			January 12, 2010
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1	UNITED STATES COMMISSION ON CIVIL RIGHTS	1	INDEX
2		2	WITNESS PAGE
3	IN RE:	3	ANGELA COUNTS
		_	
4	NEW BLACK PANTHER PARTY	4	By Mr. Blackwood 4
5		5	
6	Philadelphia, Pennsylvania	6	
7	Tuesday, January 12, 2010	7	
8		8	
9	TRANSCRIPT of testimony of ANGELA COUNTS,	9	
10	as taken by and before Cherilyn M. McCollum, a	10	
11	Registered Professional Reporter, at the HILTON	11	
12	GARDEN HOTEL, 1100 Arch Street, commencing at 9:26	12	
	o'clock in the forenoon.		
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19		19	
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21		21	
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23		23	
24		24	
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1	BEFORE:		-
2	(BY TELEPHONE)	1	ANGELA COUNTS, after having been
3	MICHAEL YAKI, COMMISSIONER ALEC DEULL, SPECIAL ASSISTANT		first duly sworn, was examined and testified as
5	NICK COLTEN, SPECIAL ASSISTANT	3	follows:
6	JOHN MARTIN, SPECIAL ASSISTANT	4	EXAMINATION
8	APPEARANCES:	5	BY MR. BLACKWOOD:
9	UNITED STATES COMMISSION ON CIVIL RIGHTS OFFICE OF THE GENERAL COUNSEL	6	Q. Mrs. Counts, would you please state
10	BY: DAVID P. BLACKWOOD, ESQ.	7	your full name and address for the record.
11	MAHA JWEIED, ESQ. 624 Ninth Street, N.W.		A. Angela Counts, 3413 North Lee
	Suite 631	9	Street.
12	Washington, D.C. 20424 (202) 376-7622	-	
13	dblackwood@usccr.gov		Q. And are you employed?
14	Attorneys for The Commission		A. No.
14		12	Q. The questions I'm going to ask you
15	ALSO PRESENT:	13	about are what occurred on Election Day in 2008.
16	KIMBERLY TOLHURST, ESQ. (BY TELEPHONE)	14	You were working at 1221 Fairmount?
		15	A. Yes.
17		16	Q. And as a poll watcher?
18			A. Yes.
19			Q. For what party were you working for?
			A. Republican.
20			
0.1			Q. Are you registered as a Republican?A. No.
21			
22		22	Q. Are you registered as a Democrat?
		22	
22		22 23	Q. Are you registered as a Democrat?
22 23		22 23	Q. Are you registered as a Democrat?A. Yes.

	·	January 12, 2010			
	Page 5		Page 7		
1	watcher before?	1	Panther Party there when you arrived?		
	A. Yes.		A. Nobody was there when we arrived.		
_	Q. How many times?	3			
	A. About three or four times.	4	no voters.		
	Q. Is that usually with your husband?	5	Wait. I don't know I don't know		
	A. Yes.	6	if we arrived at 6 or 7. I know it was early in		
7	Q. Always with your husband or	7	the morning.		
8	A. Well, no. Sometimes we both are	8	Q. Did you get there before the polls		
9	poll watchers. But that was the second time they	9	actually opened?		
10	put us together. Normally we're not in the same	10	A. Yes. Yes, we got there before they		
11	location.	11	opened, because they opened the machines while we		
12	Q. Okay. So you had worked with him	12	were there. But there was nobody, like, outside,		
13	together as a team in 2004, or do you recall when	13	nobody around.		
14	it was?		Q. Could you describe for us the		
	A. I don't know what year it was, but I	15	physical layout. For example, I come up to		
16	know we did work together before. Q. And you generally work for the	16	Fairmount; I go through the doors. Where are you going to be?		
18	Republicans?	17 18			
	A. Yes.	19	in, you go around, and it was a desk there, and		
	Q. Have you ever worked for the	20	there was a door right like around the front of		
21	Democrats?	21	the desk where the security is, there was a door		
	A. No.	22			
23	Q. How did you get the job?	23			
24	A. It was through Ms. Denise. I	24	Q. Is this a nursing home or a		
	Page 6		Page 8		
1	Page 6 believe she passed. But she worked with he's a	1			
1	-	_			
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	Page 9		Page 11
1	doorway was so crowded with people, the line coming	1	other people talk about it?
2	in to vote.	2	A. Yes, yes.
3	Q. And that was first thing in the	3	Q. Did either you or your husband
4	morning?	4	contact anybody about what you were hearing from
5	A. As soon as they opened up, yes.	5	people saying that the Panthers were outside?
6	Q. Okay.	6	A. No.
7	And tell me about when the police	7	Q. Did you ever speak to a Mr. Wayne
8	arrived.	8	Byman?
9	A. That's all we saw was the police	9	
10	arrive, but we didn't know what was going on.	10	Q. He's an he's African-American.
11	Q. Did either of you get up to look	11	, , , , , , , , , , , , , , , , , , , ,
12	outside to see what was happening?	12	· · · · · · · · · · · · · · · · · · ·
-	A. No. No.		A. No.
	Q. How did you know that the police had		Q. Okay.
15	arrived? A. We saw them through the window.		A. Nobody talked to me about the
10	Q. Oh, through that side window	16 17	Panthers. I don't know anything about the Panthers. Nobody came to me and said anything. I
	A. Yes, that's where we were looking	18	just overheard the people when they were coming in.
19	out the window when we saw we didn't know		Q. Right.
20	something was going on because we couldn't see. We		A. But talk to anybody, I didn't talk
21	just saw when the police came, and I said to Larry,	21	to anybody, because we were informed when we became
22	I said, "The cops are here. I wonder what's going	22	poll watchers that we don't talk to anybody, and
23	on."	23	they introduced us to the guy that would be coming
24	And we just sat there watching out	24	
	Page 10		
	Tage To		Page 12
1	the windows, but we couldn't, like, stay watching	1	Page 12 Q. Who was that guy?
1 2	-		
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2 3	the windows, but we couldn't, like, stay watching because we had to watch you know, like poll watchers. We were watching the people coming in to	2 3	Q. Who was that guy?A. I can't remember his name, but he was at the office where Ms. Denise was. And he was the one that, like, took us over there. When we had to go down we were poll watchers downtown
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	Page 13		Page 15	
1	A. Probably about early 40's,	1	observed?	
2	something. I don't know.	2		
3	Q. And he's the one that and you had	3	anything. He wasn't there when all that was going	
4	worked with him before?	4	on. When he came, everything had died down.	
5	A. Yes.	5	Q. Let me back up so I understand the	
6	Q. Was that at the election that you	6	timing. The first time is he's bringing you coffee	
7	mentioned before that you and your husband had	7	and doughnuts?	
8	worked at together?	8	A. Right.	
9	A. Yes.	9	Q. The second time is	
	Q. So he drives you there	10	A. But he came, like, lunch the	
11	A. He drove us. We were in Center City	11	first time he came was, like, in the morning just	
12	one time and he dropped us off down there to our	12	to make sure we were there. He talked to us to	
13	location because he had to go down and check to see	13	make sure everything was okay. He asked us were we	
14	if, you know, all the people were there. And he	14	there when the machines opened, stuff like that,	
15	said he was we had went to the office where he	15	and then he left. He told us he would be back to	
16	was at and he dropped he said he would drop us	16	check on us.	
17	off down there.	17	And then he came back when he	
18	Q. Okay. And in 2008 he drops you off, right?	18 19	came back at lunchtime, that's when everything	
19	A. No, he didn't drop us off in 2008.	20	the commotion and everything, like, had died down, like the cops were gone. You could see people were	
	Q. Let's talk about 2008 then.	20	out there talking, but there was nothing going on	
	A. Okay.	22	when he came.	
	Q. All right.	23		
24	But he at least worked with you?	24	a while longer?	
			5	
	Page 14		Page 16	
1	Page 14 A. Yes.	1	Page 16 A. They were there for a while, yes.	
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2 3	A. Yes.Q. All right. Did he bring you lunch?A. He brought us coffee and doughnuts.	2 3	A. They were there for a while, yes.Q. Okay. So they stayed much longer than the police?	
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1	if it happened inside the polling place itself?	1	A. I don't remember I can't I
		2	really can't remember, but nobody came in to talk
3	going on outside, so I didn't know what to tell	3	to us.
4	them. What was I going to tell them if I called?	4	Q. Okay. Nobody?
5	The cops were outside?		A. No, just the man that we worked
6	We were told not to go outside.	6	with. Like, we didn't talk to anybody. We didn't
7	Like, we were told to stay inside; we were poll	7	talk to anybody. Nobody came in to talk to us.
8	watchers, to stay inside and watch the polls. If	8	The most I found out about this is
9	something's going on outside and I leave to go	9	when they came to my house asking me questions.
10	outside, then who's watching the polls inside?	10	And I was like, I didn't even know what was going
11	So we just stayed inside, but we	11	on. I heard the people talking about it, but to
12	kept watching to see, you know, if whatever was	12	see it for myself, I didn't see anything.
13	going on outside was going to come in. We kept	13	· · · · · · · · · · · · · · · · · · ·
14	looking around the people out the door and we	14	in that you were overhearing, what were they
15	couldn't see anything. It was so crowded at the	15	saying?
16	doorway to get in.		A. They were saying something about
	Q. At the morning?	17	the they heard that the Panthers was out there
	A. In the morning, yes.Q. Okay.	18	and the cops was out there, and they was trying to see what was the cops going to do. That's what we
19 20	Let me just show you what's been	19 20	heard the people saying.
20	marked as Exhibit 1.	20	But when me and Larry looked out the
	A. Okay.	22	window because we even walked, like, further
	Q. And only for the purposes of looking	23	down in the room, because it was a big window,
24	at that photo at the bottom.	24	trying to go down as far as we could go to see what
	Page 18		Page 20
-			
1	A. I didn't see this.	1	we could see, and we still couldn't see. Because I
1 2	A. I didn't see this.Q. That's what I'm trying to find out.	1 2	we could see, and we still couldn't see. Because I guess the way the building is made, we couldn't see
2 3 4	Q. That's what I'm trying to find out.This is just a still part of a videothat was taken about the outside of the building.	2	guess the way the building is made, we couldn't see
2 3 4 5	Q. That's what I'm trying to find out. This is just a still part of a video that was taken about the outside of the building.A. Okay.	2 3	guess the way the building is made, we couldn't see the front. It guess because it goes around like that and it's like a wall right here, we couldn't see around the front. We couldn't see anything.
2 3 4 5	 Q. That's what I'm trying to find out. This is just a still part of a video that was taken about the outside of the building. A. Okay. Q. And did you ever see any of the two 	2 3 4 5 6	guess the way the building is made, we couldn't see the front. It guess because it goes around like that and it's like a wall right here, we couldn't see around the front. We couldn't see anything. Q. The entrance kind of sticks out?
2 3 4 5	 Q. That's what I'm trying to find out. This is just a still part of a video that was taken about the outside of the building. A. Okay. Q. And did you ever see any of the two black gentlemen before? 	2 3 4 5 6	guess the way the building is made, we couldn't see the front. It guess because it goes around like that and it's like a wall right here, we couldn't see around the front. We couldn't see anything.Q. The entrance kind of sticks out?A. Yes.
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1	A. I don't remember names, but I did	1	w	ho called the police?
2	meet some people there.	2		Right. I have no idea.
3	Q. Do you recall what they looked like?			Okay.
4	A. One of them was there was a	4		You had mentioned just a minute ago
5	Caucasian man there and there was an	5	SO	ome people came to talk to you about it. Do you
6	African-American guy there from the Democrat Party.	6		now who they were?
7	Q. Was the African-American man wearing	7	Α.	Came to talk oh, to my house?
8	a green jacket with white stripes on the shoulder?	8	Q.	Yes.
9	A. Oh, I don't know.	9	Α.	The FBI. The FBI came. And
10	Q. Don't recall?	10	SO	mebody else came, but I can't remember who they
11	A. I can't remember. No.	11	ar	e. Like, they came up to talk to us and they
12	I saw a lot of people on that day.	12	a	sked us questions about it.
13	Q. Did you ever talk to the election	13	Q.	Can you describe the other people?
14	judge at all?	14	Α.	What other people?
15	A. Yes.	15	Q.	White? Black?
16	Q. Did the election judge ever at any	16	Α.	They were white. Two white
17	point get outside get up and look outside to see	17	ge	entlemen.
18	what was happening?	18	Q.	Two white guys. And those were the
19	A. Oh, I don't remember, sir.	19	F	BI agents?
20	Q. Okay. The Caucasian man that you	20	Α.	One was the FBI and one said he was
21	say was a Democratic worker, what position did he	21		something else. I don't know what he was.
22	have?			From the Department of Justice?
	A. He was a poll watcher, also.			Yes.
24	Q. Do you know whether he called the	24	Q.	Heavyset? Young? Old? Or you just
	Page 22			Page 24
-	-	1	d	
1	police?	1		on't remember?
2	police? A. I have no idea. Where he was	2	Α.	on't remember? One was an older guy, like an older
2 3	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police,	2 3	A. ma	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger
2 3 4	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this	2 3 4	A. ma gu	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy.
2 3 4 5	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the	2 3 4 5	A. ma gu Q.	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them?
2 3 4 5 6	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the corner over there. So we saw more than what he	2 3 4 5 6	A. ma gu Q. A.	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them? Yes.
2 3 4 5 6 7	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the corner over there. So we saw more than what he could see. So I couldn't see him calling the	2 3 4 5 6 7	A. ma gu Q. A. Q.	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them? Yes. Did they talk to your husband as
2 3 4 5 6 7 8	police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the corner over there. So we saw more than what he could see. So I couldn't see him calling the police and he couldn't see what we could see.	2 3 4 5 6 7 8	A. gu Q. A. Q. w	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them? Yes. Did they talk to your husband as rell?
2 3 4 5 6 7 8 9	 police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the corner over there. So we saw more than what he could see. So I couldn't see him calling the police and he couldn't see what we could see. Q. So you were closer to the window? 	2 3 4 5 6 7 8	A. gu Q. A. Q. W A.	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them? Yes. Did they talk to your husband as ell? Yes.
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2 3 4 5 6 7 8 9 10 11 12	 police? A. I have no idea. Where he was sitting, I couldn't see him calling the police, because he was sitting Larry and I was on this side. The doorway was here. He was sitting in the corner over there. So we saw more than what he could see. So I couldn't see him calling the police and he couldn't see what we could see. Q. So you were closer to the window? A. Right. Q. He was on the other side of the 	2 3 4 5 6 7 8 9 10 11	A. gu Q. A. Q. W A. Q. el A.	on't remember? One was an older guy, like an older an, thin build. And the other one was a younger uy. And there's just the two of them? Yes. Did they talk to your husband as ell? Yes. And about how soon after the lection was that? That was like this year sometime. I
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v Black Panther Party	ANGELA COUNTS - V January 12, 2	
Page 25	Page	
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These are the Panthers right here?	22	
Q. That's my understanding, yes.	23	
A. I never saw these people. I never	24	
Page 26	Page	28
		, 20
 saw none of this. I didn't see these people like this. I never saw none of that. Q. You stayed in your room? A. We stayed in the room. From where we were at, I never saw them outside. If I saw them, I would say I saw them. If I saw them, I wouldn't have known who they was anyway. I don't know who the Panthers are. Q. Okay. Did you hear about any incident involving white supremacists that day? A. No. Q. Did anybody from the Black Panther Party contact you after the election? A. No, uh-uh. Q. And just to be clear, when the FBI and some other man met you, they didn't ask you to sign any statement? A. No. 	1 CERTIFICATE 2 I, Cherilyn M. McCollum, a Certif 3 Court Reporter and Notary Public, do hereby certif 4 that, prior to the commencement of the examination 5 the witness and/or witnesses were sworn by me 6 testify to the truth and nothing but the true 7 I do further certify that the 8 foregoing is a true and accurate computer-aid 9 transcript of the testimony as taken 10 stenographically by and before me at the time 11 place and on the date hereinbefore set fort 12 I do further certify that I 13 neither of counsel nor attorney for any party 14 this action and that I am not interested in T 15 event nor outcome of this litigation. 16 17 18 19 20 20	fied fy on, to th. the ded me, h. am in
	 them like I'm telling you, I didn't know anything. We didn't see anything; we didn't know anything. And I asked him, like, why we told them because when we was leaving when we were leaving from the site where we were poll watchers, the guy that I was telling you about that came to check on us, like, we were telling him, like, we didn't know, like, what was going on outside. And he said don't worry about it because we didn't know anything. We didn't know what was going on, and I wasn't going to lie and make up something. The people said it, but we couldn't see it. You know, and that's, like, hearsay. I'm hearing what you're saying, but I can't see what you're talking about it. And he said, "Don't worry about. It's okay." And then, like, later on I'm wondering, like, why the people coming to my house when I told people we don't know what was going on? I told Larry, "I'm not going to lie and tell them we saw something we didn't see." These are the Panthers right here? Q. That's my understanding, yes. A. I never saw these people. I never 	 them like I'm telling you, I didn't know anything. We didn't see anything; we didn't know anything. And I asked him, like, why we told them because when we was leaving when we were leaving from the site where we were poll watchers, the guy that I was telling you about that came to check on us, like, we were telling him, like, we didn't know, like, what was going on outside. And he said don't worry about it because we didn't know anything. We didn't know what was going on, and I wasn't going to lie and make up something. The people said it, but we couldn't see it. You know, and that's, like, hearsay. I'm hearing what you're saying, but I can't see what you're talking about it. And he said, "Don't worry about. It's okay." And then, like, later on I'm wondering, like, why the people coming to my house when I told people we don't know what was going on? I told Larry, "I'm not going to lie and tell them we saw something we didn't see." These are the Panthers right here? An I never saw these people. I never

	African-American (3)	17:2;19:22,23;	12:12;14:10,11,	26:15
\$	11:10;21:6,7	20:1,3;22:4,19;	13;15:4,10,11,17,	cops (7)
Ψ	against (1)	25:4,9	18,22;16:17;19:2,	8:20;9:22;
\$200 (1)	22:14	before (8)	7,9;20:14,16;23:5,	15:20;17:5;19:18,
6:14	agents (1)	5:1,16;7:8,10;	7,9,10,11;25:7	19;22:22
0.14	23:19	13:4,7;18:7,15	camera (1)	corner (3)
1	ago (1)	behind (1)	22:22	8:10;22:6,14
-	- 23:4	18:12	cameras (2)	correct (1)
1 (1)	Always (3)	being (2)	14:20,21	18:10
17:21	5:7;12:8,8	6:4;26:21	can(2)	Could (16)
1221 (1)	ANGELA (2)	believe (4)	8:10;23:13	7:14;8:6,8,11,
4:14	4:1,8	6:1,14,21;18:22	can't (10)	14;12:18;14:19,
	anybody (11)	big (1)	6:2,2,4;12:2,15;	21;15:20;19:24;
2	6:24;10:11;11:4,	19:23	19:1,2;21:11;	20:1;22:7,8,15,19,
	20,21,22;16:17;	Black (5)	23:10;25:14	20.1,22.7,8,13,19, 21
2004 (1)	19:6,7;26:14,24	6:24;11:12;	car (1)	couldn't (22)
5:13	anything (17)	18:7;23:15;26:14	12:21	8:13,21,24;9:20;
2008 (6)	8:22;11:16,17;	BLACKWOOD (3)	Caucasian (3)	10:1;14:17,18,22;
4:13;6:13,17;		4:5;27:4,7	12:19;21:5,20	
13:18,20,21	12:11;14:7,7,22;			17:2,15;20:1,2,4,5;
2009 (1)	15:3;16:16,18;	blocked (1)	cell (2)	22:3,7,8,15,17,20,
2009 (1) 24:16	17:15;19:12;20:5;	20:8	16:20;18:15	23;25:12
24.10	25:1,2,2,10	blue (1)	Center (1)	$\begin{array}{c} \text{COUNTS} (3) \\ 4 1 \leq 9 \end{array}$
3	anyway (1)	18:22	13:11	4:1,6,8
	26:9	both (1)	channels (1)	crowd (2)
3413 (1)	appreciate (1)	5:8	14:20	14:12;22:20
4:8	27:8	bottom (1)	check (4)	crowded (2)
4.0	around (8)	17:24	11:24;13:13;	9:1;17:15
4	6:19;7:13,19,20;	bought (1)	15:16;25:7	л
-	8:8;17:14;20:3,5	12:12	Chris (1)	D
40's (1)	arrive (3)	break (1)	18:23	D (()
13:1	6:16,20;9:10	20:15	City (1)	Day (6)
13.1	arrived (7)	bring (1)	13:11	4:13;6:17;18:9,
6	6:22;7:1,2,3,6;	14:2	claims (1)	19;21:12;26:12
	9:8,15	bringing (1)	11:11	Democrat (2)
6 (1)	ask (2)	15:6	clear (2)	4:22;21:6
7:6	4:12;26:18	brought (1)	10:5;26:17	Democratic (2)
6:00 (1)	asked (3)	14:3	closer (1)	20:22;21:21
6:21	15:13;23:12;	build (2)	22:9	Democrats (1)
0.21	25:3	12:20;24:3	coffee (3)	5:21
7	asking (2)	building (2)	12:12;14:3;15:6	Denise (4)
	14:13;19:9	18:4;20:2	come (5)	5:24;6:3,8;12:3
7 (1)	away (2)	Byman (1)	7:15;8:17;	Department (1)
7:6	26:22;27:2	11:8	10:16;17:13;18:23	23:22
7.0		~	coming (10)	describe (3)
9	B	С	8:22;9:1;10:3,	7:14;12:18;
			20;11:18,23;	23:13
9:45 (1)	back (5)	call (2)	19:13;22:16,20;	descriptions (1)
27:10	6:17;15:5,15,17,	16:18,21	25:18	18:18
	18	called (5)	Commissioner (2)	desk (2)
Α	became (1)	17:4;21:24;	27:4,6	7:19,21
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