sources. We quickly analyze
10 this information. And all the sources that are used are
11 cited in my report.

12 MR. HOLT: Okay. Goodness. I'm trying to
13 attach an exhibit here, and I'm having the same problem
14 that I had last time, Jeanne, where it's not letting me
15 attach. I even shrunk down the file to be under a
16 megabyte, and it's still not attaching.

17 MS. LEEPER: Are you trying to put through
18 the report like last time, Dallin?

19 MR. HOLT: Yes. It's a much smaller file
20 than the last one, and it's still not going in.

21 MS. LEEPER: Yes. In anticipation of the
22 possibility of this problem I had Dr. Estrada print up a
23 clean copy of his report and put it away. So if you would
24 like him to pull out a clean copy of his report, you can
25 point him to the particular pages, and he's done that.

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1 MR. HOLT: Awesome.

2 Q (By Mr. Holt) Are you able to pull out that clean
3 copy of the report, Dr. Estrada?

4 A Yes, I am. It will just be a -- I'll get it here as
5 soon as I can.

6 Q You're just fine. Just let me know when you have
7 that.

8 MR. HOLT: I'd like to refer -- mark this
9 as Exhibit 1.

10 (Estrada Exhibit No. 1 introduced.)

11 (Discussion with court reporter.)

12 MR. HOLT: Can we go off the record here
13 just for a minute?

14 (Discussion off the record.)

15 (Estrada Exhibit No. 1 placed in the chat.)

16 MR. HOLT: Can we go back on the record?

17 THE REPORTER: Yes. Back on the record.

18 MR. HOLT: Awesome. So Cristina was kind
19 enough to supply us with Exhibit 1. I apologize for my
20 technical difficulties, which is --

21 Q (By Mr. Holt) Dr. Estrada, do you see the document
22 that's been dragged into the comment box, the chat box in
23 the Zoom meeting here titled --

24 A Yes.

25 Q -- Estrada Report - Final?

Soto Palmer, et al. v. Hobbs, et al.
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1 Have you had a chance to review that?

2 A Yes.

3 Q Would you agree that that is the final report that
4 you submitted in this case?

5 A To the best of my knowledge this is the final
6 report.

7 Q I'll note on page 77 here it's dated July 27th,
8 2022, and it is signed by you.

9 Would you agree that that's your signature there at
10 the end on page 77?

11 A Yes, that is my signature.

12 Q Okay. And is this the only report that you provided
13 in this case?

14 A Yes.

15 Q Now, let's look at page 8 of Exhibit 1. Just let me
16 know when you're there.

17 A Yes, I can see it. I can read it.

18 Q So I'll reference here that this is where you
19 summarize your position as to the Senate Factors.

20 Would you agree with that statement?

21 A Yes. The Senate Factors are -- and my opinions are
22 listed on pages 7 and 8.

23 Q And I'm particularly interested in No. 6 that refers
24 to Senate Factor 7. Do you see that?

25 A Yes.

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1 Q Where it says, summarizing your opinion here, "Both
2 the Yakima Valley and Pasco areas have a weak record of
3 electing Latino candidates to public office."

4 Would you agree that that's what you stated as your
5 opinion here?

6 A Yes.

7 Q But in arriving at this opinion you would agree that
8 you did not consider city races?

9 A Yes, that is correct.

10 Q You didn't --

11 A I didn't consider city races.

12 Q You did not consider county races?

13 MS. LEEPER: Objection, mischaracterizes
14 prior testimony.

15 A I considered city and county races as they apply in
16 instances where I saw that there was racial discrimination
17 in voting.

18 Q (By Mr. Holt) So you ignored the cities where you
19 did not perceive there was racial discrimination in
20 voting?

21 A In my report I argued that there is a shared history
22 of discrimination, and there are incidents of historical
23 discrimination and present discrimination in the Yakima
24 Valley and Pasco areas.

25 Q So if you only looked at areas of the Yakima Valley

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1 that you believed had discrimination, explain to me how
2 your opinion is simply not a self-fulfilling prophecy that
3 there was discrimination.

4 MS. LEEPER: Objection that the question
5 misstates prior testimony.

6 A In the evidence that I use for Senate Factor 7
7 related to a weak history of electing candidates I looked
8 at the state legislative -- the State Legislature and the
9 lack of elected Latinos.

10 Q (By Mr. Holt) And in your opinion you stated you
11 believe there was five members of the State Legislature
12 that identify as Hispanic or Latino; correct?

13 A I -- In my report I specifically say Spanish surname
14 individuals.

15 Q What if I told you that next session there will be
16 11 State Legislators that identify as Hispanic or Latino,
17 would that surprise you?

18 A There could well be 11, but -- I'm not sure, but
19 regardless I wouldn't change the opinion that I've made
20 that there is a weak record of electing Latino candidates
21 in the Yakima Valley and Pasco areas.

22 Q Okay. So the fact that more than twice as many
23 Hispanic and Latinos are on the State Legislature than you
24 thought, that does not change your opinion on the ability
25 of Hispanic and Latinos to be elected to public office?

1 MS. LEEPER: Objection --

2 MS. SEPE: Objection --

3 MS. LEEPER: -- to the extent it's been
4 asked and answered.

5 A I'll -- No, it wouldn't change my opinions that I've
6 written in this report.

7 Q (By Mr. Holt) Okay. And just to make sure I
8 understand, if there was an instance, for example, the
9 City of Granger, where there was four out of five city
10 council members that are Hispanic or Latino, and you did
11 not perceive there to be discrimination in that race, you
12 didn't consider that in arriving at your opinion on Senate
13 Factor 7?

14 MS. LEEPER: Objection, misstates prior
15 testimony.

16 A My report shows that in the Yakima Valley area,
17 including Granger, Washington, there is a shared history
18 of discrimination, and then there are continuing
19 inequalities in this area.

20 Q (By Mr. Holt) The Senate Factor 7 asks regarding a
21 record of electing Latino candidates to public office.
22 That's what it asks.

23 You would agree with that; correct?

24 A Yes.

25 Q Is the record of someone's ability to get elected or

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1 not elected up for debate?

2 MS. LEEPER: Object to form.

3 A I think what I write is that there is, in fact, a
4 record of candidates running for the State Legislature,
5 Latino candidates running for the State Legislature in --
6 from the Yakima Valley and Pasco areas who have been
7 defeated as a result of past and more recent historical
8 inequalities as it pertains to the voting process.

9 Q (By Mr. Holt) Okay. Now, I'm going to share my
10 screen here. Just a minute here. My apologies. It is --
11 Just a minute here. You would think I'd figure this out
12 after three years of doing this.

13 (Website displayed.)

14 Q Okay. Do you see that there?

15 A Yes. I'm looking at the Washington Secretary of
16 State website.

17 Q Okay. Just give me one second here. I have my
18 bookmarks there.

19 So I'll represent to you these are the general
20 election results from November 8th of 2022, this past
21 year. I'm going to click through this to the Legislative
22 District, down to Legislative District 15.

23 You see that there, Dr. Estrada?

24 A Yes.

25 Q Have you reviewed the election results from

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1 Legislative District 15 for this past midterm election?

2 A No, I haven't reviewed them.

3 Q Were you aware that a Hispanic or Latino candidate
4 named Nikki Torres won the State Senate race with nearly
5 68 percent of the vote?

6 A Yes, I was aware that she won her election.

7 Q Do you know Nikki Torres?

8 A No, I don't.

9 Q Does this change your opinion regarding the ability
10 of Hispanic or Latinos to be elected to public office in
11 the Yakima Valley?

12 A No, it doesn't change my opinion.

13 Q Why doesn't it?

14 A There's a lot of information that I'm not privy to
15 related to this election, and I wasn't asked to consider
16 that information.

17 Q So the fact that a Hispanic or Latino in the Yakima
18 Valley Legislative District, Legislative District 15 won
19 the election with 68 percent of the vote does not affect
20 your opinion regarding Senate Factor 7?

21 A No. This is not information that I considered when
22 I wrote my opinions for all the Senate Factors, including
23 Senate Factor 7.

24 Q Well, now that you have this information, do you
25 feel it would be important to consider it?

Soto Palmer, et al. v. Hobbs, et al.
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1 A There's lots of additional information I could have
2 considered; however, it still wouldn't change my opinions
3 that I wrote.

4 Q So you previously testified that in analyzing Senate
5 Factor 7 you particularly looked at State Senate races;
6 correct?

7 A I consider state -- I looked at candidates who had
8 ran for the State Legislature and how they had been
9 defeated, and there was a low number that were currently
10 in office.

11 Q The fact that a Hispanic or Latino candidate was
12 elected with 68 percent of the vote in the very district
13 you were hired to opine on you don't feel is important
14 information to consider?

15 A I don't know very much -- too much about this
16 particular race, and therefore I don't have an opinion.

17 Q But do you think it would be something worth looking
18 into and considering?

19 A There's a lot of information that I could have
20 considered and looked into, but information that I had
21 written for Senate Factor 7, I still stand by that
22 opinion.

23 Q So this would not alter your opinion in any way?

24 A No.

25 Q Would it inform your opinion in any way?

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1 A There is additional information that I could have
2 used to inform my conclusions, but that is not something
3 that I considered.

4 Q Does the fact that Nikki Torres prefers the
5 Republican party change how you -- does it inform how you
6 view this race?

7 A No.

8 MR. HOLT: Okay. I'm going to stop sharing
9 my screen. Can we take a screenshot of this, Jeanne, and
10 mark it as Exhibit 2.

11 THE REPORTER: Yes, I just did.

12 MR. HOLT: Thank you.

13 (Estrada Exhibit No. 2 introduced.)

14 Q Are you aware, Dr. Estrada, which cities in the
15 Yakima Valley have historically been included in the same
16 Legislative Districts?

17 A No.

18 Q Are you aware if Yakima and Pasco have historically
19 been included in the same Legislative District?

20 A No.

21 Q Do you think that would be important to know in
22 analyzing the similarities between Yakima and Pasco?

23 A In my report I analyze a number of similarities
24 between these areas.

25 Q Okay. Let's turn to opinion page 7 of your report.

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1 Let me know when you're there.

2 A Yes, I'm there.

3 Q And I'm looking at the opinion marked as No. 1, the
4 shared history of Latinos. Do you see that?

5 A Yes, I see that.

6 Q Would you agree that this is your -- the summary of
7 your opinion regarding what you were asked to opine on
8 regarding the shared interests of the communities --
9 Latino communities in Yakima and Pasco?

10 A Yes, that is a summary of my opinion.

11 Q Could you read that for us, please?

12 A Yes. "There are numerous similarities and shared
13 interests among Latino communities in the Yakima Valley
14 and Pasco areas. In addition to sharing a common language
15 and cultural traditions such as Cinco de Mayo
16 celebrations, many of the regions' Latino residents --
17 Latinos reside in rural, agricultural communities where
18 their labor is vital to the economy. Latinos' presence in
19 the region has been continuous for decades and, in both
20 rural and urban communities, their experiences have been
21 marked by racial discrimination in the areas of politics,
22 labor, education, and health care, among other areas."

23 Q Okay. Thank you.

24 In footnote eight you cite to a website, Language
25 Network USA.com/blog/the History of Language in Washington

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1 State.

2 Do you see that there?

3 A Yes.

4 Q What do you know about the website Language Network
5 USA?

6 A I don't know too much about that particular website.

7 Q Do you know if any information on that blog is peer
8 reviewed?

9 A No.

10 Q Do you often cite to websites where you are
11 unfamiliar with the source of the data as support for
12 propositions in your research?

13 A I try to use information from a wide range of
14 sources, primary, secondary sources, and as a historian we
15 try to ensure that the source has relevant and up-to-date
16 information.

17 Q Okay. But you're not familiar with the -- Well,
18 aside from citing it here, are you otherwise familiar with
19 Language Network USA.com?

20 A No.

21 Q Have you ever cited it before in any of your
22 research?

23 A No.

24 Q How did you arrive or become -- How did you become
25 aware of the blog that has that Language Network USA.com?

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1 A I was attempting to find out if there is a source
2 with regards to the Spanish language spoken across these
3 counties, and that is a source that I used to point to
4 that there is this shared language across this geography.

5 Q Would you ever cite to a Wikipedia page in your
6 academic research?

7 A Can you please repeat the question?

8 Q Would you ever cite to a Wikipedia page to support a
9 proposition in your academic research?

10 A In the profession of history we use a wide range of
11 sources. We can use Digital History Projects. These
12 projects sometimes are not peer reviewed. And we can
13 certainly make references to Wikipedia pages.

14 Q But to support a proposition such that you do here,
15 where would you rank Language Network USA in terms of
16 reliability on a scale of one to five, five being super
17 reliable, one being I'm completely unfamiliar with this
18 website so I don't know?

19 MS. LEEPER: Object to form.

20 A I wouldn't know how to answer that question. We --
21 As historians we use a wide range of sources to produce
22 historical knowledge.

23 Q (By Mr. Holt) Okay. So let's explore that No. 1
24 that you read, the shared history of Latinos.

25 You first reference the shared interest in the

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1 Yakima and Pasco areas as being a common language. How is
2 that similarity any different between any other community
3 of Hispanic or Latinos in the United States?

4 MS. LEEPER: Object to form.

5 A Is there something specific you want me to address
6 with respect to a common language?

7 Q (By Mr. Holt) I assume you're referring to they both
8 speak Spanish as a common language; is that correct?

9 A Yes, predominantly Spanish; however, that's not the
10 only Spanish that -- Spanish is not the only language that
11 Latinos speak in their homes and communities.

12 Q Okay. But you would agree whether you're in the
13 Rio Grande Valley in Texas or in the Yakima Valley the
14 shared language would be Spanish; correct?

15 A I didn't -- For this report I didn't do any research
16 on the common language in the Rio Grande Valley.

17 I know that in the Yakima Valley and Pasco areas
18 Spanish among Latinos is a common language.

19 Q Okay. Just help me understand how that similarity
20 is different, sets those two communities aside from any
21 other Hispanic or Latino community in the United States.

22 MS. LEEPER: Object to form.

23 A I'm not understanding what you're asking me.

24 Q (By Mr. Holt) You cite that the shared interests
25 include sharing a common language; but you would agree

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1 Hispanic in the Yakima Valley also share that with
2 Hispanic and Latinos in South Florida or in New York, they
3 have a shared language.

4 Does that mean that those communities are similar
5 and aligned because of that shared language?

6 MS. LEEPER: Object to form.

7 A I don't think I -- I haven't studied the communities
8 in Texas with regard to language or in Florida, so I
9 wouldn't be able to give an opinion on their similarities
10 or differences.

11 Q (By Mr. Holt) Okay. You cite the Cinco de Mayo
12 celebrations. Again, help me understand how this is any
13 different than the Hispanic or Latino community in L.A.
14 versus the Yakima Valley that celebrates Cinco de Mayo.

15 MS. LEEPER: Object to form.

16 Go ahead.

17 A I'm not so familiar with the -- If, in fact, there
18 is Cinco de Mayo celebrations in Los Angeles.

19 What I do write in my report is that there are their
20 shared history. There's a shared interest, shared
21 political priorities in the Yakima Valley and Pasco area,
22 and they also have shared experiences in this specific
23 region that I write about.

24 Q (By Mr. Holt) Okay. You say, "Many of the regions'
25 Latinos reside in rural, agricultural communities where

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1 their labor is vital to the economy."

2 Is that what you stated there?

3 A Yes.

4 Q Are there any differences in the agricultural
5 communities in Yakima and Pasco?

6 A Is there something specific that you're asking me to
7 consider?

8 Q Eventually we'll get to something specific, but I'm
9 asking more generally. Do you believe there is any
10 difference -- differences in the agricultural communities
11 than those in Yakima and Pasco?

12 A These communities certainly have differences, but
13 they also have a shared history, shared experiences, and
14 shared interests.

15 Q I understand that, but I'm asking you about the
16 differences right now. What are the differences in the
17 agricultural communities between Yakima and Pasco?

18 A For this report I didn't highlight differences.
19 What I focused on was the shared history and shared
20 interests and the shared struggles with these communities,
21 and that's what I focused on.

22 Q Is there a difference in the agricultural
23 communities between Yakima and Pasco?

24 A I'm not sure I understand the question.

25 Q Does Yakima, their agricultural economy, produce a

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1 certain byproduct that is different than the agricultural
2 community in Pasco?

3 A I wouldn't be able to answer the specific
4 agricultural products or things that are produced in these
5 areas. I don't have -- I don't have knowledge about that.

6 Q Okay. What if Yakima produced primarily fruit and
7 vegetables, and Pasco primarily produced beef, would that
8 be -- You would agree that that is different in terms of
9 culture; correct?

10 MS. LEEPER: Object to form.

11 A I would say that those are different agricultural
12 products and commodities, but it wouldn't change my
13 opinion about the shared interests of this community.

14 Q (By Mr. Holt) So you don't believe that there is
15 much difference between raising zucchini and then raising
16 cattle?

17 MS. LEEPER: Objection, misstates prior
18 testimony.

19 A I wouldn't be able to answer what are the
20 agricultural differences or work between those two
21 different agricultural economies.

22 Q (By Mr. Holt) Do you think it would be important to
23 understand if there were any differences?

24 A There are many agricultural products in the
25 Yakima Valley and Pasco area, but in Washington state the

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1 conclusion that I'm making is that Latinos are a critical
2 labor force in Washington state.

3 Q Do you know how many miles separate Yakima and
4 Pasco?

5 A No, I don't have that figure.

6 Q Do you know how long it takes to drive from one city
7 to the other?

8 A Is there a specific city or travel between a
9 specific city you're talking about?

10 Q Yakima and Pasco.

11 A I wouldn't be able to give you an accurate amount of
12 time to travel between those two cities.

13 Q Does the fact that Yakima and Pasco are 85 miles
14 apart change your opinion regarding their shared interests
15 as communities?

16 A No.

17 Q Does the fact that it takes roughly an hour and 20
18 minutes to drive from one city to the other affect your
19 understanding of Yakima and Pasco sharing interests as
20 communities?

21 A No.

22 Q Okay. What would you consider the center of the
23 population of Yakima County?

24 MS. LEEPER: Object to form.

25 A I'm not sure I understand your question.

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1 Q (By Mr. Holt) Is there a city that you would
2 consider the population center of Yakima County?

3 A If you're referring to what is the largest city in
4 Yakima County, that would be the City of Yakima.

5 Q Okay. Are you familiar with the term the Tri-Cities
6 area?

7 A Yes.

8 Q What cities consist of the Tri-Cities area?

9 A As I've studied the Tri-Cities area and read
10 histories about the Tri-Cities area, they usually include
11 the cities of Kennewick, Richland and Pasco.

12 Q You would agree that Yakima is not part of the
13 Tri-Cities area; correct?

14 A Yakima is not part of that Tri-City area. In my
15 report I do highlight that, you know, there are shared
16 commonalities between Pasco and the Yakima Valley.

17 Q So the fact that Pasco is geographically -- I don't
18 know -- referenced together with Kennewick and Richland by
19 locals as opposed to Yakima, does that inform your opinion
20 regarding the shared interests of those two communities?

21 MS. LEEPER: Object to form.

22 A Can you please maybe reframe the question?

23 Q (By Mr. Holt) The fact that locals in Washington
24 refer to Pasco, Kennewick and Richland as the Tri-Cities
25 area and that area does not include Yakima, does that

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1 inform your opinion of whether or not those areas, the
2 areas of Pasco and Yakima, are shared communities of
3 interest?

4 MS. LEEPER: Object to form.

5 A No, it wouldn't change my opinions that I've written
6 in this report.

7 Q (By Mr. Holt) Okay. What daily newspapers serve the
8 Yakima and Pasco areas?

9 A To write this report I used a wide range of sources.
10 I know I've included those newspapers here in this -- in
11 this report, and if you allow me to look through there,
12 I'm sure I could find those newspapers.

13 Q Would you agree that the daily newspaper in Yakima
14 is the Yakima Herald-Republic?

15 A Yes, that is one of the major newspapers in the
16 Yakima Valley.

17 Q Would you agree that the primary newspaper that
18 serves the Pasco area is called the Tri-City Herald?

19 A To the best of my knowledge, yes, it is the Tri-City
20 Herald.

21 Q Okay. Does the fact that these two regions have
22 different primary daily newspapers inform your opinion of
23 whether or not they are shared communities of interest?

24 A No.

25 Q Okay. Are you aware that the Greater Yakima Chamber

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1 of Commerce does not include the City of Pasco?

2 A I don't know. I don't think I'm aware of that.

3 Q Are you aware that the Pasco Chamber of Commerce and
4 the Tri-City Regional Chamber of Commerce does not include
5 the City of Yakima?

6 A I'm not aware of that.

7 Q Knowing that now, does that inform your opinion as
8 to whether or not Yakima and Pasco are shared communities
9 of interest?

10 A No. I certainly believe that these communities,
11 they still have a shared history, shared interest. They
12 gather information from various news sources. And there
13 are certainly community organizations that serve the
14 Latino community in both of these areas.

15 Q Okay. Do you believe that nuclear energy policy is
16 equally important to the citizens of both Yakima and
17 Pasco?

18 MS. LEEPER: Object to form.

19 A For this report I didn't consider nuclear policies;
20 therefore, I don't have an opinion about this question.

21 Q (By Mr. Holt) Do you agree that Yakima and Pasco
22 have different primary employers as far as industries are
23 concerned within the two cities?

24 MS. LEEPER: Object to form.

25 A In writing this report I didn't consider who the

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1 primary employers are in these areas.

2 Q (By Mr. Holt) How many workers are employed in the
3 energy area in the City of Yakima?

4 MS. LEEPER: Objection, calls for
5 speculation.

6 A For this report I didn't -- I didn't look into that
7 specific labor force.

8 Q (By Mr. Holt) Is it fair to say, Doctor, that you
9 did not look at any reason why these communities might be
10 different?

11 MS. LEEPER: Objection, mischaracterizes
12 prior testimony.

13 A What I did is I focused in my attention on what
14 binds these two communities, and with regard to labor I
15 argue that there are pivotal -- their labor force is
16 pivotal to the economy. I didn't make any general
17 statement.

18 Q (By Mr. Holt) Okay. Are you aware of anyone --
19 Scratch that.

20 Are you aware of individuals that reside in either
21 Pasco or Yakima and commute to the other community?

22 MS. LEEPER: Object to form.

23 A No, I'm not aware of individuals who commute from --
24 between these communities, but there -- but there could
25 be.

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1 Q Where does Yakima get its drinking water from?

2 A That I don't know. I didn't look into that for this
3 report.

4 Q Where does Pasco get its drinking water from?

5 A I wouldn't know. I didn't look at that.

6 Q How about the irrigation water for each of the
7 respective communities? Do you know where the sources of
8 the irrigation water comes from for Pasco and Yakima?

9 A No, I don't know the sources.

10 Q Would the fact that those sources come from
11 different regions and areas inform your opinion at all
12 regarding the togetherness of these communities?

13 MS. LEEPER: Objection, calls for
14 speculation.

15 A I didn't consider the water source of these
16 communities for this report; but what I do look at and
17 consider is that there is this long shared history of
18 immigration to this place and that there's other
19 commonalities that are critically important to showing
20 that there is a -- factors that bind this community.

21 Q (By Mr. Holt) Okay. Are you aware if Yakima and
22 Pasco have ever been included in the same Legislative
23 District?

24 A No, I'm not.

25 Q If they were so similar as you described, do you

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1 think at some point they would have been included in the
2 same Legislative District?

3 MS. LEEPER: Objection, calls for
4 speculation.

5 A Because I don't know if they've been included in the
6 past, I wouldn't know how to answer your question.

7 Q (By Mr. Holt) If you were to take a random poll of
8 locals in Yakima and locals in Pasco of whether or not
9 they felt these communities were together and very
10 similar, what do you think those responses would be?

11 MS. LEEPER: Objection, calls for
12 speculation.

13 A I don't know if there were -- are polls that were
14 conducted on this question, but it still wouldn't change
15 my opinions that I put forth that they are -- there's a
16 significant amount of commonalities between these two
17 areas.

18 Q (By Mr. Holt) Okay. Now, I want to talk about the
19 uses of the term Hispanic and Latino.

20 Do you believe that that is a racial designation?

21 A Are you asking how I use those terms in my report?

22 Q Sure.

23 A In my report I use Latino, Latinx, Hispanic as an
24 umbrella term to describe people from Spanish-speaking
25 countries in Latin America and the Caribbean, regardless

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1 of their race, ethnicity or citizenship.

2 Q What is your understanding of how the U.S. Census
3 Bureau uses the term Hispanic and Latino?

4 A In my report I use the definition from the U.S.
5 Census.

6 Q But what do you understand that to be?

7 A Are you asking me about their definition?

8 Q Yes. How do you understand the U.S. Census Bureau
9 uses the terms Hispanic and Latino?

10 A Yeah, the U.S. Census includes a number of -- also
11 uses the Hispanic term as an umbrella term to describe a
12 number of individuals from Latin America and the
13 Caribbean.

14 Q And as a race?

15 A In their definition I believe they -- they describe
16 them as ethnic groups.

17 Q What is the difference in your opinion between a
18 race and an ethnic group?

19 A Are you asking me in the context of how Latinos are
20 described in the U.S. Census?

21 Q Just generally what do you view as the difference
22 between a race and an ethnic group?

23 A I would say that in regards to race is about ideas,
24 practices. It includes a number of ideas, practices,
25 beliefs that somehow contribute to --

Soto Palmer, et al. v. Hobbs, et al.
Lakeside Reporting (833) 365-3376

1 And let me just start over here in regards to how I
2 think of the definition about race.

3 Q Okay.

4 A Race can be a -- Race is about ideas, practices and
5 beliefs that somehow make another group culturally or
6 biologically different than another group, and ethnicity
7 could include things such as language, traditions and
8 customs that make one group different from another group.

9 Q Okay. And when you use the terms Hispanic and
10 Latino, did you use those consistent with the U.S. Census
11 Bureau's definition of Hispanic and Latino?

12 A Yes. In my academic work I use broad definitions of
13 race and ethnicity, but for this report again, I relied on
14 the definition of the U.S. Census.

15 Q Okay. Did you rely on the reports of any other
16 experts in this case in arriving at any of your opinions?

17 Have you reviewed the report of Dr. Collingwood?

18 A As I prepared to write my own report I did ask
19 attorneys to provide me expert reports that I could
20 reference, but in no way did they inform the opinions that
21 I produced.

22 Q Did you review the expert report of Dr. Collingwood?

23 A There were several reports that I reviewed, but I
24 cannot tell you the specific authors that wrote those
25 reports.

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1 Q How many expert reports did you receive from
2 counsel?

3 A There were, you know, at least two.

4 Q And did you read both of those?

5 A Yes.

6 Q Did you read whatever it was that they provided you?

7 A I read the expert reports that they sent me.

8 Q Okay. Do you know if you referred to Hispanic and
9 Latinos the same way those other experts did?

10 MS. LEEPER: Object to form.

11 A I don't think -- I wouldn't know how to answer that
12 question. The definition that I use in my report was from
13 the U.S. Census.

14 Q (By Mr. Holt) Do you know how the other experts from
15 the reports that you read referred to Hispanic and
16 Latinos?

17 A I don't.

18 Q Okay. Let's turn to page 8 of your expert report.
19 There's a note on terminology. Do you see that section?

20 A Yes, I do.

21 Q You say, "In this report I use the terms Latino,
22 Latinx and Hispanic as an umbrella term."

23 Do you see that?

24 A Yes, I see that sentence.

25 Q Do you know what percentage of Hispanic and Latinos

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1 in the Yakima Valley and Pasco area prefer the term
2 Latinx?

3 A No, I don't.

4 Q Are you of the opinion that they prefer that term?

5 A I haven't seen any studies or any information
6 related to that, so I wouldn't be able to give an opinion
7 on that.

8 Q Okay. And let's turn back to page 7 of your report.
9 You say, "Latinos' presence in the region has been
10 continuous for decades, and in both rural and urban
11 communities."

12 Do you see that there? It's at the bottom of No. 1.

13 A Yes.

14 Q Okay. Please help me understand the history of the
15 Latino migration into Washington, where they arrived and
16 how they dispersed throughout the state.

17 MS. LEEPER: Object to form.

18 A In my report I write that Latinos are not recent
19 immigrants to the Pacific Northwest, that their presence
20 dates back to the 1770s. And that in the 19th Century
21 they arrived in Washington state, and in the 20th Century
22 various factors contributed to them settling across
23 Washington state.

24 Q (By Mr. Holt) In terms of Yakima and Pasco, was
25 there one area that Latinos migrated to first?

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1 A In my report I broadly describe that they settled in
2 the Yakima Valley and Pasco areas.

3 Q Simultaneously?

4 A What do you mean?

5 Q Was there a group of immigrants from Mexico, they
6 arrived in Washington state and equally started two
7 communities at the same time, or -- I'm trying to
8 understand if there was one community that was started
9 first and then the other community was kind of a
10 spillover, or --

11 Kind of walk me through that timeline.

12 A The first --

13 MS. LEEPER: Object to form.

14 A The first significant presence of people of Mexican
15 descent came during World War II as a result of a
16 binational agreement between Mexico and the United States,
17 and that pulled in individuals to virtually every corner
18 of Washington state.

19 Q (By Mr. Holt) And in terms of Yakima and Pasco?

20 A Yes. You can see the presence of bracero, of
21 Mexican contract workers in the Yakima Valley and Pasco
22 areas; and after these workers stopped being imported into
23 the United States we see that the communities where these
24 braceros arrived to, growers then started to recruit
25 workers to replace those bracero workers in the specific

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1 areas in Washington state, including the Yakima Valley and
2 Pasco areas.

3 Q Okay. Will you turn to page 21 of your report.

4 MR. HOLT: I'm thinking just as far as
5 timing, I probably have about another 30 minutes, and then
6 do you guys want to do lunch? And then I'll probably have
7 to come back for another hour or two hours or so. So I
8 think we probably will need a lunch break.

9 Does that work for everyone?

10 MS. LEEPER: That works for us.

11 MR. HOLT: Okay. Thanks.

12 Q (By Mr. Holt) Are you on page 21, Doctor?

13 A Yes, I'm on page 21.

14 Q Okay. I'm looking at the conclusion that you reach
15 right before Senate Factor 1 where you say, "Therefore,
16 Latinos in Washington, and in particular the Yakima Valley
17 and Pasco region, have not just a common history of
18 immigration and discrimination, but also the common
19 present day experience of continuing to combat that
20 discrimination."

21 Is that correct, what you stated in your report?

22 A Yes, that is correct.

23 Q Okay. I want to examine some of the instances that
24 you refer to in the pages prior to this in arriving at
25 that conclusion. Let's turn back to page 15.

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1 Now, would you agree that the discrimination you are
2 referencing on page 15 is primarily against African
3 Americans as opposed to Hispanic or Latinos?

4 A The discrimination that folks in -- that people
5 encountered in the Tri-Cities area didn't just affect
6 African Americans. It also had a direct effect on the
7 Latino community.

8 Q Okay. And in the middle here you refer to -- you
9 say, "The Jim Crow practices in the Tri-Cities area," and
10 then in parentheses you say "(Kennewick, Pasco and
11 Kennewick)."

12 Is that a typo right there? Did you mean to include
13 a different city?

14 A Yes.

15 Q What was the city?

16 A It should have been Richland.

17 Q Richland. Why are you discussing the Tri-Cities
18 area here as opposed to Yakima?

19 A In this specific Senate Factor I looked at the
20 history of immigration and discrimination in this
21 particular region, and in this particular case I wanted to
22 highlight that persons -- persons of color, including
23 Latinos, experience discrimination; and if they didn't
24 directly experience discrimination, there was
25 discriminatory laws and practices that affected the

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1 community that was racially scripted as non-White.

2 Q Okay, but I'm particularly interested about your use
3 in discussing the Tri-Cities area here and singling out
4 the racial practices in the Tri-Cities area as opposed to
5 those in Yakima. Why did you do that?

6 A Again, I wanted to show that there is this shared
7 experience in the Yakima Valley and Pasco areas, that
8 persons from the Yakima Valley have historically
9 experienced discrimination; and likewise in the Tri-City
10 area, which includes Pasco, these folks have also been
11 subject to Jim Crow policies and laws.

12 Q You would agree on page 15 you don't talk about
13 Yakima. You talk about the Tri-Cities area; correct?

14 A I think throughout the report I make direct
15 references to racial discrimination and those lingering
16 effects of discrimination in both the Yakima Valley and
17 Pasco area, and I cite some of the present day racial
18 inequalities in education, housing, employment, health
19 care.

20 Q Okay. Let's turn to page 20 of your report, and you
21 discuss the Sea Mar Clinic. Do you see that there?

22 A Yes.

23 Q Would you agree that the Sea Mar Clinic serves the
24 Seattle area and not the Yakima Valley?

25 A Yes. The Sea Mar Clinic serves, as I indicate here,

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1 serves Seattle's low income Latino, Asian, and Black
2 population.

3 Q On page 19 you reference the unionization of the
4 local winery and the creation of the Commission on
5 Mexican-American Affairs. Do you see that there?

6 A Yes.

7 Q Why do you view those as instances of discrimination
8 as opposed to instances of growing success and influence
9 in the region?

10 A Now, I -- In this report I reference the
11 organization of the United Farm Workers Union and also the
12 Commission on Mexican-American Affairs as a direct
13 response to the inequalities that the Latino community
14 faced in Washington state.

15 Q Okay. Do you view the creation of these entities as
16 also an example of the growing influence of Hispanic and
17 Latinos in the region?

18 A I wouldn't be able to measure the degree of
19 influence, but I would -- I would argue that they were
20 created to address the effects of discrimination that had
21 burdened the Latino community in Washington state,
22 including in the Pasco and Yakima Valley regions.

23 Q Okay. Let's go to page 21. You reference an
24 incident in Burlington. Do you see that?

25 A Yes.

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1 Q Where is Burlington in relation to the Yakima
2 Valley?

3 A Burlington is in Skagit County.

4 Q Would you agree that that is roughly an hour north
5 of Everett and several hours away from Yakima and across a
6 mountain range from Yakima?

7 A Yes. That is a different -- It is a different
8 county.

9 Q Do you view the community in Burlington and the
10 community in Yakima as being a joint community of
11 interest?

12 A For this, for my report I didn't -- I didn't do a
13 direct comparison between the community in Yakima and
14 Skagit County. What I tried to reference was that there
15 is a common history of discrimination against Latino farm
16 workers across the state.

17 Q Are you aware of any such incidents in the recent
18 future -- in the recent history happening in the Yakima
19 Valley similar to what you described happened in
20 Burlington?

21 A What do you mean by recent and -- Yeah.

22 Q In the last -- In the last five years. Let's start
23 there.

24 A Are you referring to a specific type of farm worker
25 activities, activism?

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1 Q No. You described an instance of discrimination
2 that occurred in Burlington. I'm just trying to
3 understand if you are aware of any similar instances
4 happening in the Yakima Valley.

5 A In my report I do cite that farm workers have
6 continued to face inequities and injustices, and I do cite
7 that in the Yakima Valley and Pasco areas farm workers had
8 high -- disproportionately high COVID rates.

9 Q Okay. And do you believe that is indicative of
10 discrimination?

11 A Yes.

12 Q How so?

13 A As it pertains to this example, what we see is that
14 lawmakers maybe failed to provide information about COVID
15 in Spanish that was accurate.

16 In addition, we also see that employers were
17 hesitant to provide on-site COVID testing to their
18 agricultural labor force. These are incidents of
19 discrimination against individuals who work in agriculture
20 in Washington state.

21 Q My apologies. I didn't mean to cut you off.
22 Anything else you'd like to say to that, sir?

23 A No.

24 Q Okay. Now, let's turn to page 22. This is the
25 history of discrimination section of your report. Let me

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1 know when you're there.

2 A Yes, I'm there.

3 Q Okay. And it says, "The history of official voting-
4 related discrimination." What does that term mean to you,
5 official voting-related discrimination?

6 A This is documented -- documented discrimination that
7 has happened.

8 Q So you believe the term official means it's been
9 documented?

10 A Yes, that there was knowledge about discrimination.

11 Q Does it have anything to do with who is allegedly
12 doing the discriminating in this case?

13 A I'm not sure if I understand the question.

14 Q For example, if someone showed up to vote and a
15 fellow voter said something that was discriminatory to
16 another citizen, versus someone showing up to vote and
17 being asked to, you know, perform a literacy test, are
18 those viewed in your eyes as both official instances of
19 discrimination if they are both documented?

20 A I'm not sure I'm following, but what this Senate
21 Factor is providing information about is official voting-
22 related discrimination as it pertains to Latinos in
23 Washington state.

24 Q And you view that to mean discrimination that has
25 been documented against Latinos in Washington state; is

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1 that correct?

2 A Well, there's discrimination that has also been not
3 documented but is still considered discrimination.

4 Q Did you consider that under Senate Factor 1?

5 A What I considered for this specific factor were
6 English literacy tests, at-large elections, and lack of
7 bilingual assistance.

8 Q How did you become aware of non -- Sorry, I had a
9 brain lapse here -- of non-reported instances of
10 discrimination?

11 A There are a number of sources that I used to
12 describe the history of discrimination in -- a long
13 history of discrimination in Washington state, and those
14 sources address instances of discrimination.

15 Q Those are all documented; correct?

16 A Yes. I recorded instances of discrimination against
17 Latinos in Washington state, specifically looking at
18 English literacy tests, at-large elections, and the lack
19 of bilingual ballots.

20 Q Okay. So let's look at the English literacy tests.
21 When did the English literacy tests stop in the Yakima
22 Valley?

23 A After the renewal of the Voting Rights Act in 1970
24 literacy tests were banned in Washington state.

25 Q And are you aware of instances post 1970 where

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1 literacy tests was still carried out in the Yakima Valley?

2 A In my report I write about how the United Farm
3 Workers, they would conduct voter registration campaigns;
4 and they would talk to individuals that still believed
5 that an English literacy test still was law in Washington
6 state, and that speaks to the lack of bilingual
7 information.

8 Q But are you aware of any instances where a literacy
9 test was carried out post 1970?

10 A No, I'm not aware of any instances.

11 Q Okay. The other instance of discrimination you
12 referenced here is at-large council seats, a failure to
13 provide Spanish language election materials; is that
14 right?

15 A What page is that?

16 Q I'm getting there. I have it written down in my
17 notes. I'm just finding it. Thirty-one.

18 A Yeah, I'm on page 31.

19 Q See where it says at-large elections?

20 A Yes.

21 Q Okay. So this is where I want to return to my
22 earlier questioning, Doctor, about city council races that
23 we talked about a few hours ago.

24 So you rely on the fact that the communities of
25 Yakima and Pasco held at-large city council races as being

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1 indicative of discrimination; correct?

2 A Yeah. I described that the state's at-large
3 election system did discriminate against Mexican
4 Americans.

5 Q You specifically state here at the end of the first
6 paragraph, "At-large elections in Washington's Yakima
7 Valley and Pasco areas have historically and through the
8 present day limited the effective exercise of political
9 influence of the Latino community."

10 Do you see that?

11 A Yes.

12 Q But yet you failed to even examine the success rate
13 of Latinos being elected in those city council races in
14 Yakima and Pasco; is that correct?

15 MS. LEEPER: Objection, misstates prior
16 testimony.

17 A For this report I didn't consider city -- city
18 elections of Latinos, and I don't have an opinion
19 regarding the election of Latino candidates.

20 Q (By Mr. Holt) But you certainly have an opinion that
21 the way the city council races were held is indicative of
22 discrimination; correct?

23 A Yes. In the Yakima Valley and Pasco areas I'm aware
24 that there were -- aware that at-large elections were
25 discriminatory, but I don't have an opinion related to the

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1 election of those candidates.

2 Q I'm just having a difficult time as to why you have
3 an opinion as to why the district boundaries of city
4 council races are discriminatory, but you say you do not
5 have an opinion about the results of city council races
6 and whether or not that is indicative of discrimination.
7 I just -- Help me understand that --

8 MS. LEEPER: Objection, mis --

9 Q (By Mr. Holt) Help me understand that disconnect.

10 MS. LEEPER: Objection, misstates prior
11 testimony.

12 A As for Senate Factor 1, as it pertains to the
13 history of official voting discrimination, I considered
14 at-large elections as being a practice and a procedure
15 that has in the past and presently discriminated against
16 Latino voters in the Yakima Valley and Pasco areas.

17 Q (By Mr. Holt) You make the statement here through
18 the present day. So I'm asking you about present day
19 makeup of the city councils, and you don't seem to have
20 knowledge of that; correct?

21 A For this report I didn't consider the racial makeup
22 of councils, and I don't have an opinion related to that;
23 but I would -- I do have an opinion related to that there
24 is a long history and an ongoing history of discrimination
25 related to voting and -- and the history of literacy

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1 tests, at-large election systems, and also the lack of
2 bilingual information has in the past limited Latinos'
3 participation in electoral politics; and it continues to
4 have a profound effect on their ability to do so because
5 it impacts their socioeconomic status and inequalities.

6 Q I hear you say that, of this profound impact that it
7 has on Latinos, but yet you didn't examine whether or not
8 Latinos were actually able to be elected in these council
9 districts; correct?

10 A For this -- For this report I didn't consider who
11 was being elected into city offices. I focused on the
12 overall discrimination and its effect on Latino peoples in
13 this area.

14 Q Well, as we talked about, several of these
15 communities have elected majority Latino city councils;
16 correct?

17 A Yes.

18 MS. LEEPER: Objection to form.

19 Q (By Mr. Holt) And you don't think that's important,
20 to analyze that in understanding the effect of how city
21 council elections are hold?

22 MS. LEEPER: Objection to form.

23 A I don't have an opinion related to the -- who -- who
24 is elected to city or county offices and for what reasons
25 they were elected.

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1 Q (By Mr. Holt) Okay. I don't see anything in your
2 report that discusses how these practices essentially
3 hampers political participation today among Hispanic or
4 Latinos. Is that something that you opined on?

5 A Are you referring to the effects past discrimination
6 has had on present day -- Latinos in the present day and
7 their ability to vote?

8 Q Essentially, yes.

9 A Yeah, in my report I outline several factors,
10 several issues that because Latinos are not able to fully
11 exercise their voting rights, it has a direct effect on
12 their education, employment opportunities, health care,
13 housing, and also in the criminal justice system.

14 Q What do you mean they're not fully able to exercise
15 their voting rights?

16 A In my report I show evidence that Latinos' voter
17 turnout is lower than -- than White voters in the Yakima
18 Valley and Pasco areas because of the combination of
19 factors, including the ones I mentioned.

20 Q How do you link those instances of discrimination to
21 voter turnout, of discrimination in the past to voter
22 turnout today?

23 A Yeah, the inability for individuals to access the
24 ballot, to be able to advocate for legislation that will
25 help their community, that has a direct effect on the

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1 present day -- on the Latino community in the present day.

2 Q Are you aware of an instance in the Yakima Valley
3 where a Hispanic or Latino has been unable to exercise
4 their right to vote that has otherwise wanted to do so?

5 MS. LEEPER: Object to form.

6 A I think what I -- What I write in my report is that
7 there are a number of factors that limit their ability to
8 fully participate in the electoral process.

9 Q (By Mr. Holt) Okay. Let's go to page 42. I think
10 this is one of those instances where you reference this in
11 your report. I'm looking at the first paragraph there,
12 the second sentence where it says, "Latino voters in
13 Washington, particularly those with limited English
14 skills, continue to face language barriers to register to
15 vote."

16 Do you see that there?

17 A Yes.

18 Q So I see this, as with several other statements
19 throughout your report, and what's missing is any citation
20 or support for this. So I see these conclusions that you
21 reach, but I don't see the factual support to show this.

22 So what would you -- Again, why is there not a
23 citation after that sentence where you make this
24 conclusion?

25 A Again, in that particular paragraph I do cite that

1 there are -- There is an individual named Israel Delamore
2 specifically states that these council meetings are not in
3 Spanish, or they're not accessible in Spanish, and so
4 there is a -- There is a clear case where, you know,
5 individuals with limited English skills are at a
6 disadvantage than other voters.

7 Q I'm particularly interested -- You mentioned
8 barriers to register to vote in that sentence. That's
9 what I'm particularly interested in here. Where --

10 MS. LEEPER: Objection, that does misstate
11 what the sentence says.

12 Q (By Mr. Holt) "They continue to face language
13 barriers to register and vote." My apologies.

14 So understanding that city council meetings are held
15 in English, what effect does that have on an individual's
16 ability to register to vote or to then turn out and vote?

17 A I think there is a -- certainly a correlation as it
18 pertains to the ability to access information; and if an
19 individual is not privy to issues that are being voted,
20 maybe they're less willing to register and vote.

21 Q You say the term maybe they are less willing, and as
22 a historian you would agree that you focus on facts;
23 correct?

24 A Well, as a historian we're going to use a wide range
25 of sources to be able to produce an account.

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1 Q So when you say, "They continue to face language
2 barriers to register and vote," can you point me to any
3 specific instances where in the Yakima Valley an
4 individual who has wanted to register to vote has been
5 unable to do so because of a language barrier?

6 A I can't point you to a direct instance, but I can
7 cite information where people in the community feel a --
8 state that they are not receiving information in their
9 primary language.

10 Q Okay. Then your sentence should read, "People in
11 the community believe that they continue to face
12 barriers." You stated it as a fact that they are facing
13 barriers to register and then to vote, so I'm trying to
14 see if you can point me to any instances where someone has
15 wanted to register to vote or wanted to vote and has been
16 unable to be do so because of this language barrier.

17 MS. LEEPER: Object to form.

18 A I think what I write in that sentence is
19 specifically persons with limited English, they continue
20 to face these barriers to register to vote.

21 Q (By Mr. Holt) Are you aware of instances in the
22 Yakima Valley where someone has been denied language
23 assistance when they've turned out to vote within the last
24 five or ten years?

25 MS. LEEPER: Object to form.

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1 A What I -- What I do write in my report is that there
2 is information, evidence that Latinos in the Yakima Valley
3 areas have not been provided with bilingual assistance,
4 and I continue to write that individuals with limited
5 English skills face barriers.

6 I'm not saying they are outright denied the vote.
7 I'm saying they face barriers to the ballot.

8 MR. HOLT: Okay. I think that's a good
9 time to break for lunch. Are you guys okay with that?

10 MS. LEEPER: Yes. Thank you.

11 MR. HOLT: How much time do we want to
12 take?

13 We can go off the record, Jeanne.

14 (Discussion off the record.)

15 (Break 12:27 p.m. to 1:19 p.m.)

16 THE REPORTER: Back on the record.

17 Q (By Mr. Holt) Okay. How was your lunch,
18 Dr. Estrada?

19 A It was good.

20 Q Excellent. While we were on break did you speak
21 with anyone about this deposition?

22 A Yes. I spoke with Simone on the phone.

23 Q Okay. Was there any particular discussions
24 regarding how you should have answered or should answer
25 particular questions that we've talked about?

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1 A No.

2 Q Okay. Now, what I want to do now is we're just
3 going to continue exploring some different things in your
4 report; and then I'll just take a brief break in probably
5 an hour for five minutes, and then I'll come back and
6 finish my questions.

7 So I imagine I probably have another hour to hour
8 and a half worth of questions for you, and then I'll turn
9 the time over to others if they have questions.

10 Does that work?

11 A Yes.

12 Q Okay. So in your opinion do you feel that the
13 Washington State Legislature has increased ballot access
14 for voters in the state of Washington over the last
15 several years?

16 MS. LEEPER: Object to form.

17 A The ballot -- Access to the ballot has certainly
18 become more accessible to individuals; however, in my
19 report I show that there are still policies, practices,
20 procedures, and a long history of discrimination and
21 present day discrimination that are still barriers to
22 fully participate in the electoral process.

23 Q (By Mr. Holt) Okay. I want to talk about the
24 current makeup of kind of some of the voting requirements
25 in Washington state, just kind of explore that a little

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1 bit further with you.

2 So are you aware that in Washington state all
3 registered voters automatically receive a ballot through
4 the mail?

5 A No.

6 Q That you don't even need to request a ballot if
7 you're registered to vote; you will receive one.

8 You're not aware of that?

9 A I didn't look into how individuals get a ballot or
10 access a ballot for this report.

11 Q Regarding barriers to voting, you mentioned that in
12 your opinion Hispanic and Latinos in Yakima in particular
13 have barriers to voting.

14 With this being the case of every registered voter
15 automatically receives a ballot through the mail, can you
16 please explain to me what barriers you view in that
17 practice regarding an individual's ability to vote?

18 MS. LEEPER: Object to form.

19 A Yeah, one of the examples I provided was that
20 persons with limited English skills continue to face
21 challenges to participate in the electoral process. Part
22 of that has to do with them not having sufficient
23 information accessible to them. Therefore, it's a barrier
24 for them to engage in electoral politics.

25 Q (By Mr. Holt) What information do you believe is

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1 not accessible to Latinos and Hispanics in the Yakima
2 Valley?

3 A When I think about broadly the barriers that are
4 impacting Latinos in the Yakima Valley and Pasco areas,
5 I'm considering the use of English literacy tests,
6 at-large elections, and lack of bilingual education and
7 how those have contributed to present day issues related
8 to voting.

9 Q But it was your testimony that it's been over 50
10 years since literacy tests have been used in the Yakima
11 Valley; is that correct?

12 A Yes. Literacy tests has been one method to deny
13 Latinos the ballot. However, in my analysis of the
14 historical record I've seen that other tactics, other
15 strategies, other policies and procedures are used to
16 limit their ability to vote.

17 Q So right now anyone that is registered to vote gets
18 a ballot. What practice or procedure do you perceive in
19 that that would limit a Latino or Hispanic's ability to
20 vote in the Yakima Valley?

21 MS. LEEPER: Objection to form.

22 A If you're -- If you consider the voter turnout rate
23 between Whites and Latinos in the Yakima Valley, you could
24 see evidence that there are -- there is a disproportionate
25 voter turnout between these two groups specifically in the

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1 Yakima Valley.

2 Q (By Mr. Holt) And what do you believe causes that
3 disproportionate turnout?

4 A Well, I would say again, there is this history of
5 discrimination in the Yakima Valley and Pasco area. There
6 has been historically new barriers and challenges that
7 they've faced. And there are incidents of racial appeals,
8 both indirect and direct, that are being used that all
9 contribute to voter turnout.

10 Q Are you aware that the Department of Licensing in
11 Washington automatically registers individuals to vote
12 when they obtain or renew a driver's license in the state
13 of Washington?

14 A No.

15 Q Are you aware that returning a mail-in ballot, which
16 everyone receives, no longer requires a postal stamp to
17 return in the state of Washington?

18 A I didn't know.

19 MS. LEEPER: Object to form.

20 Q (By Mr. Holt) And are you aware that ballots can
21 either be returned through the mail or through the many
22 mandated drop boxes throughout the state?

23 A No.

24 Q Do you agree with the statement that many of the
25 barriers that historically existed that would have impeded

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1 the Latino -- a Latino or Hispanic's right to vote no
2 longer exist?

3 MS. LEEPER: Objection to form.

4 A I think that what I describe in my report is that
5 there are -- When I look at the history of Latinos in
6 Washington state in the Yakima Valley areas there is
7 evidence of tactics that are evolving and changing that
8 contribute to Latinos not able to effectively cast a
9 ballot, and that those barriers continue to this day; and
10 Latinos in the community continue to bring attention to
11 those issues and barriers.

12 Q (By Mr. Holt) If I understand correctly, are you
13 referring to off-year elections, signature rejection,
14 those two things?

15 MS. LEEPER: Objection, form.

16 A Yes. There are off-year elections and
17 disproportionate signature rejection that are some
18 barriers that continue to -- or practices and procedures
19 that affect Latino voters.

20 Q (By Mr. Holt) First let's explore the signature
21 rejection issue. What practice or procedure do you
22 believe the state of Washington is utilizing that causes
23 this disproportionate signature rejection?

24 A Can I specifically refer to the section that I write
25 about that in my report?

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1 Q Sure. It's on page 45 of your report.

2 A Could I take a moment just to read that section?

3 Q Sure. Sure.

4 A Thank you for allowing me to read that section.

5 Q No problem. Do you need me to restate my question?

6 A Yes, please.

7 Q I asked what specific practices or procedures has
8 the state of Washington engaged in that you believe has
9 led to the disproportionate rejection of Hispanic and
10 Latino signatures on mail-in ballots.

11 A Well, from the study that was conducted with regards
12 to the signature rejection rate, the rate for Latino
13 voters was much higher in Yakima County and Franklin
14 County than non-White voters for Yakima County that was
15 seven times higher in Yakima. In Franklin County the
16 rejection rate was 3.9 times greater for Latinos.

17 And in combination with the fact that Latino voter
18 turnout is already low, this procedure places Latinos at a
19 disadvantage.

20 Q And I understand that's your conclusion, but I'm
21 trying to understand what are the practices that you
22 believe led to that?

23 A I'm not sure. Can you restate your -- or reframe
24 your question?

25 Q You said your conclusion is that you believe the

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1 statistics show that Latino and Hispanic signatures are
2 being rejected at a greater percentage than those of White
3 voters in Washington state. I understand that's your
4 conclusion, but I'm asking if you have an opinion as to
5 any practices or procedures that the state was engaged in
6 that would have led to that outcome.

7 MS. SEPE: Objection, misstates prior
8 testimony.

9 A I guess what I'm getting across is that there is
10 ballot rejection that is higher for Latinos than White
11 individuals, and this practice of reviewing signatures is
12 placing Latinos at a disadvantage because those ballots
13 are being rejected at a disproportionately higher rate.

14 Q (By Mr. Holt) Okay. So it's your position that
15 the practice of signature verification itself is
16 discriminatory; is that your position?

17 A I guess what I'm -- What I'm making a case for is
18 that there is -- there was a higher proportion of persons
19 with Spanish surnames whose ballots are being -- are being
20 rejected, and this practice is discriminatory. However,
21 now beyond that I'm not making any other conclusions.

22 Q In Washington state's mail-in system where every
23 voter receives a mail-in ballot, aside from signature
24 verification how would you propose a voter's identity is
25 verified in a nondiscriminatory manner?

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1 MS. LEEPER: Objection, calls for
2 speculation.

3 A For this specific Senate Factor I'm looking at
4 practices and procedures that tend to enhance the
5 opportunity for discrimination, but with regards to what
6 the state could do to address this issue, I have no
7 opinion.

8 Q (By Mr. Holt) Okay. I want to talk about your use
9 of the terms when you refer to things as 7.5 times more
10 likely or 3. times greater -- 3.9 times greater.

11 Do you see that in your report there?

12 A Yes.

13 Q When we're only dealing with a few percentage
14 points, do you believe that's misleading to categorize
15 statistics in that manner?

16 MS. LEEPER: Objection to form.

17 A The information that is provided there points to a
18 discrepancy in signature rejection rates, but how that
19 information is delivered, I don't have an opinion related
20 to that.

21 Q (By Mr. Holt) I'm trying to understand why you chose
22 to deliver it the way you did, as opposed to stating it
23 increased from X percentage to X percentage.

24 Why did you state seven point times more likely or
25 seven point times more than the other voters in Franklin

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1 County?

2 MS. LEEPER: Objection to form.

3 A There are certainly other ways that that information
4 could have been delivered; but in referencing the source
5 of that information, that is how I chose to -- chose to
6 reference that information.

7 Q (By Mr. Holt) For example, if I had a 1 percent to
8 2 percent increase, instead of stating a 1 percent
9 increase I could state there's an increase of 100 percent,
10 and that would still be stating the same thing; correct?

11 MS. LEEPER: Objection to form.

12 A I'm not sure.

13 Q (By Mr. Holt) We'll just move on. It's fine.

14 Let's go to page 43 of your report. I want to
15 explore this idea of off-year elections being
16 discriminatory with you.

17 First off, in your opinion what is an off-year
18 election?

19 A An off-year election is an election that occurs in a
20 non-presidential election year.

21 Q Okay. And is it your opinion that the very
22 existence of holding elections in non-presidential years
23 is discriminatory?

24 A I think my opinion is that elections in Legislative
25 District 15, especially in the case of the elections of

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1 the Senate, occur in odd years -- typically it could occur
2 in odd years in non-presidential election years when the
3 Latino voter turnout is the lowest.

4 Q You understand that two of the three legislative
5 races that are on a ballot are still on the ballot in an
6 off-year election; correct?

7 MS. LEEPER: Objection to form.

8 A I understand -- I understand that there are House
9 and Senate races within a Legislative District.

10 Q (By Mr. Holt) Are you aware that there are other
11 majority-minority districts throughout the state of
12 Washington, referring to the state legislative map?

13 A No.

14 Q Do you know whether or not those State Senate
15 elections occur in off-year or on-year elections?

16 MS. LEEPER: Objection, calls for
17 speculation.

18 A Because my report focused on the Yakima Valley and
19 Pasco areas, I didn't look at other Legislative Districts.

20 Q (By Mr. Holt) Okay. Would you agree that voter
21 turnout is lower for all races in off-year elections?

22 MS. LEEPER: Objection, compound.

23 A Yes. And in my report I specifically look at the
24 voter turnout in Yakima County for Spanish surname and
25 non-Spanish surname voters, but yet the gaps between those

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1 two were still different in regards to voter turnout.

2 Q (By Mr. Holt) As we discussed earlier, your
3 understanding of the number of Hispanic and Latino State
4 Legislators is off by over 100 percent using that logic
5 when you used surname analysis; correct?

6 MS. LEEPER: Objection. That misstates
7 prior testimony.

8 Q (By Mr. Holt) You stated there was five elected
9 officials in the State Senate, and that is demonstrably
10 wrong; so I am simply asking --

11 MS. LEEPER: He stated that there are five
12 Spanish surnamed individuals in the Legislature in his
13 report tied to a specific date, and you attempted to make
14 that a larger statement than Spanish surnamed.

15 And my objection that it misstates prior testimony
16 stands.

17 Q (By Mr. Holt) You can still answer the question.

18 A Yes, in my report I stated that when I looked at
19 those who are elected to state offices, I saw that there
20 was five persons with Spanish surnames.

21 Q And the reason you did that analysis, were you
22 attempting to determine the number of Hispanic and Latinos
23 that were elected as State Legislators?

24 A I was trying to get a sense of the number of elected
25 officials that had Spanish surnames when I was writing

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1 this report.

2 Q Okay. Were you asked specifically by plaintiffs'
3 counsel to include off-year elections in your report?

4 A I was asked to look at historical and contemporary
5 voting practices and procedures that discriminated against
6 Latino voters.

7 Q So it's your testimony that you were not
8 specifically asked to include off-year elections in your
9 report?

10 A I was asked to consider the different voting
11 practices and procedures, literacy tests, at-large
12 elections, off-year elections, look at signature
13 rejection, and so practices and procedures that tended to
14 enhance discrimination. And so that's what I was asked
15 to -- That's what the Senate Factor was asking.

16 Q Okay. Now, you said you were looking at historical
17 reasons, but yet you reference the 15th Legislative
18 District, which was just redrawn this last cycle.

19 So do you view off-year elections as a historical
20 factor in determining the history of discrimination in
21 Yakima?

22 MS. LEEPER: Objection to form.

23 A There are -- As I studied the different factors and
24 issues that were affecting the Latino community, and as I
25 read the Complaint, the drawing of certainly the

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1 Legislative District of 15 and that aligned with an
2 off-year election was something that I considered -- I had
3 to examine and see if it contributed to -- if it
4 contributed to the denial of Latinos' ability to
5 effectively and fully participate in the voting process.

6 Q (By Mr. Holt) Okay. And as we looked earlier on
7 what has been admitted as Exhibit 2, the Nikki Torres
8 election in Legislative District 15 where the Hispanic and
9 Latino candidate received 68 percent of the vote in an
10 off-year election, does that change your -- does that
11 alter your opinion in any way regarding this?

12 A No, it does not change my opinion. I wasn't -- I
13 didn't do any research into this particular election;
14 therefore, I can't offer an opinion about that election.

15 Q Okay. So the only election that has taken place in
16 the new Legislative District 15 boundaries that shows a
17 Hispanic or Latino candidate receiving 68 percent of the
18 vote, that doesn't alter your opinion?

19 MS. LEEPER: Objection to form.

20 A The report that I produced was before the outcome of
21 this election; and again, I wasn't -- I haven't done any
22 research, any investigation about this election;
23 therefore, I can't give an opinion about this election.

24 Q (By Mr. Holt) I want to look at the word on the
25 fourth line down, the off-year election section. You use

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1 the word -- You say, "Where voter turnout rates tend to be
2 higher for Latino and White voters."

3 Why did you use the word tend in that instance?

4 A I'm trying to find on my report where that specific
5 sentence is at. Is there --

6 Q It's on page 43.

7 A Forty-three?

8 Q Four lines down, in the off-year election section.

9 A Yes. Can you repeat the question, please?

10 Q I guess I'm trying to understand your use of the
11 word tend. Why didn't you say, "Where voter turnout rates
12 are higher for Latino and White voters"?

13 Why did you say where they tend to be higher?

14 A I think voter turnout rates fluctuate. They change
15 based on a number of factors, and so I think it was
16 appropriate to use that term there.

17 Q Okay. Let's turn to page 71 of your report and
18 explore Senate Factor 8 for a few minutes. Let me know
19 when you're there.

20 A Yeah, I'm there.

21 Q Okay. I want to talk about your -- this section
22 here. You say, "In reviewing the top legislative
23 priorities of Washington's Latino community, there is
24 clear evidence that State Legislators representing the
25 Yakima Valley and Pasco region have been unresponsive to

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1 the needs and priorities of the community."

2 What do you believe this clear evidence is?

3 A When I considered the priorities of the Latino
4 community in Washington state as gathered by the Latino
5 Civic Alliance, they supported and sponsored bills, but
6 some of those bills have been ultimately rejected by
7 legislators in the 14th and 15th Districts and also the
8 16th District as well.

9 Q Do you know the partisan leanings of the Latino
10 Civic Alliance?

11 A No.

12 Q Do you know how leadership is determined in the
13 Latino Civic Alliance?

14 A No.

15 Q Do you know how they determine what their
16 legislative priorities are in the Latino Civic Alliance?

17 A The Latino Civic Alliance is a group that promotes
18 civic engagement and works with community members to
19 identify legislative priorities that are important to the
20 community related to small businesses, voting rights,
21 health.

22 Q And who makes the decision to what the legislative
23 priorities are in this organization?

24 A I think the Latino Civic Alliance works with
25 different members of the community and works with

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1 community organizations to identify those priorities.

2 Q You said you think that is how. Do you know that's
3 how they do it?

4 A From reading their mission statement, it states that
5 they work with community organizations.

6 Q Aside from reading their mission statement online,
7 have you had any engagement with the Latino Civic
8 Alliance?

9 A No.

10 Q Do you know how many members they have?

11 A No.

12 Q It could very well be one person in a basement?

13 MS. LEEPER: Objection, calls for
14 speculation.

15 Q (By Mr. Holt) Correct?

16 MS. LEEPER: Objection, calls for
17 speculation.

18 A The Latino Civic Alliance has worked with a number
19 of organizations in Washington state. They organize
20 Latino Legislative Day that brings the Latino community to
21 the Capitol Hill to discuss issues that are relevant to
22 the community, so it is a recognized organization.

23 Q (By Mr. Holt) Do you know how it's funded?

24 A No.

25 Q Okay. So I just want to make sure I understand your

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1 position that a self-organized, self-selected advocacy
2 group speaks for all Hispanics and Latinos in the Yakima
3 Valley. That's your position?

4 MS. LEEPER: Objection to form, misstates
5 prior testimony.

6 A No, that's not my opinion. I think the Latino Civic
7 Alliance, again, they promote civic participation. They
8 encourage Latinos in Washington state to learn about
9 important issues that are important to the community, and
10 they work with a number of community organizations
11 throughout Washington state, including in the Yakima
12 Valley and Pasco areas.

13 Q (By Mr. Holt) Did you look at the legislative
14 priorities of the Senate for Latino Leadership?

15 A No.

16 Q Did you look at any of the legislative priorities
17 for the local Hispanic Chambers in Yakima and Pasco?

18 A No.

19 Q So would it be fairer to restate your report saying,
20 "There is some evidence," as opposed to, "There is clear
21 evidence"?

22 MS. LEEPER: Objection to form.

23 A In my report I specifically write about bills that
24 were significantly important to the community. In fact,
25 you have the update to the Voting Rights Act, which was

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1 supported by 93 organizations in 20 different counties,
2 including organizations in the Yakima Valley and Pasco
3 areas; but that specific bill was rejected by State
4 Legislators in Districts 14, 15 and 16.

5 Q (By Mr. Holt) Your report states you received this
6 information that was on a February, 2022 letter that was
7 sent with the Latino Civic Alliance's legislative
8 priorities; is that correct?

9 A Yeah, from my report the Latino Civic Alliance sent
10 this list of bills that they supported to legislators in
11 February.

12 Q Okay. Did you look into whether any of those bills
13 were amended or otherwise materially changed between
14 February of 2022 and the time it was voted on on the
15 floor?

16 A No.

17 Q Let's go to page 34 in your report. So this is
18 where you start referencing several lawsuits. Do you see
19 that, starting on page 34?

20 A Yes.

21 Q And it carries through onto page 35, 36, 37. And
22 then you look down, you know, at page -- at footnote 131
23 and 132 on page 36. You see you reference some complaints
24 that were filed in these lawsuits and quote from them.

25 Do you see that?

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1 A Yes, I see the footnotes on 130 to 132.

2 Q Are you aware -- Scratch that.

3 Do you often cite to unproven legal complaints as
4 the source of information in your academic writing?

5 MS. LEEPER: Objection to form.

6 A I don't know if I am able to answer that question.
7 I think -- I don't understand.

8 Q (By Mr. Holt) Throughout your report you cite -- You
9 state a fact, and then you'll cite to a Complaint; and
10 then you'll pull a block quote out from a complaint.

11 Again, for example, I'm looking at footnote 131 as
12 just an example.

13 MS. LEEPER: Objection to the extent that
14 you're mischaracterizing the report.

15 Q (By Mr. Holt) You would agree, Doctor, that you cite
16 to various Complaints, Complaints meaning an initial
17 filing in a lawsuit; correct?

18 A I cite Complaints, and I -- And I also use other
19 sources to show that there is barriers. There is
20 discrimination in voting that Latinos in the Yakima Valley
21 and Pasco areas face.

22 Q Okay. And you're aware that the majority of these
23 Complaints were either settled or have not yet been held
24 through to final determination; correct?

25 MS. LEEPER: Objection to form.

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1 A Yes, I'm aware. I'm aware that some of these
2 Complaints were settled and that the city or the county
3 chose to remedy the issues that were being addressed in
4 the Complaint.

5 Q (By Mr. Holt) And in this, these settlement
6 documents, did you ever come across any admission of guilt
7 on behalf of any of these defendants?

8 MS. LEEPER: Objection, compound.

9 A No, I can't recall.

10 Q (By Mr. Holt) Okay. Let's look to page 37 of your
11 report. You should be right there.

12 A Yes, I'm on page 37.

13 Q About five lines down you use the term Latino-
14 preferred candidates in referring to legislative
15 candidates there. Do you see that?

16 A Yes.

17 Q What does the term Latino-preferred candidate mean
18 to you?

19 A A latino-preferred candidate, it's in reference to
20 statistical information that shows that this candidate was
21 the preferred candidate of choice for Latinos.

22 Q What statistical information do you rely on in
23 arriving at the conclusion that these two candidates were
24 Latino preferred?

25 A I didn't conduct any research or analysis in regards

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1 to the Latino-preferred candidate. I used the information
2 from the Complaint, and therefore I don't have any
3 opinions about -- related to Latinos' preferred
4 candidates.

5 Q Well, it's your opinion that these two candidates,
6 you defined them as the Latino-preferred candidates in
7 your expert report. You would agree with that statement;
8 correct?

9 A Yes, and I include a citation where I pulled that
10 language directly from.

11 Q It's your position that that news article uses the
12 term Latino-preferred candidates in describing these two
13 candidates?

14 MS. LEEPER: Objection, misstates the
15 testimony.

16 A I can't specifically remember the specific language
17 that they used; but when looking at at-large elections,
18 the Senate Factors do consider information about Latino-
19 preferred candidates.

20 Q (By Mr. Holt) I guess I'm just trying to understand
21 how you view a Latino -- how you determine whether a
22 candidate is Latino preferred or not.

23 A For this report I'm -- I focused in on the fact that
24 at-large elections are, in fact, discriminatory. I didn't
25 conduct any research related to preferred candidates.

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1 Q So if you were to rewrite this report, would you
2 remove the term Latino-preferred candidates from that
3 sentence?

4 MS. LEEPER: Objection to form.

5 A I'm not sure.

6 Q (By Mr. Holt) Well, do you stand by those two
7 candidates being the Latino preferred, or do you not?

8 MS. LEEPER: Objection to form.

9 A From the materials, the sources that I used to write
10 this opinion and as it applies to this particular section,
11 there was information that at-large -- about at-large
12 elections and Latino-preferred candidates.

13 Q (By Mr. Holt) Okay. Let's move on. Can we turn to
14 page 40 of your report.

15 A Yes, I'm on page 40.

16 Q I'm particularly interested in that first footnote
17 153, I guess that starts on page 39, the sentence that you
18 cite to there where you refer to the voter pamphlet issued
19 by the state not being available in Spanish.

20 Do you see that?

21 A Yeah. If you give me a moment to read that section,
22 I'll be able to answer your question.

23 Q Go for it.

24 A Thank you.

25 Q No problem. So in footnote 153 it looks like you

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1 reviewed the archived state's voter pamphlets from 1914 to
2 2002; is that correct?

3 A Yes. I've reviewed the pamphlets that were
4 available in that website.

5 Q It says, "All appear to be published in English
6 only." Do you see that there, where you wrote that?

7 A Yes.

8 Q Did you search to see if there was any Spanish
9 versions of these documents?

10 A I used the information that was available on that
11 website, and I opened the pamphlets that were available;
12 and before 2002 I didn't find a pamphlet that included --
13 included or made any reference to Spanish -- to voting
14 instructions in Spanish.

15 Q Okay. Let's see here. Give me one second. Let's
16 see if this one works here. No.

17 Here's what we're going to do. Give me just a
18 minute here. I'm just going to share my screen and give
19 up on your expert report here.

20 We'll just review that website together.

21 (Website displayed.)

22 Q Okay. Do you see that there, Dr. Estrada?

23 A Yes.

24 Q Is this the website that you searched that is
25 referenced in footnote 153?

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1 A Yes.

2 Q Okay. Let's just take a look at a couple of these.

3 Look at like 1977.

4 Do you agree that this is the 1977 Voters Pamphlet?

5 A Yes.

6 Q Okay. I'm going to quickly scroll through it slowly

7 here. Then I'm going to go to the very last page of the

8 1977 pamphlet.

9 Do you see that Aviso there on the bottom?

10 A Yes.

11 Q Let me see if I can flip this. What does it say

12 there?

13 A It says Aviso. [Witness reading in non-English

14 language.]

15 THE REPORTER: I'm sorry, I can't take down

16 Spanish.

17 Q Translating this, you would say that it roughly says

18 the Spanish translation of the majority of this pamphlet

19 is available at this address, to request it.

20 Would you agree that's what it says, summarizing?

21 A Yes.

22 Q And this is the reference you said you did not see

23 until 2003; correct?

24 A Yes. I stated that it didn't appear to be published

25 in Spanish.

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1 Q You would agree here that in 1977 it was; correct?

2 A It appears that that information may have been
3 available.

4 Q Okay. Let's look at 1978.

5 Actually, let me go back here. Sorry.

6 MR. HOLT: Jeanne, let's flip this around.

7 Can we take a screenshot of this and mark it as the next
8 exhibit, please.

9 THE REPORTER: That will be Exhibit 3.

10 Thank you.

11 MR. HOLT: Thank you.

12 (Estrada Exhibit No. 3 introduced.)

13 Q So we're going to go to '78. Would you agree that
14 this is the 1978 Voters and Candidates Pamphlet?

15 A Yes.

16 Q I'll scroll to the last page there.

17 Do you agree that that same advisory is right there
18 on the bottom of this page?

19 A Yes.

20 Q So you would agree that in 1978 it also appears that
21 this material is available in Spanish?

22 A Yes.

23 MR. HOLT: Can we take a screenshot there,
24 Jeanne, please.

25 (Estrada Exhibit No. 4 introduced.)

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1 Q Let's go to 1979. Would you agree that this is the
2 1979 Voters Pamphlet?

3 A Yes.

4 Q Scroll to the last page there. Oops. Sorry.
5 Do you see the same advisory there?

6 A Yes.

7 Q And you would agree that in 1979 this shows these
8 materials were likely available in Spanish?

9 A Yes.

10 MR. HOLT: Can you get a screenshot of that
11 as well, Jeanne?

12 (Estrada Exhibit No. 5 introduced.)

13 Q We'll just do one more, go to 1980.

14 Would you agree that this is the 1980 Voters and
15 Candidates Pamphlet?

16 A Yes.

17 Q I'll scroll to the last page there.

18 Do you see that same advisory regarding the Spanish
19 translation?

20 A Yes.

21 Q So do you agree that in 1980 these materials were
22 also available in Spanish?

23 A Yes.

24 Q Okay. Knowing this, would you like to revise your
25 statement in footnote 153 regarding these not being

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1 translated into Spanish until 2003?

2 MS. LEEPER: Objection to form.

3 A Yeah, I would have to -- The information that you
4 provided would certainly be useful to consider, and -- But
5 this information wouldn't change the opinions that I've
6 made in this report.

7 I think I provided evidence that access to bilingual
8 materials has still been an issue in the Yakima Valley and
9 Pasco areas.

10 Q (By Mr. Holt) Okay. How carefully did you review
11 these pamphlets?

12 MS. LEEPER: Objection to form.

13 A I've reviewed the pamphlets as carefully as
14 possible.

15 Q (By Mr. Holt) To the same degree of care that you
16 reviewed the other materials you relied on in this report?

17 MS. LEEPER: Objection to form.

18 A I reviewed the information with extreme care and
19 time.

20 Q (By Mr. Holt) Okay. Do you know how these pamphlets
21 were circulated?

22 A No.

23 Q Do you know if Spanish versions were made available
24 in minority-dominant communities?

25 A No, I do not.

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1 Q Do you think that would be important to know?

2 MS. LEEPER: Objection to form.

3 A Yes, it would be important to know, but it doesn't
4 change the opinions that I have written.

5 Q (By Mr. Holt) Okay. Let's look at footnote 158
6 there at the bottom of page 40. I'm having trouble
7 understanding your citation there and locating this
8 document that you relied upon.

9 Could you explain to me what it is you're citing to
10 in footnote 158?

11 A On footnote 158 I have listed a couple of different
12 sources there.

13 Q Just help me differentiate who is the author of what
14 and kind of what response to what here.

15 A Yes. So the county, Yakima County provided
16 bilingual ballots for six years. That information is
17 coming from the Yakima Herald-Republic. And that the
18 county failed to fully comply with Section 203 by not
19 providing bilingual assistance at county offices and
20 polling places is coming from the expert report written by
21 Luis Fraga.

22 Q How did you come to be in possession of this expert
23 report?

24 A It was an example expert report that the attorneys
25 provided.

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1 MR. HOLT: Okay. If we could just tag this
2 as something maybe you guys could send over, I'd
3 appreciate it -- Simone. Sorry.

4 MS. LEEPER: Yes, we can do that.

5 MR. HOLT: Okay. Thank you.

6 THE REPORTER: I also took a screenshot if
7 you would like to designate this as No. 6.

8 MR. HOLT: One step ahead of me, as always.
9 Thank you.

10 THE REPORTER: You're welcome.

11 (Estrada Exhibit No. 6 introduced.)

12 Q (By Mr. Holt) Did you -- Were you given any reports
13 from the opposing party in this lawsuit? Let me rephrase
14 that.

15 In referencing footnote 158, the Fraga report in the
16 lawsuit of Montes v. City of Yakima, were you provided the
17 opposing party's expert report that responded to that
18 expert report?

19 A No.

20 Q Turn to page 46. I'll stop sharing my screen. My
21 apologies. And four lines -- three lines down from the
22 top you reference another lawsuit that claimed -- and then
23 you reference the ballot signature issue there.

24 Do you see that?

25 A No. Which footnote are you referring to?

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1 Q I'm just referring to the body of the text, three
2 lines down from the top of the page where you state what
3 the lawsuit claimed.

4 A Yeah. Is it the sentence, "Latino voters in Benton"
5 --

6 Q Yes.

7 A If you could just give me a moment to read that, --

8 Q Okay.

9 A -- I'll be able to answer your question.

10 Q Sounds good.

11 A Yes. Thank you.

12 Q You're welcome. What weight do you put on as an
13 academic again to a Complaint in a lawsuit?

14 MS. LEEPER: Objection to form.

15 A I wouldn't know how to answer that question.

16 Q (By Mr. Holt) There's dozens of references to
17 Complaints in your report that are used as citations to
18 support a proposition that you make.

19 Did you ever review and fact check the facts that
20 were being discussed in those Complaints upon which ou
21 relied?

22 A To write this report I relied on Complaints, but I
23 relied on a wide range of sources -- you know, newspaper
24 articles, certainly the expert reports, government
25 documents, and a wide range of sources to come up with the

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1 conclusions in my report.

2 Q Okay. Let's turn to page 63 of your report. Let me
3 know when you're there.

4 A Yeah, I'm on page 63.

5 Q And this is Senate Factor 6 discussing racial
6 appeals and political campaigns. Do you see that?

7 A Yes.

8 Q So in the second paragraph under Senate Factor 6
9 three lines up from the bottom of that paragraph you're
10 referring to a candidate's statement as a myth.

11 Do you see that there?

12 A I'm trying to locate that sentence there.

13 Q It says, "Mullen was putting forth a myth that
14 non-citizens were participating in elections."

15 A Yes, I see that.

16 Q And I don't see a citation to the sentence. What
17 fact checking did you do to arrive at the conclusion that
18 this was a myth?

19 A Yes. On page No. 66 of the report I cite a study
20 from the Russel Sage Foundation Journal of Scientists
21 [sic] related to this myth of illegal Latinos, voters and
22 voter fraud --

23 Q Did you --

24 A -- in contested local immigrant --

25 Q Did you ever --

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1 A -- immigration integration.

2 Q My apologies.

3 MR. HOLT: Sorry, Jeanne.

4 Q Finish what you were going to say, Doctor. I'm
5 sorry.

6 A The full title of that article that I'm citing from
7 the Journal of Social Scientists [sic] written by Robert
8 Courtney Smith is, "Don't Let the Illegals Vote: The Myth
9 of Illegal Latino Voters and Voter Fraud in Contested
10 Local Immigration Integration."

11 Q Did you ever do any independent analysis regarding
12 this report?

13 A Are you referring to specific -- specific research?

14 Q Yes. Did you engage in any review or analysis
15 regarding this study?

16 MS. LEEPER: Objection to form.

17 A I'm not sure I'm following your question.

18 Q (By Mr. Holt) Did you accept the report's
19 conclusions, or did you accept them following some type of
20 inquiry that you performed regarding the report's
21 conclusions?

22 A And I'm sorry, I'm not -- I'm not understanding the
23 question.

24 Q That's fine. You said you relied on this report to
25 arrive at the determination that the statement was a myth;

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1 correct?

2 A With regards to this idea that non-citizens,
3 illegals were voting in elections, there's plenty of
4 information and articles written about the fact that this
5 is -- this is a myth.

6 Q I understand that. I'm just trying to see if you
7 accepted those conclusions or if you performed any of your
8 own analysis to support that point.

9 A No, I didn't conduct any analysis or reports --

10 Q Okay.

11 A -- in the --

12 MR. HOLT: Okay. So if we could just take
13 like a five-minute break, and I'll come back and probably
14 wrap up pretty quickly.

15 Does that work for everyone?

16 MS. LEEPER: Yes.

17 MR. HOLT: Okay. Thank you.

18 MS. SEPE: Sounds good. Thanks.

19 (Break 2:30 p.m. to 2:35 p.m.)

20 THE REPORTER: On the record.

21 Q (By Mr. Holt) Let's turn to page 70 of your report.
22 Just a couple more questions here.

23 Just let me know when you're there.

24 A Yes, I'm there.

25 Q So in this last paragraph on page 70 that starts,

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1 "In county election races," do you see that there?

2 A Yes.

3 Q You used the term that Latinos in Yakima County
4 account for 51 percent of the population.

5 Do you see that?

6 A Yes.

7 Q What statistical metric are you using to arrive at
8 that? Is that total population that you're looking at
9 there?

10 A Yes, I believe that is total population.

11 Q Okay. And you analyze county races here.

12 Do you see that?

13 A Yes, I see in county election races. Yes.

14 Q But again, as we previously discussed, you did not
15 analyze city elections; correct?

16 A Yes, I didn't analyze -- I did not analyze city
17 elections.

18 Q Is that because Latinos have been more successful at
19 getting elected to city offices than they have been in the
20 county races, county elections?

21 MS. LEEPER: Objection, calls for
22 speculation.

23 A In this specific Senate Factor I looked at how there
24 is historical evidence that Latinos have struggled to get
25 elected in county elections; and although they had run,

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1 they have not been elected to office. And specifically I
2 was looking at the county commissioner positions.

3 Q (By Mr. Holt) Okay. I want to go up to that middle
4 paragraph that starts, "Within Legislative District 15."

5 Do you see that there?

6 A Yes.

7 Q I want to go to the last sentence there. It says,
8 "Without political representation in the 15th District,
9 Latinos have less chances to resolve their issues and
10 concerns through the political process."

11 Would you agree that through Nikki Torres winning
12 the election with 68 percent of the vote that Latinos
13 indeed do have representation in the 15th District?

14 MS. LEEPER: Objection, calls for
15 speculation.

16 A I didn't do any research on that election, and so I
17 wouldn't be able to give an opinion on her election.

18 Q (By Mr. Holt) You certainly have an opinion on who
19 does not represent Latinos. I'm simply trying to
20 understand if you understand who does not represent
21 Latinos, who do you believe does?

22 MS. LEEPER: Objection to form, and calls
23 for speculation.

24 A I'm not sure that I understand your question.

25 Q (By Mr. Holt) Well, you have a strong opinion here

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1 that the 15th Legislative District is without -- The
2 Latinos in the 15th Legislative District do not have
3 representation.

4 You would agree that that's your position here?

5 A Yeah. When I wrote this report, yes, that was my
6 position, and I still stand behind what I've written in
7 this report.

8 Q Despite the fact that a Hispanic or Latino candidate
9 won the 15th District with 68 percent of the vote, you
10 still stand by that statement?

11 MS. LEEPER: Objection, asked and answered.

12 A There's a lot of information that I'm not privy to
13 about this election. I don't have information about voter
14 turnout rates. I don't have information about --

15 I just don't know very much about this particular
16 election, so I have no -- no opinion about that election.

17 Q (By Mr. Holt) Are you aware that under the 2020
18 citizen voting age population numbers that Latino and
19 Hispanic voters constitute 51.5 percent of the population
20 in District 15?

21 A Yes.

22 Q And despite that you're still of the opinion that
23 they lack representation in the 15th District?

24 A As I comprehensively looked at this particular area,
25 looking at historical, present day factors, and looking at

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1 a weak record of electing Latinos to the State
2 Legislature, elected officials not being responsive to the
3 Latino community, and the lingering effects of
4 discrimination on the Latino community, I still believe
5 that there are challenges and obstacles that Latinos face
6 in Legislative District 15, more so across Washington
7 state and in the Yakima Valley and Pasco area.

8 Q Is there a percentage you have in mind of what
9 population Legislative District 15 would need to be -- of
10 the citizen voting age population in District 15 that
11 would need to be Hispanic or Latino --

12 MS. LEEPER: Objection, calls for
13 speculation.

14 Q (By Mr. Holt) -- to not have those concerns?

15 MS. LEEPER: Objection, calls for
16 speculation.

17 A I don't have an opinion with regard to the -- a
18 percentage that needs to be met in this Legislative
19 District. I can't offer an opinion on that.

20 MR. HOLT: Okay. I pass the witness.
21 Thank you, Doctor. I appreciate your time.

22 MS. SEPE: Is it all right if we just take
23 like a one-minute break for me to pull up my notes?

24 MR. HOLT: Absolutely.

25 MS. SEPE: Thanks.

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1 MS. LEEPER: Yeah, we can all just pop off
2 camera here.

3 MS. SEPE: Thank you.

4 Jeanne, if we can go off the record until maybe like
5 2:45.

6 THE REPORTER: Sure. Off the record.

7 MS. SEPE: Thank you.

8 (Break 2:43 p.m. to 2:45 p.m.)

9 MS. SEPE: All right. I'm ready to begin
10 if everyone else is, too.

11 THE REPORTER: Okay. Back on the record.

12 E X A M I N A T I O N

13 BY MS. SEPE:

14 Q Good afternoon, Dr. Estrada. My name is
15 Cristina Sepe. I'm an attorney representing the State of
16 Washington in this litigation. I don't have too many
17 questions, so hopefully we'll be able to wrap up while
18 it's still light out in Washington.

19 Just to confirm, you were not asked to look at
20 whether there is racially polarized voting in the Yakima
21 Valley and surrounding areas; correct?

22 A Yes, I was not asked to look at racially polarized
23 voting.

24 Q So as a result, that means that you didn't look at
25 whether Latinos were politically cohesive; is that

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1 correct?

2 A Yes. I didn't -- I did not look at the political
3 cohesiveness of Latinos. I looked at other shared
4 commonalities between Latinos in the Yakima Valley and
5 Pasco areas.

6 Q And because you didn't look at racially polarized
7 voting in the Yakima Valley and surrounding areas, this
8 means that you also did not look at whether a majority of
9 White voters voted sufficiently as a bloc; is that
10 correct?

11 A Yes, that's correct, I did not look at that
12 information.

13 Q Do you recall reviewing expert reports from
14 Dr. Loren Collingwood?

15 A No, I don't recall.

16 Q Do you recall reviewing any expert declarations
17 submitted by Dr. Loren Collingwood in this case?

18 A No, not to my knowledge.

19 Q Okay. I have a few questions related to Senate
20 Factor 7, which you were asked to look at; and that again
21 is the extent to which members of the minority group have
22 been elected to public office in the jurisdiction.

23 I understand your prior testimony to be that you had
24 looked at elected representatives and senators to look for
25 Spanish surnames and that you had made that assessment

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1 based off of your personal experiences and knowledge of
2 Spanish surnames.

3 Is that correct, or is that an accurate
4 characterization of what you previously testified to?

5 A Yes, I used my knowledge as a Spanish speaker --

6 Q And so to --

7 A -- to identify those candidates.

8 Q My apologies for the interruption.

9 And so to clarify, you didn't look at a separate
10 list of Spanish surnames to come to your conclusion about
11 the number of politicians with Spanish surnames; is that
12 correct?

13 A I used the -- I used information from the Secretary
14 of State's office to look at the candidates elected to the
15 State Legislature.

16 Q And my apologies, that was an inartfully stated
17 question.

18 So you did not look at, for example, the list of
19 Spanish surnames from the U.S. Census Bureau to compare
20 against the list of elected officials on the Secretary of
21 State's website?

22 A I didn't look at the U.S. Census information.

23 Q Okay. When you were analyzing Senate Factor 7 you
24 had testified that you had looked at the history of
25 electing Latinos to State House and Senate races; is that

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1 correct?

2 A Yeah. I looked at -- I looked at the historical
3 record of those who had been elected and those who had ran
4 for office in those districts.

5 Q And if we could turn to pages 70 and 71 of your
6 report that has been marked as Exhibit 1. It looks like
7 you discuss races for Yakima and Franklin counties for
8 county commissioners; is that accurate?

9 A Yes, I did.

10 Q And besides the races that we talked about for State
11 Senate, State House, Franklin County and Yakima County
12 commissioners, were there other electoral races that you
13 looked at in making your conclusion about Senate Factor 7?

14 A If you can just give me a moment to read, rereview
15 that section.

16 Q Yes.

17 A Thank you.

18 Yes. Can you please repeat the question?

19 Q Of course, though it might not be an exact
20 replicate; but aside from the State House and State Senate
21 races, along with the elections for county commissioners
22 in Yakima and Franklin counties, were there other
23 electoral races that you looked at to come to your
24 conclusion regarding Senate Factor 7?

25 A Yeah, as it pertains to Senate Factor 7 I used

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1 information for state and county elections to come up with
2 my conclusions for this factor.

3 Q And so there were no other races that you had looked
4 at; is that correct?

5 A For this specific factor I only considered the state
6 and county elections.

7 Q If we could now turn to pages 33 through 35
8 regarding other litigation challenges to at-large systems.

9 Though you did not examine other city council races,
10 you did discuss the history of election results in those
11 races; is that correct?

12 A Yes. As I looked at the history of official
13 voting-related discrimination for Senate Factor 1, I did
14 look at elections at a city level, specifically how
15 at-large elections impacted and had a discriminatory
16 effect on the election of Latinos.

17 Q Have you read the Complaint in this lawsuit,
18 Dr. Estrada?

19 A Yes.

20 Q Do you understand that there have been two claims
21 that are alleged in this action by the plaintiffs?

22 A There's been a lot of information that I've read
23 lately, and I can't specifically recall those two
24 complaints that are in there.

25 Q Okay. Thanks. Have you been asked by the

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1 plaintiffs to look at whether or not the Legislative
2 District maps that were drawn by the Redistricting
3 Commission, whether those maps intentionally discriminated
4 against Latinos?

5 A I haven't been -- I haven't been asked or studied in
6 regards to how those specific lines have been drawn, and I
7 don't have an opinion about that. I -- And -- Yeah.

8 Q And have you reviewed the report by plaintiffs'
9 expert Dr. Flores?

10 A No.

11 Q I believe I recall you stating that plaintiffs'
12 counsel shared some exemplar expert reports with you for
13 your review. What other materials were shared with you by
14 plaintiffs' counsel?

15 A I believe they shared some information related to
16 the Latino Civic Alliance and also provided me with some
17 information as to where I could find the voting record of
18 the State Legislators.

19 Q Do you recall anything else that was shared with
20 you?

21 A I can't recall anything else at this time.

22 Q So you did not review, for example, email
23 communications between commissioners and their staff as
24 part of your expert report?

25 A No.

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1 Q Okay. And have you reviewed any of the deposition
2 transcripts in this case?

3 A No.

4 Q And have you read any of the deposition transcripts
5 taken of the commissioners in other litigation?

6 A No.

7 MS. SEPE: Okay. I don't have any further
8 questions.

9 MS. LEEPER: Dallin, do you have anything
10 else? We have a few things. Sorry. If you want to go
11 first, if you have anything else to add.

12 MR. HOLT: No, I'm good.

13 I just want to know -- Your cat freaked me out. I
14 just saw the tail, and I'm like what is that?

15 MS. LEEPER: Yeah, it is -- I'm so sorry.
16 It is dinnertime for my cats. I actually just had to text
17 my fiancé and ask if he could please feed them because if
18 I had been off of mute you would have heard a very grumpy
19 cat sitting at the top of the bookshelf meowing.

20 MR. HOLT: I just saw like --

21 MS. LEEPER: This is also her nook, so --

22 MR. HOLT: It was like an octopus tentacle
23 or something. I just see it reaching down behind you, and
24 I'm like something is going to come grab you.

25 Anyways, no, I don't have anything else.

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1 MS. LEEPER: Yeah, no, that was my very
2 grumpy cat.

3 E X A M I N A T I O N

4 BY MS. LEEPER:

5 Q Well, I will just -- I have a few short things, and
6 we should be out of here soon, Dr. Estrada.

7 I'm just going to go ahead and pull up the same --
8 I'll share my screen here -- the same Secretary of State
9 website that we were looking at earlier with Dallin.

10 (Website displayed.)

11 Q Do you see that in front of you, Dr. Estrada?

12 A Yes.

13 MS. LEEPER: Okay. And I've just -- To
14 save some time I've already clicked on some of these links
15 and opened them in new browser windows just so that they
16 would download.

17 Are we all okay with the fact that I did that? Do I
18 have to click directly for us to authenticate that, or is
19 this a fine protocol to move forward with everyone?

20 MR. HOLT: I'm fine with it.

21 MS. SEPE: The State is as well.

22 MS. LEEPER: Great.

23 Q (By Ms. Leeper) Okay. So I just want to click into
24 what is the Voter Pamphlet for 2002.

25 Do you see this document, Dr. Estrada?

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1 A Yes.

2 (Estrada Exhibit No. 7 introduced.)

3 Q Okay. And I'm going to scroll down through the
4 document to the bottom, which is the page we were looking
5 at on the other Voter Pamphlet.

6 Do you see that same advisory in Spanish regarding
7 whether or not there is a Spanish language pamphlet
8 available on this Voter Pamphlet from 2002?

9 A No.

10 Q Okay.

11 MR. HOLT: Simone, are you able to scroll
12 to the bottom of that page? Sorry.

13 MS. LEEPER: Yes, this is the very bottom.

14 MR. HOLT: Got it. Thank you.

15 MS. LEEPER: No problem.

16 Q (By Ms. Leeper) Okay. Great. So I'm going to open
17 up the Voter Pamphlet from 2000.

18 (Estrada Exhibit No. 8 introduced.)

19 Q Do you see that that's what's in front of you,
20 Dr. Estrada?

21 A Yes.

22 Q Okay. And once again scrolling to the location
23 where the pamphlets from the '70s had that advisory, is
24 there a Spanish language advisory on the 2000 Voter
25 Pamphlet?

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1 A No.

2 Q Okay. So we're going to do the same thing with the
3 1998 pamphlet. That's what's up before you right now.

4 (Estrada Exhibit No. 9 introduced.)

5 Q And I'll scroll down -- it will be a little faster
6 this time -- to the bottom of this pamphlet.

7 Does the 1998 pamphlet have an advisory about a
8 Spanish language pamphlet availability?

9 A No.

10 Q Okay. Let's look at the 1996 pamphlet.

11 (Estrada Exhibit No. 10 introduced.)

12 Q Does the 1996 pamphlet have an advisory about
13 whether or not there is Spanish availability for the Voter
14 Pamphlet?

15 A No.

16 Q Okay. And I'll be through this soon. One last
17 time, let's look at the 1994 pamphlet. Actually, I'm
18 sorry, I misspoke. This is the 1992 pamphlet.

19 (Estrada Exhibit No. 11 introduced.)

20 Q Does the 1992 Voter Pamphlet have an advisory about
21 availability for a Spanish language pamphlet?

22 A No.

23 Q I'll go ahead and stop sharing my screen.

24 Dr. Estrada, is it still your understanding, where
25 now we can ask you specifically between the 1990s until

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1 2003, do you maintain your or stand by your statement that
2 there was not a Spanish language pamphlet available, as
3 far as you can tell?

4 A Yeah. From the information that I saw on those
5 pamphlets there is no information at the end of those
6 pamphlets referring to Spanish language information.

7 Q And for the pamphlet that you did look at with
8 Dallin, that Spanish language advisory required an
9 individual to write in to the Secretary of State's office
10 specifically to request a Spanish language pamphlet; is
11 that correct?

12 A Yes. I believe that there was -- I think those were
13 the instructions.

14 Q Okay. So the pamphlet that was sent out then was in
15 English in the first instance; is that right?

16 MR. HOLT: Objection, form.

17 A Yes, that information was sent out in English.

18 MS. LEEPER: Okay. That's all for me. So
19 I think since Dallin said he didn't have any more
20 questions, I think Cristina, if you're through, too, that
21 should wrap up our day; is that right?

22 MR. HOLT: I actually would like to go
23 through every single state voter pamphlet that we have on
24 the website.

25 Do you have a few hours, Doctor? I'm just kidding.

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1 We don't have to do that. As far as that --

2 MS. LEEPER: To be clear for the record, I
3 think Dallin was being sarcastic.

4 MS. SEPE: Yeah, it won't read as clearly
5 as sarcasm on the transcript for sure.

6 MR. HOLT: Anyways, --

7 MS. LEEPER: Jeanne, also we would like to
8 reserve signature.

9 THE REPORTER: Okay.

10 MR. HOLT: Yes, nothing more from us.

11 (Deposition concluded at 3:04 p.m.)

12 (Signature reserved.)

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1 C E R T I F I C A T E

2 STATE OF WASHINGTON)
) SS
 3 County of King)

4 I, the undersigned Washington Certified Court
 Reporter, pursuant to RCW 5.28.010 authorized to
 5 administer oaths and affirmations in and for the State of
 Washington, do hereby certify:

6 That the annexed and foregoing deposition of the
 witness named herein was taken stenographically before me
 7 and reduced to typewritten form under my direction.

I further certify that the witness examined will be
 8 given an opportunity to review and sign their deposition
 after the same is transcribed, unless indicated in the
 9 record that the parties and witness waived the signing.


I further certify that all objections made at the
 10 time of said examination to my qualifications or the
 manner of taking the deposition or to the conduct of any
 11 party have been noted by me upon the deposition.

I further certify that I am not a relative or an
 12 employee or attorney or counsel of any of the parties to
 said action, or a relative or employee of any such
 13 attorney or counsel, and that I am not financially
 interested in the said action or the outcome thereof.

I further certify that the witness before examination
 14 was by me duly sworn to testify the truth, the whole
 15 truth, and nothing but the truth.

I further certify that the deposition, as
 16 transcribed, is a full, true and correct transcript of the
 testimony, including questions and answers and all
 17 objections, motions and exceptions of counsel made and
 taken at the time of the foregoing examination and was
 18 prepared pursuant to Washington Administrative Code
 308-14-135, the transcript preparation format guideline.

19
 20 IN WITNESS WHEREOF, I have hereunto set my hand this
 8th day of January, 2023.

21 

22 Jeanne M. Gersten, RDR, CCR
 Registered Diplomat Reporter
 23 Washington CCR No. 2711
 License effective until April 2, 2023
 24 Residing at Seattle, Washington
 25



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1 CHANGE/SIGNATURE SHEET

2 I, the undersigned, JOSUÉ Q. ESTRADA, Ph.D.,
 3 hereby certify that I have read the foregoing deposition
 4 and that, to the best of my knowledge, said deposition is
 5 true and accurate, with the exception of the following
 6 corrections listed below:

5	PAGE	LINE	CHANGE	REASON
6				
7				
8				
9				
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11				
12				
13				
14				
15				
16				
17				
18				

Signature

Date

19
 20 Witness: Josué Q. Estrada, Ph.D.
 21 Soto Palmer, et al. v. Hobbs, et al.
 22 USDC Western District of Washington
 Cause No. 3:22-cv-05035-RSL
 Date: December 21, 2022

23 Reported by: Jeanne M. Gersten, RDR, CCR No. 2711
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