

Exhibit 4

Osborne, Karen
Gonzalez v. Arizona

1/14/2008

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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

MARIA M. GONZALEZ, et al.,)
) NO. CV-061268-PHX-
) ROS (Lead)
) NO. CV-06-1362-PCT-
) ROS
) NO. CV-06-1575-PCT-
STATE OF ARIZONA, et al.,) ROS
)
) Defendants.)

DEPOSITION OF KAREN OSBORNE

VOLUME II

January 14, 2008

Phoenix, Arizona

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1 registration area, we started to go back to our
2 kind of our natural clients that have always been
3 with us and trying to work to have -- we had public
4 forums, we had anything we could do, television,
5 radio. We have a person who is dedicated to the
6 Spanish language stations and, in fact, she goes on
7 weekly. But we had a Leticia Ramos and she had
8 spent a lot of time out there.

9 We were trying to get the information out
10 any way we could about the voter registration and
11 the citizenship and that was especially important
12 when we had that large rally.

13 So that the worst thing that people can do,
14 in my opinion, and all my people have heard the
15 lecture, is that for the person who has come here
16 and they have spent their life here a lot of times,
17 they have paid their taxes, they came here legally,
18 that all -- all the things that they're doing, and
19 for somebody for four bucks to get them registered
20 I think is the most grievous thing in the world
21 because then they can't become citizens or it's an
22 exceptionally long time.

23 And we wanted to make sure that, through no
24 effort of ours, was anybody misunderstanding the
25 illegal registration was not the issue. It was the

1 legal alien that was here that was of tremendous
2 concern to us because they had been a part of our
3 community and they should not be jeopardized. And
4 we saw that as a truly vulnerable victim out there
5 so we tried to make every effort that we could
6 through any -- anything we had going out. And
7 tried to embrace the community, go out and talk
8 with them, go to the public forums, any of the
9 groups that we would hear about that were going so
10 that we could help them.

11 Q And was this concern of the
12 exploitation of the legal immigrant in voter
13 registration drives a concern prior to the passage
14 of Prop 200?

15 A Well, it was always a concern because
16 of the -- of the issue of the felony that is
17 involved, and we -- we believe that we were all --
18 that everybody -- we would always give lectures
19 about this is what you don't want to do and this is
20 how important it is.

21 Well, now there is something that actually
22 proves it out. It was the driver's license. And
23 so because you could get a driver's license and not
24 have to tell motor vehicle whether you were a
25 citizen or not before. Now, it became imperative

1 that everybody understood what was -- what was at
2 stake. And it renewed our effort to try and make
3 sure that these people understood that this was not
4 -- they can make a lot of money, but how dare them
5 on the backs of these folks.

6 Q I understand. Is there a community
7 group that you know that doesn't pay their people
8 to go out and do voter registration?

9 A It would be in the smallest of
10 contexts. The large ones -- when we were working
11 with ACORN in '04, was not a pretty time. There's
12 no other way to put that.

13 Q Okay.

14 A It was enormous amounts of voter
15 registrations that were -- and there is no other
16 term for it other than garbage, these were
17 scrawled, they were -- they were not whole
18 addresses, these were not real people, Nacho
19 Cheese, that type thing. These folks that -- and
20 they were getting paid for it.

21 So we had them in on many occasions. On
22 one particular occasion, we had gotten a group in
23 and there happened to be a -- happened to be at the
24 front counter, picked it up and there were 24 that
25 said, "I am not a citizen." We drug them back in

1 and asked them to bring their lawyers to say, "Do
2 you understand if I put these on the file, these
3 people have committed a felony." I believed then
4 and I believe now that it is not the person who is
5 doing this, but the person who is getting them to
6 do this in order to make their money.

7 But with the smaller groups, I'm not aware
8 of anyone that is a large group that goes out to do
9 this, but I'm sure as a part of some of the
10 substantial groups that are embedded in the
11 community that they do it for nothing.

12 Q So it's your belief, then, that
13 noncitizens who end up putting in a voter
14 registration application are largely being misled
15 or fooled into putting in their application?

16 A I cannot believe that anybody would
17 want to jeopardize their situation after having
18 lived here for many years, make their reports every
19 year to the INS, pay their taxes, and do
20 everything, I cannot believe that they would want
21 to jeopardize, especially at the cost of a felony,
22 and then the thought of not being able to stay and
23 not get the citizenship, it is just
24 incomprehensible to me that that is not some sort
25 of trickery on behalf of the person who's

1 We were able to see where we were going. We don't
2 run them every day. We have the, you know, some
3 ability to go back and check. This was during the
4 time when we desperately needed to see whether we
5 were making any progress or not.

6 Q Did you notice, shortly after the
7 implementation of Proposition 200, an effect on the
8 number of voter registration applications you
9 rejected?

10 A Absolutely.

11 Q And what happened, what was that
12 effect?

13 A Well, we went from -- we started out
14 about 35 percent in 2005, if my memory serves me
15 correct. We went down to 17 percent in 2006,
16 because by then, then the driver's license number
17 was on the form. It went back up to 24 percent
18 last year, this year in 2007, and I wholly
19 attribute that to the Arizona Petition Partners.

20 Q Got it. Prior to the implementation
21 of Prop 200, do you recall the rate at which you
22 rejected voter registration applications?

23 A I don't.

24 Q Do you know whether it was more than a
25 hundred a month?

1 A Oh, I'm sure that it was because the
2 -- and it depends on the month you're talking
3 about. Because we did have the problem with the
4 ACORN people and all those groups. There was so
5 much money on the table for people to register and
6 they were just after the money for the
7 registrations and those became a very large
8 rejection problem because they were not whole, they
9 were not people we could even begin to locate. So
10 as those things would come along, we have -- we've
11 always had problem with a rejection. It is now --
12 it's now changed, but we did have rejection before.

13 Q Let's talk about rejection of voter
14 registration forms prior to Prop 200. When the
15 forms themselves were completely and legibly filled
16 out, did you reject forms during that time, before
17 Prop 200, for example, when you did not get a match
18 through the MVD database?

19 A Before Prop 200, there was no match
20 through MVD. We did not -- we had -- it was an
21 eval based on simply whether it's forgery. I mean,
22 that it was a felony to sign it under penalty of
23 perjury and so we took these at face value, and
24 there wasn't anything to check with.

25 Q Okay. Since the voter ID at the polls