

Deposition of Catherine Howell

Date: June 27, 2013

Case: APPLEWHITE, et al. vs. COMMONWEALTH OF PA, et al.



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1 IN THE COMMONWEALTH COURT OF PENNSYLVANIA

2 - - -

3 VIVIETTE APPLEWHITE; WILOLA
4 SHINHOLSTER LEE; GROVER FREELAND;
5 GLORIA CUTTINO; NADINE MARSH;
6 DOROTHY BARKSDALE; BEA BOOKLER;
7 JOYCE BLOCK; HENRIETTA KAY
8 DICKERSON; DEVRA MIREL ("ASHER")
9 SCHOR; THE LEAGUE OF WOMEN VOTERS
10 OF PENNSYLVANIA; NATIONAL
11 ASSOCIATION FOR THE ADVANCEMENT
12 OF COLORED PEOPLE, PENNSYLVANIA
13 STATE CONFERENCE; HOMELESS
14 ADVOCACY PROJECT,

**CERTIFIED
TRANSCRIPT**

Petitioners,

: C.A. No.

vs.

: 330 M.D. 2012

11 THE COMMONWEALTH OF
12 PENNSYLVANIA; THOMAS W. CORBETT,
13 in his capacity as Governor;
14 CAROLE AICHELE, in her capacity
15 as Secretary of the Commonwealth,

Respondents.

16
17
18 Videotape Deposition of CATHERINE HOWELL

19 taken at 1 Hillcrest Avenue, Suite 606

20 Morrisville, Pennsylvania

21 Thursday, June 27, 2013

22 2:36 p.m.

23
24 Gail L. Inghram Verbano, CSR, RDR, CRR
25

1 A P P E A R A N C E S

2 On behalf of Petitioners:

3 BENJAMIN D. GEFFEN, ESQUIRE

4 bgeffen@pilcop.org

5 PUBLIC INTEREST LAW CENTER OF PHILADELPHIA

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7 Philadelphia, Pennsylvania 19103

8 On behalf of Respondents:

9 KEVIN P. SCHMIDT, ESQUIRE

10 Deputy General Counsel

11 kevschmidt@pa.gov

12 GOVERNOR'S OFFICE OF GENERAL COUNSEL

13 333 Market Street, 17th Floor

14 Harrisburg, Pennsylvania 17101

15 ALSO PRESENT:

16 Paul B. "Tad" Culp, Jr., Videographer

17

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1	C O N T E N T S	
2	WITNESS:	PAGE
3	CATHERINE HOWELL	
4	By Mr. Geffen (Direct)	4
5	By Mr. Schmidt (Cross)	23
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1 (At 2:36 p.m. an opening statement was
2 made by the videographer re the caption of the
3 case; the time; the address of the office location;
4 the name of the videographer and the court
5 reporter. All counsel identified themselves on the
6 record and stated the parties they represent.)

7 DIRECT EXAMINATION

8 CATHERINE HOWELL, having first been
9 duly sworn according to law, was examined and
10 testified as follows:

11 - - -

12 BY MR. GEFFEN:

13 Q Good afternoon.

14 A Good afternoon.

15 Q Would you please state your name.

16 A Catherine B. Howell.

17 Q Where do you live, Mrs. Howell?

18 A I live at One Hillcrest Avenue,
19 Apartment 606, Morrisville, Bucks County,
20 Pennsylvania.

21 Q And we're in your home right now?

22 A Yes, you are.

23 Q How long have you lived in this
24 apartment?

25 A About four years.

1 Q And how long have you lived in Bucks
2 County?

3 A All my life.

4 Q Okay.

5 A All my married life.

6 Q All your married life.

7 Are you married now?

8 A My husband is deceased.

9 Q And about when did he pass away?

10 A March the 10th, 2005.

11 Q Do you have any family living nearby?

12 A Yes, I do.

13 Q How many children do you have?

14 A Five children.

15 Q And do they all live in eastern
16 Pennsylvania?

17 A Yes.

18 Q How about grandchildren?

19 A 12.

20 Q And what are the ages or the range of
21 ages of your grandchildren?

22 A From 16 to 34.

23 Q Okay. And are you a great-grandmother?

24 A Yes, I am.

25 Q Congratulations.

1 How many great-grandchildren?

2 A One. She's 10.

3 Q All right. And do your grandchildren
4 and your great-grandchild also live in the area?

5 A Well, 10 of them; and the
6 great-grandchild.

7 Q Okay. I noticed when I came in that
8 there was a walker and a wheelchair in the room.
9 Do you have a medical condition that limits your
10 mobility?

11 A I have Parkinson's disease, which my
12 brain does not tell my feet what to do.

13 Q Okay. And how long ago were you
14 diagnosed with Parkinson's?

15 A Four years.

16 Q Okay. And how long have you been using
17 a wheelchair or a walker?

18 A For about eight years or more.

19 Q And have you had any other medical
20 issues that have limited your mobility?

21 A I've fallen several times from the
22 disease.

23 Q Okay. And have you had any problems
24 specifically with your legs?

25 A Well, I have two artificial legs -- two

1 artificial knees.

2 Q Okay. How long ago did you get your
3 knees replaced?

4 A One is nine years and the other is
5 eight years old.

6 Q Okay. Do you ever use a cane to get
7 around?

8 A No; I use a walker.

9 Q Okay. And do you drive a car?

10 A Not anymore.

11 Q How long has it been since you drove?

12 A Four years ago.

13 Q I want to ask you a few questions about
14 voting.

15 Are you registered to vote?

16 A Yes, I am.

17 Q And how often do you vote?

18 A Every election.

19 Q Okay. Do you vote in primaries also?

20 A Not always.

21 Q Okay. Do you remember the first time
22 you voted?

23 A Yes, I do remember that.

24 Q When was that?

25 A I voted for Harry Truman. I don't

1 remember what year.

2 Q If I recall, he ran in 1948 and then
3 again in -- well, I guess he ran just once, 1948.
4 So is that when it would have been?

5 A That's when I voted for him.

6 Q And when you vote, do you typically
7 vote in person or by absentee ballot?

8 A I vote in person. But while my husband
9 was sick when we lived in Langhorne, I did vote
10 absentee ballot.

11 Q Since you moved to Morrisville, have
12 you ever voted absentee?

13 A No, I don't believe I have.

14 Q Where is your polling place?

15 A About two blocks down from where I
16 live.

17 Q And what kind of building is it in?

18 A It's an old Yardley Library, or
19 Morrisville Library.

20 Q Okay. Is that where you've been voting
21 since you moved here?

22 A Yes.

23 Q How do you get from your apartment to
24 that library to vote?

25 A My son and daughter-in-law take me.

1 Q Okay. Do your son and daughter-in-law,
2 do they vote at that library or somewhere else?

3 A Yes, they do.

4 MR. GEFFEN: We'll go off the record
5 for one moment.

6 THE VIDEOGRAPHER: Going off record at
7 2:42.

8 (Pause.)

9 THE VIDEOGRAPHER: Returning to record
10 at 2:44 after a slight interruption.

11 BY MR. GEFFEN:

12 Q Mrs. Howell, do your son -- do your son
13 and daughter-in-law who take you to the library for
14 voting, do they vote at that same polling place?

15 A Yes, they do.

16 Q Is the polling place
17 wheelchair-accessible?

18 A Yes.

19 Q And do you have any trouble accessing
20 the machine for voting that's in that polling
21 place?

22 A No. They pull the curtains up for me.

23 Q Okay. Now, to get an absentee ballot,
24 you would have to sign a legal declaration stating
25 that you are unable to attend your polling place

1 because of illness or physical disability. If
2 there were an election today, could you sign a
3 declaration stating that?

4 A I could.

5 Q Okay. And have you ever signed a
6 declaration like that before?

7 A Yes, I did.

8 Q I'm sorry. So you did vote absentee?

9 A Yes. I did when my husband was sick in
10 Langhorne.

11 Q Okay. But I -- if you were voting
12 today, if there were an election today, would you
13 be able to get to the polling place to vote?

14 MR. SCHMIDT: Objection; asked and
15 answered.

16 MR. GEFFEN: Yeah, I can rephrase the
17 question.

18 BY MR. GEFFEN:

19 Q If you needed to go to the library
20 today to vote, would you be able to get there?

21 A No.

22 Q Okay. And why is that?

23 A Because there wouldn't be anybody to
24 take me.

25 Q But if there were somebody who could

1 give you a ride, would you be able to get there?

2 A I guess I would, yes.

3 Q And do you expect at the next election
4 in November of this year to be able to arrange a
5 ride and get to the polling place to vote?

6 MR. SCHMIDT: Objection; it calls for
7 speculation.

8 BY MR. GEFFEN:

9 Q You may answer.

10 A I'll ask one of my children to take me,
11 but that doesn't mean that they will.

12 Q But has there ever been a time when you
13 wanted to get there to vote but you were unable to?

14 A No.

15 Q Okay. And has there ever been a time
16 when you had an illness or physical disability that
17 made it impossible for you to go there if you had a
18 ride?

19 If that was confusing, I can rephrase.
20 That was kind of a convoluted question.

21 MR. SCHMIDT: I'm going to object to
22 the term "impossible." Ask you to rephrase it.

23 BY MR. GEFFEN:

24 Q Has there ever been a time when
25 something other than access to a ride would have

1 kept you from going -- well, scratch that. Let's
2 move on.

3 Do you have any preference about
4 whether you vote in person or vote by absentee
5 ballot?

6 A I prefer to vote in person.

7 Q And why is that?

8 A I just like to do that.

9 Q Did you vote in the November 2012
10 election?

11 A Yes.

12 Q And at that election did you show
13 anybody a photo ID?

14 A I showed them my driver's license that
15 I had.

16 Q Was your driver license valid at the
17 time or was it expired?

18 A Expired.

19 Q Do you know about when it expired?

20 A '12, '12.

21 Q 2012?

22 A 2012.

23 Q Okay. And at one point, if it were to
24 refresh your recollection, you told me that your
25 license expired on January 15th, 2012 --

1 A Yes.

2 Q -- is that correct?

3 A Correct.

4 Q Did anyone at the polling place say
5 anything to you about the -- about a law requiring
6 voters to show photo ID at every election?

7 A No, they didn't say anything then.

8 Q Did anybody say anything to you about
9 the expiration date on your license?

10 MR. SCHMIDT: Objection; calls for
11 hearsay.

12 THE WITNESS: No.

13 BY MR. GEFFEN:

14 Q You may answer the question.

15 A No, they did not.

16 MR. GEFFEN: Can we go off the record.

17 THE VIDEOGRAPHER: Off record, 2:48.

18 (Pause.)

19 THE VIDEOGRAPHER: Return to record,
20 2:49.

21 BY MR. GEFFEN:

22 Q Did you vote in the May 2013 primaries?

23 A No, I did not.

24 Q Why not?

25 A I didn't know anybody.

1 Q You didn't know anybody who was --

2 A Who was running.

3 Q And have you heard of a law about
4 showing a photo ID every time you vote?

5 A Yes, I have.

6 Q And when did you first hear about that
7 law?

8 A Before the election, the November
9 election.

10 Q Okay. Now, you mentioned that you had
11 an ID that expired in 2012. Was that a
12 Pennsylvania driver license?

13 A Yes, it was.

14 Q And have you gotten it renewed since
15 then?

16 A No, I did not.

17 Q Do you have a current U.S. passport?

18 A I have a passport, but it's not
19 current.

20 Q Okay. About how old is your passport?

21 A Oh, about 10 or 20 years old.

22 Q And do you have any other ID with your
23 picture on it?

24 A No, I do not.

25 Q Do you still look the way you did when

1 you got your picture for your last driver license?

2 A I think I do.

3 Q Okay. And do you still have that
4 expired driver license?

5 A Yes, I do.

6 Q And if you showed that expired ID to a
7 poll worker, would they be able to tell that you're
8 the person in the picture?

9 A I would hope so. I don't know.

10 Q Okay. And have you ever attempted to
11 renew that license since it expired?

12 A I don't know where to go to renew it.

13 Q Okay. When you first got that ID,
14 where did you go to get it?

15 A To Fairless Hills, on my driver's
16 license.

17 Q Okay. And about how far is that from
18 here?

19 A I don't know how to tell you, but it's
20 a distance.

21 Q And do you know whether you could go
22 there to get it renewed?

23 A My driver's license?

24 Q Right.

25 A I don't know if it's still there or

1 not.

2 Q Okay. And do you remember when you and
3 I spoke a couple weeks ago when I visited you here?

4 A Yes.

5 Q And I mentioned something about a
6 different PennDOT location. Do you recall that?

7 A Yes.

8 Q Do you remember where that is that I
9 mentioned?

10 A Bensalem, did you say?

11 Q So the Bensalem PennDOT office, do you
12 know about how far Bensalem is away from here?

13 A Well, I go there every Monday,
14 Wednesday and Friday on a bus to St. Mary's --
15 LIFE St. Mary's.

16 Q Let me ask you a few questions that.
17 What is LIFE St. Mary's?

18 A It's like a daycare for older people, I
19 think. I don't know what else to call it.

20 Q Okay. And this bus that you mentioned,
21 is that a city bus or what kind of bus?

22 A No. They own the buses.

23 Q Okay. Does that bus have a wheelchair
24 lift?

25 A Yes, it does.

1 Q And do you get --

2 MR. SCHMIDT: Ben, could we go off the
3 record for a second?

4 MR. GEFFEN: Sure.

5 THE VIDEOGRAPHER: Off record, 2:52.

6 (The following discussion was had
7 off the video record.)

8 MR. SCHMIDT: Could you just clarify
9 who "they" are. She said, "They own the buses."
10 Can you just clarify who owns the buses.

11 MR. GEFFEN: Sure.

12 MR. SCHMIDT: Thanks.

13 THE VIDEOGRAPHER: On record, 2:53.

14 BY MR. GEFFEN:

15 Q You said that -- I think you said that
16 "they" own the buses. Who owns the bus?

17 A St. Mary's, I presume.

18 Q So you get a ride on that bus to and
19 from this apartment building?

20 A Yes.

21 Q Do you get rides anywhere else on that
22 bus?

23 A No -- I get to the doctor appointment.

24 Q Okay. So you could get a ride on that
25 bus to a doctor appointment?

1 A Yes. When they send -- the doctors
2 leave a message. And then when they give me a card
3 saying I have an appointment on such-and-such a
4 day, and I -- they ask me to ask my son if he can
5 take me. And if he can't, I have to go into the
6 St. Mary's and then they take me to the
7 appointment.

8 Q Okay. And can you use that bus to go
9 on other errands?

10 A No.

11 Q So it's only for doctors' appointments?

12 A Yes.

13 Q Now, you mentioned that you have family
14 members who sometimes give you rides to places. Do
15 any of your family members who drive you places
16 have a vehicle that's equipped with a wheelchair
17 lift?

18 A No.

19 Q They just have regular automobiles?
20 So how do you get in and out of one of
21 their vehicles?

22 A They have to help me.

23 Q Okay. And how do they help you in and
24 out?

25 A Well, my sons are the best to help me.

1 And I put one leg up, and then they hoist me from
2 the back.

3 Q Okay. Is that -- would you call that
4 easy? difficult?

5 A It's difficult.

6 Q Okay. And the sons who give you rides,
7 do they work full-time?

8 A Yes, they do.

9 Q Your daughters-in-law, do they work
10 full-time?

11 A Yes, they do.

12 Q Are your grandchildren available to
13 give you rides?

14 A They work too now.

15 Q Pardon me?

16 A They work also.

17 Q Do they all work full-time?

18 A Uh-huh.

19 Q Is there anyone else you get rides
20 from?

21 A No.

22 Q How often do you get a ride from one of
23 your family members?

24 A Every Saturday to the store, to the
25 grocery store.

1 Q Are there other times that you get
2 rides other than Saturdays?

3 A Well, if there was a birthday party or
4 something in the family, my oldest daughter usually
5 takes me.

6 Q Okay. Are those usually on weekends?

7 A On a weekend, yes.

8 Q What about on weekdays; how often do
9 you get a ride other than in that St. Mary's bus on
10 a weekday?

11 A Never.

12 Q And what's the farthest that you would
13 travel by car when you're getting one of these
14 rides?

15 A Well, about four years ago my son used
16 to take a place at the shore, and he'd take me
17 down.

18 Q Okay. You said about four years ago?

19 A Uh-huh.

20 Q Since then, what's the farthest you've
21 gone by car?

22 A I guess to Bensalem for the -- on the
23 bus.

24 Q On the bus. Okay.

25 What about by car; what's the farthest

1 you've traveled?

2 A 10 miles, from here to Langhorne.

3 Q Okay. And do you have any idea how far
4 it is from here to Bensalem?

5 A I don't know. It takes an hour.

6 Q On the bus?

7 A From here.

8 Q Does the bus make several stops?

9 A Yes, it does.

10 Q Do you know how long it takes to get
11 there nonstop?

12 A I'd say about 25 minutes, 20,
13 25 minutes.

14 Q Okay. Mrs. Howell, how do you get most
15 of your news?

16 A My what?

17 Q News.

18 A News? On television.

19 Q Do you subscribe to a newspaper?

20 A Bucks County Courier and the Yardley
21 Exchange. It used to be called the Yardley News,
22 but now it's called the Yardley Exchange.

23 Q And have you heard anything in the news
24 about the voter ID law?

25 A Not lately, I haven't.

1 Q Okay. And have you ever heard anything
2 anywhere about ID cards for people who are
3 ineligible for regular PennDOT cards?

4 A I don't think so.

5 Q And have you ever heard of something
6 called the Department of State ID card?

7 A Department what?

8 Q The Department of State ID.

9 A No.

10 Q Have you ever used the Internet?

11 A No.

12 Q The library where your polling place
13 is, do you ever go there to use the library? Or
14 just to vote?

15 A No, I don't.

16 Q Is voting important to you?

17 A Yes, it's very important to me.

18 Q And why is that?

19 A Well, I think it's very important to
20 vote.

21 MR. GEFEN: I have no further
22 questions. I reserve the right for redirect
23 examination.

24 MR. SCHMIDT: Good afternoon,
25 Mrs. Howell. Do you need a break for a second to

1 have some water? Why don't we go off the record.

2 THE VIDEOGRAPHER: Off record, 2:58.

3 (Discussion off the record.)

4 THE VIDEOGRAPHER: On record, 2:59.

5 CROSS-EXAMINATION

6 BY MR. SCHMIDT:

7 Q Good afternoon, Mrs. Howell. My name
8 is Kevin Schmidt. I represent the respondents in
9 this lawsuit, and I just have a few follow-up
10 questions for you.

11 Ma'am, does Morrisville Presbyterian
12 Apartments have transportation for its residents?

13 A No, not -- no.

14 Q Is there public transportation that
15 comes to the apartment complex?

16 A There is; Bucks County bus, I think.

17 Q And does that travel to Bensalem; do
18 you know?

19 A I don't know.

20 Q Have you ever used that before?

21 A No, I never have.

22 Q Okay. Have you ever needed to use it
23 before?

24 A No.

25 Q So is it fair to say that when you need

1 a ride, your family members will provide that?

2 A Not always.

3 Q Not always? Most of the time?

4 A Most of the time.

5 Q Okay. Now, you testified earlier,
6 ma'am, that you moved into the apartments here in
7 Morrisville about four years ago.

8 A Uh-huh.

9 Q Where did you live before that?

10 A In Langhorne, Pennsylvania.

11 Q Okay. And were you a registered voter
12 when you lived in Langhorne, Pennsylvania?

13 A I believe so.

14 Q Did you vote when you lived in
15 Langhorne?

16 A Yes.

17 Q Where did you vote, ma'am?

18 A I voted by absentee ballot.

19 Q Did you ever vote in person when you
20 lived in Langhorne?

21 A Yes, I did.

22 Q Where was the polling place?

23 A It's a school on Maple Avenue. I can't
24 remember the name of it.

25 Q That's okay. Is it the same polling

1 place where you currently vote here in Morrisville?

2 A No.

3 Q Okay. So when you moved to
4 Morrisville, you changed your polling place?

5 A Yes.

6 Q Since you moved to Morrisville, you
7 voted in person; is that correct, ma'am?

8 A Yeah.

9 Q Do you remember the first time after
10 you moved to Morrisville that you voted in person?

11 A Yes.

12 Q Do you remember what the date was,
13 ma'am?

14 A Well, I voted for President Obama,
15 Barack Obama, but I can't remember the date.

16 Q 2008 maybe?

17 A Yes.

18 Q When you voted in person in 2008, you
19 voted at the library here in Morrisville?

20 A Yes.

21 Q Okay. When you went to that library,
22 did they ask you for a photo ID?

23 A Yes.

24 Q And did you show it?

25 A Yes.

1 Q Okay. Did you have any problem showing
2 your photo ID?

3 A No.

4 Q What photo ID did you show them?

5 A My driver's license.

6 Q Okay. The driver's license that you
7 testified earlier expired January 15th of 2012;
8 is that correct, ma'am?

9 A Yes.

10 Q Ma'am, what's the longest -- I'm sorry.
11 What's the longest trip you've recently taken by
12 car?

13 A I guess to Bensalem every day on the
14 bus.

15 Q Okay. Are there any -- do you have any
16 doctors' restrictions on the amount of car
17 travel --

18 A No.

19 Q -- you can do?

20 And I think you testified earlier that
21 your bus trip to Bensalem takes about an hour; is
22 that correct, ma'am?

23 A It does, yes.

24 Q And is it an hour to Bensalem and then
25 an hour back here to Morrisville Presbyterian?

1 A Yes, it is. Sometimes it's more.

2 Q So it's fair to say that every Monday,
3 Wednesday and Friday, you take about a two-hour
4 trip by bus; correct?

5 A Yes.

6 Q Ma'am, the Morrisville Presbyterian
7 apartments, this is not -- is this a care facility?

8 A Yes -- no.

9 Q No?

10 A No. It's a --

11 Q How would you describe it?

12 A It's not a care facility. It's HUD.

13 Q Okay. And is it -- are the residents
14 predominantly of your age?

15 A Yes.

16 Q Do you know if your facility -- if
17 Morrisville Presbyterian here issues photographic
18 ID for the residents?

19 A No, they don't.

20 Q They do not? Okay.

21 Ma'am, do you receive mail here?

22 A Yes, I do.

23 Q And can you send mail from your
24 apartment here?

25 A Yes, I can.

1 Q And would you be interested in renewing
2 your Pennsylvania photo ID so that you could vote
3 in the future?

4 A Yes, I would.

5 Q I understand that voting is very
6 important for you.

7 A Yes, it is.

8 Q So I would assume that that would be an
9 interest of yours.

10 A Yes, it would.

11 Q Would you be willing to mail some
12 information to PennDOT to do that?

13 A Yes.

14 MR. SCHMIDT: Okay. Can we go off the
15 record.

16 THE VIDEOGRAPHER: Off record, 3:04.

17 (Discussion off the record.)

18 THE VIDEOGRAPHER: On record, 3:05.

19 BY MR. SCHMIDT:

20 Q Mrs. Howell, just a few more questions
21 for you.

22 Now, you testified earlier that you
23 have some family locally. You have five children.
24 Where do they live?

25 A They live -- one son lives on Crown

1 Street, which is about three blocks over.

2 Q How old is he?

3 A 54.

4 Q Okay. Who else lives local?

5 A That's David.

6 And I have Christopher, who lives right
7 over here on --

8 Q That's okay. You don't need to
9 remember the street.

10 A Okay.

11 Q But he's close by; is that fair to say?

12 A Yes, he is.

13 Q Okay. Who else?

14 A That's the only two that live in
15 Morrisville.

16 Q Okay. So you have three other
17 children?

18 A Yes.

19 Q Where do they live?

20 A One lives in Langhorne. One lives in
21 the Yardley. And the oldest one lives in
22 Norristown.

23 Q Okay. And then you have 10
24 grandchildren.

25 A Uh-huh.

1 Q Which I'm sure you're very proud of.

2 A 12.

3 Q 12? Oh, I'm sorry. I didn't mean to
4 discount you two there.

5 Do the majority or all of your
6 grandchildren live locally to Morrisville?

7 A Yes.

8 Q Okay. Ma'am, I see that you voted by
9 absentee ballot before, and you said you voted by
10 absentee ballot when your husband was ill; is that
11 correct?

12 A Yes, it is.

13 Q Did you have any problem doing that?

14 A No.

15 Q And if you needed to, would you be
16 willing to do that in the future?

17 A I would.

18 Q Okay. Ma'am, how did you become
19 involved as a witness in this lawsuit?

20 A Well -- I forget his last name.

21 Q Are you pointing to Attorney Geffen to
22 my left and your right there?

23 A Yes.

24 Q Okay. So did you have a conversation
25 with him? Did he call you on the telephone?

1 A Yes, he did.

2 Q When did that occur?

3 A About a month ago.

4 Q Did he tell you how he got your name or
5 your phone number?

6 A I don't remember.

7 Q Did you ask him?

8 A I don't remember if I asked him or not.
9 Did he? I don't remember asking him.

10 Q Was he the only person that contacted
11 you?

12 A Yes.

13 Q Okay. And what -- what was the
14 substance of your conversation with Attorney
15 Geffen?

16 A He told me about the picture -- you
17 know, did I have a picture --

18 Q You mean a photo ID?

19 A Photo ID, yes.

20 Q Okay.

21 A We discussed all that.

22 Q Okay. Could you be more specific about
23 what you discussed?

24 A Just about did I know where to get one,
25 and I didn't.

1 Q Okay.

2 A And he asked me if I would be willing
3 to just state what I stated.

4 Q That you didn't know where to get one?

5 A I didn't know where to get one.

6 Q Do you understand now that you can get
7 one at the Bensalem PennDOT driver's licensing
8 center?

9 A I don't know where that is.

10 Q Okay. Why did -- excuse me.

11 Why were you asked to be a witness in
12 this trial, ma'am?

13 MR. GEFFEN: Objection; foundation.

14 MR. SCHMIDT: I think she's testifying
15 in the trial, so I think she's a witness here. I
16 don't know if there's any more foundation you need.

17 THE WITNESS: The other young man asked
18 me if I would be willing to be a witness.

19 BY MR. SCHMIDT:

20 Q And what other young man are you
21 referring to?

22 A Ben. That's all I can remember. I
23 can't remember his last name.

24 Q Okay. Okay. Did anybody other than
25 Attorney Geffen come to your apartment and talk to

1 you?

2 A No.

3 Q Okay. And did Attorney Geffen come to
4 your apartment prior to today?

5 A Did he come to my apartment prior to
6 today?

7 Q Yes.

8 When was that?

9 A About two weeks ago, I believe it was;
10 and a young lady with him.

11 Q A young lady? Do you remember her
12 name?

13 A No, I don't remember her name. She was
14 a secretary or took notes.

15 Q Okay. Did, at any point during that
16 conversation, Mr. Geffen or the young lady tell you
17 where you could get a PennDOT photo ID to vote?

18 A In Bensalem.

19 Q Okay. Did they offer you any
20 assistance in getting it?

21 A I don't believe so.

22 Q No? Did you ask him?

23 A I just asked him where it was. I said
24 I didn't know where you could get one.

25 Q But they didn't offer to help you to

1 get one; is that correct?

2 A They said that I could get one in
3 Bensalem.

4 Q Did they offer to give you a ride
5 there?

6 A No.

7 Q Okay. When is the last time you took a
8 trip to the shore, ma'am?

9 A About four years ago.

10 MR. SCHMIDT: Those are all the
11 questions I have, ma'am. I appreciate your time.

12 THE WITNESS: Thank you.

13 REDIRECT EXAMINATION

14 BY MR. GEFFEN:

15 Q I have just a few follow-up questions
16 to some of the questions that he asked.

17 You mentioned that there's a city bus
18 that comes by this apartment building?

19 A There is a Bucks County -- I forget
20 what it's called.

21 Q Are you physically able to get on and
22 off a city bus?

23 A No.

24 Q Okay. You were asked a question
25 whether you'd be willing to mail information to

1 PennDOT.

2 If you had to go in person to PennDOT
3 to get photographed to get a new ID, would that be
4 difficult for you to do?

5 A It would be.

6 Q And why is that?

7 A My children are not always so
8 cooperative. I might have 20, but they're all busy
9 the time I want them to do it.

10 Q Okay. And are there any reasons that
11 you'd be physically worried about traveling to a
12 PennDOT office?

13 A I can't think of any way where I'd be
14 physically worried about traveling there if I knew
15 where I was going.

16 Q Okay. Now, you were asked whether you
17 would be willing to vote absentee in the future.
18 How would you feel if you were told that you could
19 no longer vote in person and would have to vote
20 absentee?

21 MR. SCHMIDT: Objection. It calls for
22 a hypothetical --

23 BY MR. GEFFEN:

24 Q You may answer.

25 MR. SCHMIDT: -- and speculation on her

1 part.

2 BY MR. GEFFEN:

3 Q You may answer.

4 A Well, I would prefer to vote in person.

5 Q And why is that?

6 A Because I think it's important to vote,
7 to go to vote.

8 MR. GEFFEN: Okay. I have no further
9 questions.

10 RECROSS-EXAMINATION

11 BY MR. SCHMIDT:

12 Q I just have one follow-up, Mrs. Howell.
13 Mrs. Howell, do you use a wheelchair?

14 A Yes, I do.

15 Q When do you use that? When you travel
16 outside your apartment complex?

17 A Yes.

18 Q But at the complex, do you use your
19 walker predominantly?

20 A No; I use my scooter.

21 Q Oh, okay. Do you have a scooter as
22 well?

23 A (Nods head.)

24 Q And can you take that with you when you
25 leave the apartment complex?

1 A (Shakes head.)

2 Q You have to answer verbally, ma'am.

3 A I'm sorry.

4 Q That's okay.

5 A No, I can't.

6 Q Okay. Okay. So within the apartment
7 complex, you can use your scooter and your walker,
8 but outside you have to use a wheelchair; is that
9 correct?

10 A Yes.

11 MR. SCHMIDT: Okay. Those are all the
12 questions I have. Thanks so much.

13 FURTHER REDIRECT EXAMINATION

14 BY MR. GEFFEN:

15 Q And I'll do one follow-up, because he
16 asked about a new topic.

17 The wheelchair that you use when you go
18 outside this complex, is that one that you can --
19 do you currently have a wheelchair that you can
20 operate by hand yourself, or does it need some --
21 do you need somebody to push you to use it?

22 A I need somebody to push me.

23 MR. GEFFEN: Okay. Nothing else.

24 MR. SCHMIDT: No questions.

25 THE WITNESS: Okay.

1 MR. SCHMIDT: Thank you very much.

2 THE WITNESS: You're welcome.

3 THE VIDEOGRAPHER: No further
4 questions. That concludes the deposition at
5 3:14 with witness Miss Catherine Howell.

6 (Videotaped deposition concluded
7 at 3:15 p.m.)

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1 CERTIFICATE OF SHORTHAND REPORTER

2
3 I, Gail Inghram Verbano, Registered

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5 Certified Shorthand Reporter (CA) and Notary

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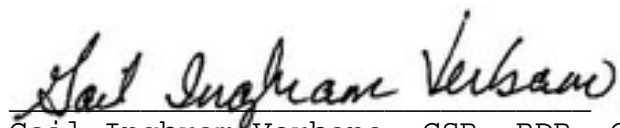
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13 any of the parties to this case and have no

14 interest, financial or otherwise, in its outcome.

15
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17 

18 Gail Inghram Verbano, CSR, RDR, CRR
19 CA-CSR No. 8635

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