

In The Matter Of:
GEORGIA SECRETARY OF STATE
STATE ELECTION BOARD

February 10, 2021

Steven Ray Green Court Reporting, LLC
404 733 6070

THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

February 10th, 2021
9:00 A.M.

PRESIDING OFFICER: BRAD RAFFENSPERGER
SECRETARY OF STATE

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Secretary of State Brad Raffensperger, chair

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Frances Watson

Chris Harvey

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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2 MR. RAFFENSPERGER: Do we have everyone? Do we know
3 he's on? I saw David Worley, and Matt Mashburn?

4 MR. MASHBURN: Present.

5 MR. RAFFENSPERGER: Okay. Is Anh Le on?

6 MS. LE: Present.

7 MR. RAFFENSPERGER: Thanks, Anh. Rebecca?

8 MS. SULLIVAN: Present.

9 MR. RAFFENSPERGER: Okay. Great. Okay. So are we
10 ready to go then? Okay. I'd like to call this meeting
11 to order. We'll start off with an invocation, and then
12 I'll follow with -- we'll follow with the Pledge of
13 Allegiance.

14 (Invocation)

15 (Pledge of Allegiance)

16 MR. RAFFENSPERGER: Okay. Before we get to the
17 approval of the Board meetings, we have a very big agenda.
18 We actually have three weeks in a row of working through a
19 lot of cases to work that down and get those resolved one
20 way or the other, either to dismiss them or forward them
21 over to the Attorney General's Office or local prosecuting
22 attorneys, but so today we won't be having public comment,
23 but we asked everyone to send that in. We sent out a
24 reminder yesterday, and we encourage everyone to send in
25 their public comments so we can take a look at that, and

1 as it relates to perhaps any legislation ideas, we'll be
2 looking to share that with the General Assembly. And feel
3 free to reach out to any of your local members if it
4 concerns legislation.

5 So we have before us today, Board members, the
6 approval of the board meetings from September 10th,
7 October 30th, and November 23, and hopefully, y'all have
8 had a chance or opportunity to review that, and if you
9 have, now would be the appropriate time to make a motion.

10 MR. WORLEY: Mr. Secretary, this is David Worley.
11 I'll make a motion that we approve the minutes of the
12 Board meetings of September 10th, October 30th, and
13 November 23rd, 2020.

14 MR. RAFFENSPERGER: Okay. We have a motion. Do we
15 have a second?

16 MR. MASHBURN: Second.

17 MR. RAFFENSPERGER: I hear a second. Do we have any
18 comments? Hearing no comments, all those in favor of
19 approving the Board minutes of September 10th, October
20 30th, and November 23rd, please signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Opposed? Don't hear any. Motion
23 carries unanimously. Thank you. We added a section last
24 night in the agenda, and it was for our General Counsel
25 Ryan Germany to give us an election debrief. Mr. Germany,

1 could you give us a debrief on where we are.

2 MR. GERMANY: Yes, Mr. Secretary. Thank you. Thank
3 you, Board members. This is Ryan Germany. I wanted to
4 give a -- an emphasis on brief debrief of the 2020
5 elections. The purpose of these -- of this meeting is
6 really to kind of help clear the decks of some -- of some
7 cases to -- to really prepare for the cases presented --
8 or that were brought up to be heard by this Board, you
9 know, sooner rather than later this year, but knowing that
10 that's kind of -- there's a high interest level in that --
11 I did want to speak briefly on -- on what we saw and what
12 we didn't see in the 2020 election. We'll obviously hear
13 more about specific cases when those cases are presented
14 to the Board from the investigators, but I -- many of
15 those are still under investigation and aren't ready for
16 presentation yet.

17 So first of all, in kind of the lead up to the
18 election, obviously we knew that 2020 was going to be a
19 tough election year. We thought that was going to be the
20 case because we were implementing and rolling out a new
21 system implementing paper ballots for the first time and,
22 you know, having to train counties on -- on -- and
23 ourselves, frankly, on a new system. So that was supposed
24 to be kind of the main challenge. Then, of course, we had
25 COVID happen in kind of the March timeframe, and it really

1 threw a loop for the whole election cycle in terms of --
2 in terms of how people basically chose to exercise their
3 right to vote.

4 Frankly, the counties, I think, especially in
5 November and January, performed admirably. They had a
6 massive increase in the number of absentee voting. It
7 caused some issues in the primary, particularly in Fulton
8 County, with just the -- the volume that was
9 unprecedented, in terms of getting out absentee ballots,
10 getting everything processed, but I think based on some of
11 the things that were able to help -- to help with by
12 bringing in the absentee ballot vendor, I think then by --
13 by November and January, we really saw them perform
14 admirably in -- in the face of very difficult
15 circumstances.

16 So what we didn't see -- I'll start with that
17 because, you know, election have been -- have become kind
18 of a ripe spot with -- for misinformation, and that's not
19 new, but we certainly heard some new levels here. The
20 Dominion machines performed well. That's not to say that
21 there were no issues with them, but the issues that we saw
22 had to do with, basically, people using them for the first
23 time and maybe not -- not doing something correctly, but,
24 you know, the issues that, you know, you heard about on
25 certain TV stations with things going out of the country

1 or interference from foreign governments, we have not seen
2 any evidence of that. In fact, all of the evidence I
3 think points against that. Many of those claims are in
4 litigation now, and I think, you know, that will -- that
5 will come out through that process.

6 So we did -- we did not see any issues like that, and
7 in fact, one thing that we did -- and the Secretary
8 ordered -- a full hand tally of all the ballots that
9 confirmed the results of -- of the election, and that's
10 what we saw. We did not see any issues of county election
11 officials, I think, cheating or doing anything -- doing
12 anything like that. We got some allegations of that, but
13 again, I would just say from what we saw, our county
14 election officials did an excellent job in very difficult
15 circumstances in very contentious elections. And we also
16 didn't see any evidence of widespread fraud.

17 Going into what we did see kind of off of that,
18 there's always some number of ineligible voters who votes
19 in an election. That -- that's always the case, but the
20 law -- the way our law and federal law and really all
21 state law is set up is that it's better to let someone
22 vote, and then if they've voted and they weren't able to,
23 to go after them after the fact. Of course, there's
24 guardrails in place to minimize that, but you've got to
25 keep them in place in a way that keeps the system

1 accessible to eligible voters. So we did see some number
2 of ineligible voters. The numbers that were thrown about
3 after the camp -- after the November election about these
4 large numbers of ineligible voters, that is -- that is not
5 what we're seeing at all.

6 Some of the numbers that were thrown out -- some of
7 these numbers we could check pretty quickly, basically
8 doing data reports. For instance, I think there was an
9 allegation that 10,000 underage people voted. Well, we
10 can see the age -- the birthday of everyone who voted, and
11 the number of people who voted who were underage is zero.
12 There was an allegation that, I think, 2500 unregistered
13 people voted. Again, we can check to see who voted and
14 see if they were registered, and the number of people --
15 of unregistered people who voted is zero.

16 There was an allegation that 2500 felons voted. We
17 can -- we have data on that as well, and we are
18 investigating potential felon voters. I think we have 74
19 potential felon voters, and then we've got to obviously,
20 you know, do investigations. And when you do those
21 investigations, you -- you kind of find, okay, maybe their
22 sentence was up. Maybe they're not the same person. But
23 that's the -- the kind of complete universe of that.

24 We got an allegation that 435 people voted in
25 multiple states in November, and our -- we have been

1 investigating that, and we have ruled out all but two
2 voters. We're still going through some of them, waiting
3 on some data from other states, and again, I think -- you
4 know, that basically shows where that is. Again, I think
5 there was an allegation that thousands of dead people
6 voted, and I think we are -- we have investigated that as
7 well, and, you know, our investigators have spoken to some
8 of these alleged dead people, so again, that's not the
9 case as well. We do have, I think, two that we're
10 investigating, and then we'll continue to see, but that's
11 not going to be more than a handful either.

12 The one that's a little bit tougher -- and this year
13 especially because of the increase in absentee voting --
14 is people who are registered but no longer live in
15 Georgia. The reason that's tough is because there's some
16 people who don't live in Georgia who are still eligible
17 voters. For instance, obviously, military personnel are
18 still eligible voters in Georgia. All people who are in
19 other government service are eligible in Georgia. If you
20 do -- if you are temporarily somewhere else but still
21 basically intend to reside in Georgia, a college student,
22 people who kind of have jobs where they go -- maybe work
23 in different places around the country for a little bit,
24 so that really takes a more in-depth investigation.

25 Now, we looked at the numbers. I think the

1 allegation was that 20,000 people voted who no longer live
2 in Georgia, and the number -- that's not even close to an
3 accurate number. The numbers that we have seen based on
4 just looking at national change of address data and people
5 who -- who voted, it's significantly less than that, and
6 we're going through those people as well, but, you know,
7 while that will be elevated, I think, compared to past
8 elections just because of the increase in absentee, I
9 don't think that it will be more than -- it will be
10 nowhere close to the -- the margin in Georgia.

11 Going off of that, another thing that we did see is
12 we definitely saw in both Jan -- in both November and
13 January, third-party groups kind of affiliated with
14 campaigns -- or not officially affiliated but kind of
15 interested and have an interest in who wins, they would
16 definitely push the envelope in terms of rules. We saw
17 that with monitors who were kind of pushing the envelope
18 and sometimes making election officials feel
19 uncomfortable. We saw that with polling place
20 restrictions and people, you know, getting right up to the
21 line on that and sometimes over the line, so that's
22 something that we did see, and we also saw that I think in
23 terms of when I was talking about out-of-state voters is
24 people really, I think, reaching out to people who maybe
25 no longer live here but who due to federal law

1 restrictions are still on our voter rolls and even telling
2 them oh, you can still vote in Georgia. So you know,
3 that's something that we did -- that we did see that I
4 think is problematic.

5 So I -- I will stop talking, and I'm happy to take
6 any questions from the Board, but I just wanted to give
7 you all a sense of what we did see and what we didn't see.
8 And I think the bottom line is we did not see any
9 widespread or systematic fraud. We did not see any -- any
10 failures of equipment or any -- anything not working like
11 it was supposed to other than perhaps some user error or
12 perhaps kind of the -- you know, a piece of equipment that
13 didn't start up correctly. But we didn't see any of this,
14 you know, foreign interference or changing votes or
15 anything like that.

16 We did see some things that I think we need to think
17 about going forward, and I kind of put them into three
18 different categories. One, we just had the first election
19 with the new system, so you learn things from that. And I
20 think we -- you guys on the Board and I know the General
21 Assembly is doing it right now -- can think about okay,
22 what did we learn? What do we need to sort of shore up
23 from a process perspective based on this -- this new
24 system that we have? Two, all the indications are that we
25 are going to have very close elections in Georgia going

1 forward, so that means that I think we -- or the State
2 Election Board and General Assembly -- need to think about
3 okay, what are our procedures to make sure that they're
4 going to be good for very, very close elections? And
5 that's frankly -- a lot of states are not in that camp
6 from a state-wide perspective, so we need to make sure
7 that we have good processes and procedures for -- for that
8 reality.

9 And then third, you know, what we've definitely seen
10 over the past few election cycles because of, I think,
11 certain actions by candidates post-election is a decrease
12 in confidence of the election systems and, you know,
13 therefore, the legitimacy of election results. That's
14 really the main things that I think we need to -- we need
15 to focus on as a Board and as a -- as a General Assembly -
16 - and in our Office as well, but to really build back that
17 confidence that has been torn down. And I think, you
18 know, we need to think about that from what are we asking
19 our election officials to do? Last year was certainly a
20 different situation and again, I think our election
21 officials performed really well, but what we asked them to
22 do last year was -- it was way beyond the call of duty and
23 when we ask them to do that much, then, you know, we're
24 putting in places where there's going to be things that
25 fall through the cracks or other issues or things that

1 from a perception standpoint can lead to certain
2 allegations.

3 So that's kind of how I'm thinking about things going
4 forward, you know, do they -- from a confidence
5 perspective, from a process perspective based on close
6 elections, and from a what did we learn -- especially in
7 the first year of using new equipment. So I'm happy to
8 take any questions, and I appreciate y'all's -- y'all's
9 service.

10 MR. MASHBURN: This is Matt Mashburn. I do have one
11 question. Just from a public education standpoint or to
12 kind of get it out to the public, all tabulating,
13 counting, certifying, counting for in-person voting, all
14 of that has been done. Is there anything that's still
15 left to be done for the 2020 general election?

16 MR. GERMANY: I bel -- I --

17 MR. MASHBURN: Other than us hearing cases that came
18 out of it, but is there anything in the tabulating,
19 counting, certifying processes still under way? Auditing?

20 MR. GERMANY: Everything's been counted.
21 Everything's been audited. I know that some counties,
22 particularly in January might still be looking at credit
23 for voting to make sure they gave people proper credit for
24 voting, which is basically when you -- when you vote
25 absentee particularly by mail or in person, the county has

1 to first, you know, check your ballot in, give the voter
2 credit, and then later, you know, scan the ballot which --
3 which tabulates the vote. I think we did see some issues
4 with that based off of the volume that -- that I think was
5 new. We've been working with the counties to make sure
6 that they are giving a correct credit for voting, and I
7 believed that that is complete for both November and
8 January. There might still be a few counties where we're
9 following up with them to say hey, in January did you --
10 did everyone get their credit? But that -- that would be
11 it.

12 MR. MASHBURN: Thank you.

13 MR. GERMANY: Nothing further from me, Mr. Secretary,
14 unless you have any questions.

15 MS. THOMAS: You're muted. You're muted, Mr.
16 Secretary.

17 MR. RAFFENSPERGER: Okay. Thank you. Okay.

18 MR. MASHBURN: This is -- I'm sorry to interrupt.
19 This is Matt. I have one more, if I might --

20 MR. RAFFENSPERGER: Okay. Go ahead, Matt.

21 MR. MASHBURN: Just for public information purposes
22 and to get the word out, when -- when we say we've
23 investigated the underage voters and the number is zero,
24 other than cases that we have, and those have their own
25 lives -- they take as long as they take, but those numbers

1 are -- those numbers are the final numbers. When we know
2 -- when we say we've looked and it's zero, we're not
3 expecting any of those to change, right?

4 MR. GERMANY: No. No. That's not going to change.
5 You know, the ones we're still investigating are, you
6 know, out of the 395 people who were alleged to have voted
7 in two different states, we're still going through some of
8 them. I think we're about halfway through right now, just
9 waiting on some states. Some states are quicker to get us
10 information than others.

11 MR. MASHBURN: And the felons was 74, and we're
12 working through that?

13 MR. GERMANY: Right.

14 MR. MASHBURN: But the --

15 MR. GERMANY: And that's -- that's the maximum, so
16 it's going to end up being less than that.

17 MR. MASHBURN: And so unregistered voters are zero
18 and that's the number?

19 MR. GERMANY: Correct.

20 MR. MASHBURN: And the underage, that's the number?

21 MR. GERMANY: Correct. The ones we're still
22 investigating are the people who voted in different
23 states, but I think what we're going to see is the trend
24 holds up where it's going to end up with, you know, a
25 handful, which is frankly not dissimilar to -- to past

1 elections, and then the people who are -- who are out-of-
2 state, so we have -- that investigation continues as well.

3 MR. MASHBURN: Thank you. Thank you very much.
4 That's very helpful.

5 MR. RAFFENSPERGER: Okay. We can now roll into the
6 investigation reports. The first ones are the consent
7 cases. Before I get to that, Jasmine, I didn't have a
8 chance to ask you this question, but in my book, there was
9 a case from Glenn County. It's 2020-024, deceased
10 absentee ballot voter. That is not in our documents --
11 it's in our document file, but it wasn't included in the
12 agenda. Did you want that to be heard today as one of the
13 cases, and do the other members have that case also? It's
14 Glenn County, deceased absentee ballot voter, SEB number
15 2020-024.

16 MS. SHANNON: It's not on the agenda, so we will not
17 review that case today.

18 MR. RAFFENSPERGER: Okay. We'll get it on the next
19 one. Thanks so much. Okay. The consent cases, those are
20 tabs 2 through 15. Members, you've had a chance to look
21 at that, and we have someone from the Attorney General's
22 Office, would they like to comment on that? Or Ryan,
23 would you like to comment first, or would Frances Watson?

24 MS. THOMAS: Frances will be presenting the cases.

25 MR. RAFFENSPERGER: Okay.

1 MS. WATSON: Yes, Mr. Secretary. I didn't know if we
2 were going to vote on these en bloc, or if you had any
3 specific ones that you wanted to pull out, or I can go
4 one-by-one, whatever is your preference.

5 MR. RAFFENSPERGER: I've reviewed them all. I don't
6 know if the members have. I'm willing to -- to vote en
7 bloc. It's -- what is the will of the Committee?

8 MR. WORLEY: Mr. Secretary, this is David Worley. I
9 don't have any of the individual cases on the consent
10 calendar that I think should be pulled out to be discussed
11 individually, so I would make a motion that we adopt the
12 recommendation of the investigators on the consent cases
13 and dismiss the cases.

14 MR. RAFFENSPERGER: We have a motion. Do we have a
15 second?

16 MS. SULLIVAN: This is Rebecca. I'll second that
17 motion.

18 MR. RAFFENSPERGER: Okay. Do we have any further
19 comment? Okay. Hearing none, all those in favor of
20 accept -- of the recommendation of the motion before us,
21 signify by saying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. RAFFENSPERGER: Those opposed? Hearing none,
24 motion carries. Okay. The next set of cases are the
25 letter cases in tab 16 through 20.

1 MS. WATSON: And -- and this would be the same, if
2 you want me to present them individually or you want to
3 vote on those as a group or pull any of those out.

4 MR. RAFFENSPERGER: So what is the will of the Board?

5 MS. LE: Mr. Secretary, this is Anh. I'm willing to
6 vote en -- the letter cases en bloc.

7 MR. RAFFENSPERGER: Okay. Do we have a second?

8 MR. WORLEY: I second it.

9 MR. RAFFENSPERGER: Okay. Do we have any discussion?
10 Hearing none, all those voting for the motion before the
11 Board do so by signifying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed? Hearing none,
14 motion carries. Okay. Now, we have before us the new
15 cases. The first one does go back a while. We have a
16 backlog that we are working through, and we want to get
17 through these because I see at the end, we get into 2020
18 cases. The next two meetings will be 2020 cases
19 primarily, but the first case up is SEB case 2016-6 -- 070
20 in Gilmer County, felon voting.

21 MS. WATSON: Yes, sir, Mr. Secretary.

22 MR. RAFFENSPERGER: Ms. Watson?

23 MS. WATSON: Thank you. In May 2016, it was reported
24 that Brian Keith Pritchard had registered and was voting
25 in Gilmer County for several years while serving a felony

1 probation sentence. The investigation revealed that Brian
2 Keith Pritchard has been a resident of Gilmer County since
3 at least January 29th of 2008 when he registered to vote.
4 It was verified that Mr. Pritchard was convicted of a
5 felon in Pennsylvania in May of 1996, and his probation
6 was extended 7 years on April 8th, 2004 with an end date
7 of 2011. According to an Allegheny County probation
8 officer in Pennsylvania, Mr. Pritchard was released from
9 probation on September 27th of 2011.

10 Mr. Pritchard voted in 9 elections during the time he
11 was under felon sentence, all in Gilmer County, four in
12 2008, three in -- five in 2010. Mr. Pritchard was
13 contacted and provided his attorney's name and
14 information. The attorney provided a response that Mr. --
15 Mr. Pritchard believed his plea to be a no contest and was
16 unaware he was considered a felon under sentence when he
17 registered and voted, and due to the retention schedule at
18 the time that we received this complaint, the elections
19 documents from 2008 and 2010 were no longer available. We
20 are recommending that Mr. Pritchard be bond over to the
21 AG's Office for a violation of 21-2-216(b).

22 MS. THOMAS: George Weaver is here to speak about
23 this.

24 MS. WATSON: And attorney George Weaver is on the --
25 on the line.

1 MR. RAFFENSPERGER: Okay. Before we get to the
2 attorney on the line, do we have any Board members that
3 have any questions for the investigator? Okay.

4 MS. LE: This is Anh. I do have one question. How
5 was he able to vote nine times, and we didn't catch it
6 before -- or at the county level. Do you know?

7 MS. WATSON: No. I do not know why it was not -- the
8 only thing that I can think is because it was an out-of-
9 state conviction is that it may not have been on their
10 list of felons.

11 MS. LE: Okay. Thank you.

12 MR. RAFFENSPERGER: Okay.

13 MR. MASHBURN: This is Matt Mashburn. I have a
14 question. Is -- is there any indication that the local
15 district attorney has indicted him for felon voting, or
16 are they waiting on us?

17 MS. WATSON: No. They have no indicted him, and I
18 believe Mr. Weaver may have further for that. I know that
19 they were made aware of this, and they declined to -- they
20 were going to let it come to us first, but I believe that
21 he has since spoken to the district attorney.

22 MR. MASHBURN: Okay. Thank you.

23 MR. RAFFENSPERGER: So in other words, the district
24 attorney would be waiting for action from this Board.

25 MS. WATSON: I believe Mr. Weaver has -- has followed

1 up with -- with the district attorney as far as an
2 opinion, and he may have further for that.

3 MR. RAFFENSPERGER: Okay. In normal practice, we've
4 sent cases to the Attorney General's Office, and then in
5 some of the more serious charges, we've sent it to both
6 the local DA and also the Attorney General's Office. The
7 attorney is on the line. Would he like to add some
8 additional information for the Board's consideration?

9 MR. WEAVER: Mr. Secretary, this is George Weaver. I
10 represent Mr. Pritchard. I would ask that the Board read
11 the letter brief that I sent back to you, and in addition,
12 I want to -- I will rely completely on the response, and I
13 would say that Mr. Pritchard received a pardon on November
14 the 8th of 2017, and I would suggest that -- under my
15 review anyway -- the statute of limitations ran years ago,
16 so I -- I would not venture to offer an opinion on this,
17 but I -- I was a prosecutor for a long time, and I don't
18 believe that there is evidence at this point that Mr.
19 Pritchard has violated any statute, but we will rely
20 entirely on our response and letter brief to you. I think
21 we've laid it out pretty -- pretty well. Thank you for
22 very much for letting us attend this.

23 MR. RAFFENSPERGER: Okay. Do -- do any of the Board
24 members have any more comments or questions? If not, now
25 would be the appropriate time for a motion.

1 MR. MASHBURN: This is Matt Mashburn. One of the
2 things that -- that Ryan talked about in his -- in his
3 2020 debriefing which I thought was well-stated is we have
4 all these -- we have a lot of protections and checks and
5 double checks in looking at things and a lot of people
6 looking at things, but it's still -- it's not totally an
7 honor system, but it's not -- the system is not set up for
8 people to do whatever they want and us to catch them.
9 It's for people to abide by the law, and so this is one of
10 those cases where, in my opinion, it would do well to send
11 it both to the AG and the local district attorney, and if
12 it happened over 9 elections, the local district attorney
13 -- if there is a statute of limitations issue, the local
14 district attorney can determine whether some of these
15 happened and are precluded by the statute of limitations
16 and some might not be, so I would -- I would make a motion
17 that this be referred to both the AG and the DA.

18 MR. RAFFENSPERGER: We have a motion. Do we have a
19 second?

20 MR. WORLEY: I'll second that motion.

21 MR. RAFFENSPERGER: Mr. Worley seconds -- Mr. Worley
22 seconds the motion. Do we have any additional comments
23 from the Board? Hearing none, all those in favor of the
24 motion to send this to the Gilmer County District Attorney
25 and the Georgia Attorney General's Office, signify by

1 saying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 Next case?

5 MS. WATSON: Next case is 2016-073, which is the City
6 of Sandy Springs. In May of 2016, we opened an
7 investigation into complaints alleging the City of Sandy
8 Springs had failed to properly notify voters of polling
9 place changes prior to the May 24th, 2016 City of Sandy
10 Springs special election. As the investigation
11 progressed, there were further allegations made concerning
12 the security of ballots as the ballots were marked in
13 pencil.

14 The investigation revealed the City of Sandy Springs
15 called for a special election in conjunction with a Fulton
16 County general primary election to be held on May 24th,
17 2016. The special election was called less than 90 days
18 of the actual election day, and this required compliance
19 with OCGA 21-2-540 to conduct the election separate and
20 apart from the general primary using separate ballots,
21 voting equipment, facilities, poll workers, and paperwork.
22 Advance voting was held for the general primary in the
23 special election at the same building but in separate
24 rooms, both set up independently to process voters with
25 separate ballots, equipment, poll workers, and paperwork

1 in accordance with the code.

2 On Election Day, voters who resided in Sandy Springs
3 that were eligible to vote in the District 3 special
4 election would vote at the Hammond Park polling location,
5 and there was no violation noted of 21-2-540. Sandy
6 Springs published in the legal organ notifications on
7 April 1st, the 6th, and May 4th and the 18th of the
8 location for voting for special election and gave
9 notification of poll locations for the location to vote.

10 Sandy Springs gave notice of Fulton County Board of
11 Election in March 2016 via email of their intent to move
12 forward with only one polling location for Election Day
13 voting for May 24th, 2016. Fulton County Director
14 responded to the email with a warning of problems that
15 could arise from the decision to have only have one
16 polling location. Fulton County Board of Election under
17 21-2-226(e) are to issue precinct cards to the voters
18 affected by the poll change. Johnny Harris of the Fulton
19 County Elections Office checked to verify that the
20 precinct cards were requested to be issued for the May
21 24th, 2016 special election. It was discovered that the
22 year was entered incorrectly, and the request said May of
23 2017.

24 As to the allegation regarding security of the
25 ballots, there was no specific reported incident with

1 substantiating evidence to support a violation. We are
2 recommending that Fulton County Board of Election and
3 Registration be bound over for 21-2-226(e) of the Georgia
4 Election Code as they failed to issue precinct cards to
5 Sandy Springs District 3 voters notifying them of the
6 Hammond Park poll change.

7 MR. RAFFENSPERGER: Thank you, Ms. Watson. Do we
8 have anyone from -- do any Board members have any
9 questions, and do we have anyone from the City of Sandy
10 Springs that would like to respond?

11 MR. BARRON: Hi. This -- this is Rick Barron. What I
12 remember about this case is that Sandy Springs conducted
13 this election on their own. We didn't conduct this
14 election. Therefore, if they made -- they made the
15 polling place change, we wouldn't have been -- we weren't
16 notified of that.

17 MR. RAFFENSPERGER: Mr. Barron, you're saying that --

18 MR. BARRON: They conducted their own separate
19 election under the -- I believe it was Gary Smith and
20 Marcia Ridley ran that election for Sandy Springs.

21 MR. RAFFENSPERGER: Okay. So I think your
22 contention, Mr. Barron, would be that you shouldn't be
23 part of this.

24 MR. BARRON: Yes, and I thought that this case was
25 disposed of already in a previous SEB hearing maybe a year

1 or two ago as well. Because we were somewhat surprised to
2 see this come up again.

3 MS. WATSON: It was brought, and then it was
4 continued. It was never presented.

5 MR. BARRON: Okay.

6 MR. RAFFENSPERGER: Okay. Thank you, Mr. Barron.

7 MR. BARRON: You're welcome.

8 MR. RAFFENSPERGER: For that background information.
9 Board members, do you have any questions, comments? What
10 is the will of the Board?

11 MS. LE: This -- this is Anh Le. Ms. Watson, 21-2-
12 226 section e, the one you cited, has the -- is it the
13 county that issued the card and then the municipality
14 would reimburse the county?

15 MS. WATSON: That is my understanding. Yes. The
16 county is notified, and the county issues the precinct
17 card, and we did verify with Johnny Harris that they were
18 requested, and they -- the county entered the request, but
19 they put the wrong date for the year in the request, so
20 they were not sent out.

21 MS. LE: The county -- that was the clerical error
22 from the county or the city? I'm sorry.

23 MS. WATSON: The county.

24 MS. LE: Okay. And they were provided notice timely
25 of this, right? The city provided it to the county. That

1 was my understanding.

2 MS. WATSON: Yes.

3 MS. LE: Okay. Thank you. Mr. Secretary, given that
4 the city gave the county timely notice, and the error was
5 on Fulton County's side in entering the date and which
6 inadvertently left a number of voters without the
7 information, I move to send this to the AG's Office.

8 MR. RAFFENSPERGER: Okay. Do we have a second?

9 MR. MASHBURN: Second. Second, Matt Mashburn.

10 MR. RAFFENSPERGER: Do we have any further comments?
11 Hearing none, all those in favor of the motion to send SEB
12 case 2016-073 to the Attorney General's Office, signify by
13 saying aye.

14 THE BOARD MEMBERS: Aye.

15 MR. RAFFENSPERGER: Those opposed? Those opposed?
16 Hearing none, motion carries. Next case.

17 MS. WATSON: Next case -- next case is 2016-108,
18 Muscogee County, voter registration. Muscogee County
19 Election Supervisor Nancy Boren reported that her office
20 received a number of voter registration applications that
21 were suspicious because of the information that was on
22 them. A voter registration application was submitted for
23 Carol Smith. She states that she did not complete the
24 registration. The person that completed the application
25 could not be identified. Michelle Lewis completed a voter

1 registration app for her children Bridget Lewis, Brianna
2 Lewis, and John Lewis. The voter registration canvasser
3 that provided the forms and allowed her to complete them
4 could not be identified. Jenna Thornton completed a voter
5 registration app in her husband's name. The voter
6 registration canvasser that provided the form and
7 submitted the forms could not be identified.

8 It was reported that a voter registration canvasser
9 reportedly contacted an individual by phone and requested
10 permission to sign his name, Robert Muldoon, to a voter
11 registration application. The canvasser could only be
12 identified as a Khalil. Three reported voter registration
13 applications could not be reached -- the applicants.
14 Three voter registration applicants were verified as
15 having been submitted by (sound distortion).

16 We recommend the following be bound over to the AG's
17 Office: Michelle L. Lewis for 21-2-562 in that she signed
18 the names of her children on the voter registration
19 application, Bridget Lewis, Brianna Lewis, and John
20 Michael Lewis, and Jenna Thornton be issued a letter of
21 instruction for violation of 21-2-220(f) in that she
22 completed and signed a voter registration for her disabled
23 husband without signing the application in the appropriate
24 space indicating that she assisted him.

25 MR. RAFFENSPERGER: Okay. Do we have anyone that

1 wants to speak from the Respondents?

2 MS. WATSON: No, sir.

3 MR. RAFFENSPERGER: Okay. Board members, do you have
4 any questions? What is the will of the Committee, of the
5 Board?

6 MR. WORLEY: Mr. Secretary, this is David Worley. I
7 would make a motion that we bind over Michelle Lewis to
8 the Attorney General's Office for further action and that
9 Jenna Thornton be sent a letter of instruction.

10 MR. RAFFENSPERGER: Do we have a second?

11 MS. LE: This is Anh Le. I second that motion.

12 MR. RAFFENSERPGER: We have a motion before us. Do
13 we have any comment now? Hearing none, all those in favor
14 of the motion before us, please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Those opposed? Those opposed?
17 Motion carries. Next case.

18 MS. WATSON: Next case is 20 -- 2016-118, Fulton
19 County, ballot style. This case involves three complaints
20 that were submitted during the May 24, 2016 general
21 primary and subsequent July 26, 2016 general primary
22 runoff. The first allegation: a voter alleged they were
23 provided a Republican ballot when they requested a
24 Democratic ballot when voting at Buckhead Library during
25 the May general primary. The voter voted the ballot

1 before realizing the alleged mistake. The second
2 allegation: the voter alleged they were not allowed to
3 vote the ballot of their choice at the poll of Morningside
4 Baptist Church during the July 26, 2016 general election
5 primary runoff as the voter was misidentified as having
6 voted a Republican ballot in the May general primary.

7 The third allegation is the voter alleged they were
8 misidentified as having voted an absentee ballot prior to
9 voting on Election Day during the May 24th general
10 primary, therefore, had to vote a Democratic provisional
11 ballot. The voter further alleged that they were then
12 denied the ballot of their choice, a Democratic ballot,
13 during the July general primary runoff when voting at the
14 Cathedral of St. Philip because they were misidentified as
15 having voted absentee Republican in the May 24th general
16 primary.

17 The investigation revealed as to allegation one, the
18 voter certificate indicates the voter requested a
19 Democratic ballot. Her vote was recorded in the system as
20 having been issued in voting a Republican ballot,
21 substantiating her complaint. To allegation two,
22 documents verified that the voter requested and voted a
23 Democratic ballot during the May 24, 2016 general primary.
24 The voter was recorded in the system erroneously as having
25 voted a Republican ballot. As to allegation three,

1 documents verified the allegation. Fulton County stated
2 that the voter was misidentified with a person in the
3 system with a similar name and marked as having voted a
4 Republican ballot during the May 2016 elections. This
5 prevented the voter from voting their ballot of choice
6 during the July 2016 runoff.

7 We're recommending that Fulton County Board of
8 Elections and Registration and Director Richard Barron be
9 bound over to the AG's Office for SEB rule 183-2-12-
10 .02(4)(b) as they failed to properly encode the ballot
11 access card of Amy Maxwell, Elizabeth Childers, and
12 Sandria Gaines Woods [ph.], authorizing the voter to vote
13 a correct ballot style, and also for 21-2-215(i) as they
14 failed to enter into the statewide voter registration
15 system and apply the proper credit for voting by the
16 qualified voter Elizabeth Childers and Sandria Gaines
17 Woods.

18 MR. RAFFENSPERGER: Okay. Thank you. Do we have
19 anyone from the Respondent's office -- the Respondents?

20 MS. RINGER: Mr. Secretary?

21 MR. BARRON: Go ahead, Cheryl.

22 MS. RINGER: Okay. Yes. Can you hear me?

23 MR. RAFFENSPERGER: Yes.

24 MS. RINGER: Okay. My name is Cheryl Ringer. I'm
25 with the office of the Fulton County, the attorney

1 representing Fulton Elections. I am just wanting to make
2 a few comments overall about this process. I understand
3 that the Board is trying to kind of clear its docket, but
4 Fulton County Elections was kind of put in a bad spot with
5 respect to the notice of these hearings and the timeliness
6 of the hearings. We're talking about things that happened
7 years ago, and in many instances, we do not have any
8 information to be able to respond to or refute
9 Investigator Watson's summaries. Of course, I don't have
10 any reason to necessarily believe that Investigator Watson
11 is not, you know, providing what she has found in her
12 account, but we were not given the opportunity to
13 contemporaneously do an investigation and determine what
14 happened ourselves.

15 Here we are five years later in 2021 trying to defend
16 something that happened in 2016. If we had known even
17 just about the allegation and that this thing would move
18 forward, we could have made sure that we had efforts in
19 place in 2017 and further to underscore what in fact I'm
20 sure this Board would want to see is that we make sure
21 issues like this don't happen in the future. And so I
22 would like to ask that we look at some processes to let
23 counties know contemporaneous with the investigations
24 going forward so that we can maintain contemporaneous
25 records and actually get contemporaneous statements if

1 necessary as opposed to five years later trying to respond
2 to an allegation that we didn't know was out there.

3 Lastly, I would like to speak to the notice that we
4 received for our 21 cases on today's hearing. Fulton
5 County received notice at 4:41 on January 29th about 21
6 cases. The letter was dated I think January 10th. I
7 would like to ask that in the future any notices regarding
8 hearings maybe be sent via email as well so that we can
9 have as much time as possible when there's a lengthy
10 agenda like this. Trying to go back and figure out what
11 happened four, five, six years ago has put Fulton County
12 at a detriment, and we would just like to have as much
13 notice as possible. That's all that I have to say. Mr.
14 Barron, did you want to add anything?

15 MR. BARRON: No. I was just going to say that these
16 -- these happened in the polling place, so I mean, at this
17 point since they're so old, we really -- I mean, we have
18 no way to confirm or dispute any of these, anything on
19 this case.

20 MR. RAFFENSPERGER: Okay. Well, your comment is duly
21 noted, and I wasn't here in 2016, but we have the records,
22 and if it gets referred over to the Attorney General's
23 Office, then that'll all get sorted out. Do we have any
24 comments from any of the Board members? Hearing none, now
25 would be the appropriate time for a motion.

1 MR. MASHBURN: This is Matt Mashburn. I believe that
2 there is at least probable cause to believe a violation
3 has occurred, and there's no disputing -- there's been no
4 contrary evidence put in dispute, so the undisputed
5 presentation before us is sufficient in my mind to bind
6 this over to the Attorney General's Office, and then
7 whatever time is necessary for them to respond over there,
8 the Attorney General is always -- I've never heard of a
9 problem of lack of communication. So I move that this be
10 bound over to the Attorney General's Office, per the
11 recommendation.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MS. SULLIVAN: This is Rebecca. I'll second.

14 MR. RAFFENSPERGER: Do we have any additional Board
15 comments? Hearing none, all those in favor of the motion
16 that's before you, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Those opposed? Motion carries.
19 Next case?

20 MS. WATSON: 2016-133, Fulton County, notice of
21 challenge hearing. In October of 2016, a Julian Powell
22 [ph.] reported that his voter registration was challenged
23 by Fulton County Board of Election and Registration, and
24 he was not given the required three-day notice prior to
25 the hearing which had taken place November 6th, 2015. In

1 2015, a Gladney Cooper [ph.] reported to the clerk of
2 Mountain Park in north Fulton County that she wanted to
3 challenge the voter registration of Mr. Julian Powell,
4 stating that Mr. Powell does not and has never lived at
5 172 Spruce Street in Mountain Park. When Mr. Powell went
6 in to vote in the November 3rd, 2015 election, he was
7 notified that his qualifications as a voter had been
8 challenged because of residency. He was allowed to vote a
9 challenge ballot. He was given contact information for
10 the Elections Office.

11 Fulton County notified Mr. Powell by mail of the
12 voter's challenge in November 5th, 2015 with a hearing
13 held on November 6th, 2016. Mr. Cooper -- I'm sorry,
14 2015. Mr. Cooper [sic] had requested to forward his mail
15 to the 172 Spruce Street address while he was relocated
16 several years prior to 2016. The owner, Ms. Cooper,
17 agreed. After several months, she told Mr. Powell that
18 his mail needed to be changed. After he was told to stop
19 the mail from coming, she started returning the mail. Ms.
20 Cooper states he never resided at the location. We're
21 recommending Fulton County Board of Election and Chief
22 Registrar Ralph Jones be bound over to for 21-2-229(b),
23 challenge of applicant for registration by other electors,
24 for failing to provide the person being challenged three
25 days' notice of the time and place of the hearing and

1 Julian Powell for violating 21-2-561, false registration,
2 when he used residential address of 172 Spruce Street,
3 Roswell, Georgia, knowing that he did not reside at that
4 address.

5 MR. RAFFENSPERGER: Okay. Respondent? Do you have
6 any additional comments you would like to add to this?

7 MS. RINGER: No, Mr. Secretary.

8 MR. RAFFENSPERGER: Okay. Board members, do you have
9 any questions? If not, then now would be the appropriate
10 time for a motion.

11 MR. WORLEY: This is David Worley. I make a motion
12 that we bind this case over to the Attorney General.

13 MR. MASHBURN: Second, Matt Mashburn.

14 MR. RAFFENSPERGER: Okay. Any further comments from
15 any of the Board members? Any questions? Hearing none,
16 all those in favor of the motion to bind this over to the
17 Attorney General's Office SEB case 2016-179 [sic], signify
18 by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Those opposed? Hearing none,
21 motion carries. Okay. Next case?

22 MS. WATSON: 2016-170, Fulton County, absentee
23 ballot. In November 2016, it was reported that Fulton
24 County had failed to mail an absentee ballot to Mr. Isaac
25 Freeman Hyman [ph.] to the address indicated on the

1 elector's absentee ballot application. Mr. Hyman
2 submitted an absentee ballot application on October 8th,
3 2016. He requested the ballot be mailed to his address of
4 3 Old Virginia Chase, Atlanta, Georgia. The ballot was
5 mailed to a P.O. Box in Cupertino, California, which is an
6 address for a different Fulton County elector. The
7 incorrect elector voted the ballot and returned it to
8 Fulton County. Fulton County Board of Election and
9 Registration and Chief Registrar Ralph Jones is our
10 recommendation to be bound over to the Attorney General's
11 Office for 21-2-381(a)(1)(c), as they failed to mail the
12 absentee ballot of elector Mr. Hyman to the address
13 requested on the properly submitted absentee ballot
14 application.

15 MR. RAFFENSPERGER: Okay. Do I have any of the
16 Respondents here?

17 MS. RINGER: Nothing from Fulton County. Thank you.

18 MR. RAFFENSPERGER: Do the Board members have any
19 questions? Hearing none, now would be the appropriate
20 time for a motion.

21 MR. MASHBURN: This is Matt Mashburn. I move that
22 this be bound over to the Attorney General's per their
23 recommendation.

24 MR. RAFFENSPERGER: Okay. Do we have a second?

25 MS. SULLIVAN: This is Rebecca. I'll second.

1 MR. RAFFENSPERGER: Thank you. Do we have any
2 additional comments from any of the Board members?
3 Hearing none, all those in favor of binding this over to
4 the Attorney General's Office, signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Those opposed? Motion carries.
7 Next case?

8 MS. WATSON: Next case is 2016-179, Fulton County,
9 cast ballots. In December of 2016, Fulton County reported
10 5 electors as having repeat voted in the November 8th,
11 2016 general elections. Larry Brock advised he received
12 an automated phone call that advised records had indicated
13 he had not voted. He went to the poll and asked if his
14 early advance vote had counted and was told that he was
15 not listed in the system as having voted, so he voted a
16 second time. John W. Hinds advised he received a phone
17 call the night before the election telling him his early
18 advance vote did not go through. He went to his polling
19 location and was told there was no record of him voting,
20 so he voted a second time.

21 William J. Lawless advised he received a call from a
22 Trey Kelly advising him that records indicated he had not
23 voted, and he needed to go vote. He and his wife went to
24 the polls to confirm their early advance vote had counted.
25 His wife showed credit in the system, and she did not

1 vote. He did not show credit, so he voted again.

2 Christine James -- and James Bomar early advance voted and
3 then began seeing social media posts that some people's
4 early advance vote had not counted. They went to their
5 poll and were told that their votes had not counted, and
6 so they voted a second time.

7 Fulton County reported that due to the volume, they
8 were behind in entering credit for voting in the system
9 for the election, which was the reason poll workers did
10 not see any credit in the system for the voters. We're
11 recommending William Larry Brock, John W. Hinds, William
12 J. Lawless, Christine Speck Bomar and James Spencer Bomar
13 be bound over to the Attorney General's Office for 21-2-
14 572 since they repeat voted in the same primary or
15 election of November 8th, 2016 and recommending Fulton
16 County Board of Elections and Registration, Elections
17 Director Richard Barron, Chief of Elections in 2016 Dwight
18 Brower, and Chief Registrar Ralph Jones be bound over to
19 the Attorney General's Office for SEB rule 183-1-12.07(8),
20 as they failed to ensure all persons who had been issued
21 or cast absentee ballots were marked accordingly on
22 express poll units.

23 MS. THOMAS: Mr. Secretary?

24 MR. RAFFENSPERGER: Can you hear me?

25 MS. THOMAS: Yes. Yes, we can hear you now.

1 MR. RAFFENSPERGER: Do we have a motion?

2 MR. MASHBURN: This is -- this is Matt Mashburn. I
3 am sympathetic to the voters here in that when people go
4 down and -- and they vote -- and they double vote, what I
5 want to know is what did they know? And here they got a
6 call saying they hadn't voted, they went to the county and
7 said have we voted, and the county said no. But they
8 didn't know -- they didn't know that they had voted,
9 right? Right, Frances?

10 MS. WATSON: That is correct.

11 MR. MASHBURN: Okay. So I -- yeah. Based on that, I
12 make a motion that -- that the whole thing be bound over
13 to the AG's Office.

14 MR. RAFFENSPERGER: Okay. Do we have a second?

15 MR. WORLEY: I'll second that.

16 MR. RAFFENSPERGER: Do we have any additional
17 comments? Hearing none, all those in favor of binding
18 those over to the Attorney General's case, signify by
19 saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Any opposed? Motion carries.
22 Next case?

23 MS. WATSON: Next case is 2016-181, Fulton County,
24 absentee ballots. In December of 2016, an elector
25 reported that they went to the poll on November 8th, 2016

1 to vote and were told they had already voted by absentee.
2 The elector challenged the poll officer's information by
3 stating that they had -- had not voted by absentee, and
4 the information was incorrect. The poll officer then
5 offered the elector a provisional ballot, which the
6 elector voted after completing an affidavit and declaring
7 they had not voted an absentee ballot. Elector Philip
8 Schubert [ph.] went to vote at the OC Elementary School
9 and was told he had already voted by absentee on October
10 20th, 2016. Mr. Schubert refuted the claim and was
11 provided with an affidavit and then a provisional ballot.

12 Sharon Benjamin with Fulton County advised it
13 appeared Mr. Schubert was incorrectly given credit in the
14 system for voting early absentee when he had not. Fulton
15 County could provide no record for the provisional ballot
16 completed by Mr. Schubert or advise if the ballot was
17 accepted or rejected. We're recommending Fulton County
18 Board of Elections, Chief Registrar Ralph Jones be bound
19 over to the Attorney General's Office for violation of 21-
20 2-419(d)(1), as they failed to notify the elector whose
21 provisional ballot was not counted, and Fulton County
22 Board of Elections and Registration, Director Rick Barron
23 be bound over for 21-2-411, as they failed to retain the
24 voter's certificate of an elector for 24 months, and Board
25 rule 183-1-12-.02(4)(b), as they failed to enter an

1 appropriate designation on the electors' list for the
2 precinct reflecting the voter had voted in the election.

3 MR. RAFFENSPERGER: Thank you. Do we have anyone
4 from the Respondent's office that wishes to comment?
5 Board members, do you have any questions? Hearing none,
6 now would be the appropriate time for a motion, if you're
7 so inclined.

8 MR. MASHBURN: This is Matt Mashburn. This -- this
9 seems to be a case where the voter did the right thing, so
10 I move that only Fulton County -- it's the only one
11 recommended to be bound over, right, Frances? So --

12 MR. RAFFENSPERGER: Correct.

13 MR. MASHBURN: So yeah. I move that this be bound
14 over to the AG's Office, per their recommendation.

15 MR. RAFFENSPERGER: Do we have a second?

16 MR. WORLEY: I'll second that.

17 MR. RAFFENSPERGER: Any comments? Input from any
18 other Board members? Hearing none, all those in favor of
19 the motion as presented, signify by saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those opposed? Motion carries.
22 Okay. Next case?

23 MS. WATSON: Next case is 2017-001, Walker County,
24 interference with performance of elections. In November
25 2016, it was reported that a private investigator entered

1 the polling location at Roswell City Hall and interrupted
2 a poll worker for the purpose of serving a legal document.
3 The private investigator was alleged to have been armed
4 with a firearm in the poll.

5 The investigation revealed the incident occurred on
6 November 8th, 2016. The private investigator was
7 identified as a Roy Cooper. He entered the exit to the
8 poll and interrupted the poll worker as she was checking
9 in a vote. He then exited the poll. The interruption was
10 less than 20 seconds approximately. Mr. Cooper stated
11 that he was not armed when he was in the poll and was
12 unaware that he could not serve a poll worker during the
13 election. We're recommending that Mr. Cooper be issued a
14 letter of instruction for 21-2-597.

15 MR. RAFFENSPERGER: Okay. Is the -- is the
16 Respondent here?

17 MS. WATSON: There is no one on the line.

18 MR. RAFFENSPERGER: Okay. Board, it is the
19 investigator's recommendation, a letter of instruction.
20 Do you have any questions?

21 MR. WORLEY: This is David Worley, Mr. Secretary.
22 I'll make a motion that we send Mr. Cooper a letter of
23 instruction.

24 MR. RAFFENSPERGER: Do we have a second?

25 MR. MASHBURN: Matt Mashburn, second.

1 MR. RAFFENSPERGER: Any additional comments? Hearing
2 none, all those in favor of sending a letter of
3 instruction to Mr. Roy Cooper, signify by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Those opposed? Motion carries.
6 Next case?

7 MS. WATSON: Next case is 2017-008, Fulton County,
8 felon. In January 2017, it was reported that a felon
9 possibly under sentence had registered to vote within the
10 County of Fulton. The investigation confirmed that a
11 Joseph Lee Blackmon was under felon sentence when he
12 registered to vote on January 2nd, 2015. We're
13 recommending Mr. Joseph Lee Blackmon be bound over to the
14 AG's Office for violation of 21-2-561, false registration,
15 and 21-2-216(b).

16 MR. RAFFENSPERGER: Is the Respondent here? Okay.
17 Board members, does anyone have any questions?

18 MR. MASHBURN: Matt Mashburn. I move that the --
19 that the recommendation be adopted or that we proceed in
20 accordance with the recommendation.

21 MR. RAFFENSPERGER: Okay. Do we have a second?

22 MS. SULLIVAN: This is Rebecca. I'll second.

23 MR. RAFFENSPERGER: Okay. Do we have any further
24 comment? Hearing none, all those in favor of the
25 recommendations for SEB case 2017-0018 [sic], signify by

1 saying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion -- what was
4 the vote total? Did it pass? Jasmine?

5 MS. SHANNON: I'm checking. Mr. Worley, are you
6 there?

7 MR. WORLEY: Yes. Aye. Sorry.

8 MR. RAFFENSPERGER: Okay. Motion carries. Thank
9 you. Next case?

10 MS. WATSON: Next case, 2017-009, Treutlen County,
11 districting issue. It was discovered that Treutlen County
12 had changed from six precincts to two precincts without
13 sending the documentation of the change to the
14 reapportionment office nor the SOS office. Due to
15 consolidation, it was found that voters were not listed in
16 the proper voting district. Investigation revealed it was
17 verified that Treutlen County failed to file a map
18 reflecting changes in precincts within twenty days after
19 the changes were made to the SOS or their reapportionment
20 office. Our office worked with Treutlen County to verify
21 the electors were placed in the proper voting districts.
22 We're recommending Treutlen Board of Registrars and Judge
23 TJ Hudson, the Election Superintendent, and Judy Carter,
24 the Deputy Registrar, be bound over to the AG's Office for
25 21-2-161-.1(c)(1), boundary requirements for precincts,

1 when they failed to file a map reflecting any changes in
2 precincts within twenty days after the changes were made
3 to the SOS or the reapportionment office.

4 MR. RAFFENSPERGER: Okay. Do we have any of the
5 Respondents on line?

6 MS. WATSON: No one is here.

7 MR. RAFFENSPERGER: Okay. Any Board members have any
8 questions? You have a recommendation before you to bind
9 this over to the Attorney General's Office. Do we have a
10 motion? Do we have a motion?

11 MR. WORLEY: Mr. Secretary, this is David Worley. I
12 make a motion that we bind this case over to the Attorney
13 General.

14 MR. RAFFENSPERGER: Okay. Do we have a second?

15 MR. MASHBURN: Matt Mashburn, second.

16 MR. RAFFENSPERGER: Okay. All those in favor of
17 binding SEB case 2017-009 over to the Attorney General's
18 Office, signify by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Those opposed? Case is bound
21 over. Okay. Next case?

22 MS. WATSON: 2017-010, City of Culloden, opening of
23 polls. Monroe County resident Otis Wright [ph.] reported
24 that the City of Culloden polls were not open and ready to
25 accept voters at 7AM on December 6th, 2016, runoff

1 elections. Mr. Wright also alleges that the City did not
2 publish sufficient information about the election in the
3 local legal organ.

4 Investigation shows that the City of Culloden did not
5 publish a legal notice advertisement in the local
6 newspaper informing the public of the runoff election for
7 December 6th, 2016. The investigation also found that the
8 polls did open at 7, but the poll workers were not ready
9 to accept voters. They were physically there, but they
10 were not taking voters until 7:10AM. The delay was not
11 having access to the paper ballots that were secured in a
12 safe overnight and had to be retrieved by Jackie Bowling
13 [ph.], the Election Superintendent. We're recommending
14 the City of Culloden and Jackie Bowling, the Election
15 Superintendent for City of Culloden, be bound over to the
16 AG's Office for 21-2-73, powers and deeds, in that they
17 failed to ensure the notice was published for the December
18 6th, 2016 runoff election in the local legal organ and 21-
19 2-403, opening of polls, in that they failed to ensure the
20 polls were open to accept voters at 7AM and the City of
21 Culloden and Lisa Elser, the city clerk of City of
22 Culloden, be bound over to the AG's Office for SEB rule
23 183-1-8-.01, in that they failed to publish the notice of
24 the City of Culloden's runoff election in the local legal
25 organ.

1 MR. RAFFENSPERGER: Okay. Are any of the Respondents
2 on line?

3 MS. WATSON: No, sir.

4 MR. RAFFENSPERGER: Board members, do you have any
5 comments? If not, now would be the appropriate time to
6 make a motion.

7 MS. SULLIVAN: This is Rebecca. I'll make a motion
8 that this case be bound over to the Attorney General's
9 Office.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. MASHBURN: Second.

12 MR. RAFFENSPERGER: Do we have any further
13 discussion? Hearing none, all those in favor of binding
14 SEB case 2017-010, City of Culloden, over to the Attorney
15 General's Office, signify by saying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Those opposed? Motion carries.
18 Next case?

19 MS. WATSON: Next case is 2017-021, Cobb County,
20 repeat voter. In April of 2017, Cobb County Board of
21 Elections and Registration reported Richard M. Rector
22 voted twice during the special election held on March
23 21st, 2017. He voted first at his poll location, Sope
24 Creek 01, and then by provisional at the Mount Bethel 03
25 poll location. Mr. Rector advised he believed he was

1 voting at the second location for a different election.
2 However, the sample ballot shows that he did proceed to
3 vote even though the exact bloc amendment was listed on
4 the second ballot. Mr. Rector did tell the poll worker
5 that he already voted and when offered the provisional
6 stated as long as his vote didn't count twice. There was
7 no credit given for the provisional ballot. We're
8 recommending that Mr. Rector be bound over for 21-2-572,
9 repeat voting.

10 MR. RAFFENSPERGER: Okay. Is Mr. Rector on line?

11 MR. RECTOR: I am.

12 MS. WATSON: He is.

13 MR. RECTOR: Can you hear me?

14 MR. RAFFENSPERGER: Yes, we can. Go ahead.

15 MR. RECTOR: So I'm being bound over for following
16 directions from a poll worker because I voted at the first
17 location, and I asked them about the congressional ballot
18 and early voting. They sent me to the second location. I
19 went to the second location, provided all of my
20 information, and told the lady I had just voted down at
21 the other location, but they sent me up there for the
22 congressional early voting. She informed me that early
23 voting had not started yet, and she went to a computer and
24 came back and said well, I don't see your vote registered
25 or counted or whatever, and she said I'm going to provide

1 you with a provisional ballot for you to fill out, and
2 that's when I stated to her well, as long as I'm not
3 voting twice, I'll fill it out, and she said there's no
4 record of your earlier vote. So I filled it out at her
5 direction, and now you're recommending that I be bound
6 over to the Attorney General's Office. That's amazing to
7 me. Somewhat frightening.

8 MR. RAFFENSPERGER: Do any Board members have any
9 questions?

10 MR. WORLEY: I had a question, Mr. Secretary. Mr.
11 Rector, --

12 MR. RAFFENSPERGER: Go ahead, Mr. Worley.

13 MR. WORLEY: Mr. Rector, how long -- how much time
14 had elapsed between the time you voted -- the first time
15 you voted and the second time you voted?

16 MR. RECTOR: According to this document, it says
17 about 10 minutes because they're right down the street
18 from each other.

19 MR. WORLEY: And is that correct?

20 MR. RECTOR: I made all of that known to the lady
21 that I was talking to at the second location. There was
22 no fraud. There was nothing nefarious about this. I was
23 trying to vote. She told me that my vote had not been
24 registered, and she recommended that I fill out the
25 provisional ballot. My thought was if the provisional

1 ballot showed that I had voted twice, it would be thrown
2 out. If my first vote didn't get registered, which she
3 was claiming it hadn't -- I don't know how your polls
4 work. You guys are not very transparent when it comes to
5 these polling machines and what they can and can't do,
6 which is why we had the problem this last year, but I did
7 exactly what I was told to do, so you can bind me over to
8 whoever, but I didn't do anything wrong. I followed the
9 directions that I was given. I've been voting in Georgia
10 since 1996. This is -- this is scary.

11 MR. RAFFENSPERGER: Any other Board members have any
12 questions? What is the will of the Board?

13 MR. MASHBURN: This is Matt Mashburn. I'm torn here
14 on this one in that you've just -- you've got instructions
15 being given to the voter, but at the same time, we've just
16 got to have it communicated and everybody should
17 understand -- and if everybody doesn't understand, you
18 just can't vote twice. You just can't vote twice. You
19 just can't vote twice on the same day.

20 MR. RECTOR: Which is exactly what I said, sir, at
21 that time.

22 MR. MASHBURN: Yes. So I'm sympathetic -- I'm
23 sympathetic to the argument. Would you -- would you be -
24 - would you agree and accept a letter of instruction that
25 while -- while you were given these instructions, you now

1 know that nobody, even if they're instructed to, should
2 vote twice on the same day?

3 MR. RECTOR: I would say you should send a letter of
4 instruction to your poll workers that they shouldn't
5 recommend that somebody fill out another ballot when they
6 just told them they had voted. Yeah. I'll accept that,
7 but you need to train your poll workers.

8 MR. MASHBURN: Yeah, --

9 MR. WORLEY: Can -- can I ask a question of Ms.
10 Watson, Mr. Secretary?

11 MR. RAFFENSPERGER: Sure.

12 MR. WORLEY: Ms. Watson, just to clarify, the
13 provisional ballot that Mr. Rector cast was not counted.

14 MS. WATSON: No, sir. It was not.

15 MR. WORLEY: Okay. So in fact, he didn't vote twice.

16 MR. RECTOR: That's exactly right. I didn't.

17 MR. WORLEY: Yeah.

18 MS. WATSON: His vote was not counted twice. That's
19 correct.

20 MR. WORLEY: Okay. I -- I appreciate the fact that
21 Mr. Rector has come forward and appeared today, and I am
22 going to accept him at his word which is not disputed by
23 the investigative report, and I would make a motion that
24 we dismiss this complaint.

25 MR. RAFFENSPERGER: So that is the motion before us.

1 Do we have a second? Do we have a second on that motion
2 for dismissal? Hearing none, motion dies for lack of a
3 second.

4 MR. MASHBURN: This is Matt Mashburn. I would make a
5 motion that we issue a letter of instruction and that the
6 letter of instruction include the information that if a
7 voter is given information which they -- which they don't
8 agree with or they don't agree is correct that they should
9 -- they should not just comply with what they know to be
10 incorrect or what they think to be incorrect, but they
11 should take it to the election superintendent. So I would
12 -- I would make a motion that we issue a letter of
13 instruction with the specific instruction that the voter
14 be aware of the remedy of taking it upstairs and taking it
15 directly to the election superintendent rather than just
16 accept what they've been told when they know it's wrong.

17 MR. RAFFENSPERGER: Do we have a second?

18 MS. SULLIVAN: This is Rebecca. I'll second the
19 motion.

20 MR. RAFFENSPERGER: Okay. Do we have any further
21 discussion? Hearing none, all those in favor of the
22 motion before us for a letter of instruction to Mr.
23 Richard Rector, please signify by saying aye.

24 THE BOARD MEMBERS (except Mr. Worley): Aye.

25 MR. RAFFENSPERGER: Any opposed?

1 MR. WORLEY: No.

2 MR. RAFFENSPERGER: All right. One opposed. Motion
3 carries.

4 MR. RECTOR: I hope you're all voted out.

5 MR. RAFFENSPERGER: Mr. Rector, before you leave, I
6 would like to add one thing to your comment. Counties do
7 run the elections, so we'll be reaching out to Cobb
8 County. It's run by the county election director, and
9 they do a very fine job generally, and it's unfortunately
10 that this situation arose, but also when you said your
11 poll workers, they're not our poll workers. They're
12 actually the county poll workers, but they're actually
13 your fellow citizens that have volunteered. They do get
14 paid, but there are a lot of guardrails in place, but also
15 when people vote and it's not recorded immediately, then
16 those situations can arise, and so it's regrettable that
17 it did happen, and it's regrettable that it's taken this
18 long to get, you know, before us today.

19 So Mr. Rector, thank you for coming before us and
20 speaking for us rightly and transparently, so I'm grateful
21 for that. Also, Ms. Watson, if we could make a note to
22 reach out to the county election director and let them
23 know what we did on this letter of instruction to Mr.
24 Rector but also that they need to really double down on
25 their training on this so situations like this don't arise

1 again on the 2021-2022 cycle.

2 MS. RINGER: Mr. Secretary, may I speak?

3 MR. RAFFENSPERGER: Yes.

4 MS. RINGER: I'm sorry. I just know that this case
5 sounds similar to -- this is Cheryl from Fulton County.
6 This case sounds similar to case 2016-179, where Fulton
7 County was bound over. In this instance, you haven't even
8 named Cobb County, in Mr. Rector's case. I just find that
9 to be surprising.

10 MR. RAFFENSPERGER: Okay. Next case.

11 MS. RINGER: He was given incorrect instruction.

12 MR. RAFFENSPERGER: Next case?

13 MS. WATSON: Yes, sir. The next case is 2017-026,
14 which is Fulton County, delayed poll opening. It was
15 reported that the Centennial High School poll location
16 opened late during the special election held on April
17 18th, 2017. The poll manager advised that they were not
18 able to get the poll opened on time due to a shortage of
19 poll workers. They normally have seven workers at the
20 poll location. There were only two workers, including
21 herself, at the opening, as one of the three workers had
22 called out. The poll manager advised this created a delay
23 in getting everything set up on time. The poll opened
24 approximately 35 minutes late. A court order was signed
25 allowing the poll to remain open until 7:35pm. There were

1 no reports that anyone failed to vote as a result of the
2 late opening. We're recommending Fulton County Board of
3 Elections and Registration and Fulton County Director
4 Richard Barron and poll manager April Mann [ph.] be
5 referred to the Attorney General's Office for 21-2-403.

6 MR. RAFFENSPERGER: Okay. Do we have anyone from the
7 Respondent? Board members, do you have any questions?

8 MS. RINGER: Mr. -- I'm sorry, Mr. Secretary, can you
9 hear me?

10 MR. RAFFENSPERGER: Yes, I can now.

11 MS. RINGER: Okay. I'm sorry. Yes, this is Cheryl
12 Ringer on behalf of Fulton County Elections. Because
13 there's no record of anyone not being able to vote because
14 of the late closing and the fact that Fulton County did
15 extend the polling hours so that there was twelve full
16 hours of voting, we would ask that this case not be bound
17 over and at the most we be issued a letter of instruction.
18 As you know, things do happen. We can't be accountable
19 necessarily for folks failing to show up when they're
20 supposed to. We do our best, and with the number of
21 polling locations that Fulton County has, as you know, we
22 have 255 in 2020, you know, this is a matter of, you know,
23 people being accountable, and so because there was not an
24 issue with respect to our electors actually being
25 impacted, we would ask that this case not be bound over.

1 MR. RAFFENSPERGER: Okay. Board members, do you have
2 any questions?

3 MR. MASHBURN: This is Matt Mashburn. Just my
4 personal opinion, I don't see a particular added value to
5 referring this to the Attorney General, and so what I'm
6 going to do is I would accept the County's -- I would make
7 a motion that we accept the County's proper letter of
8 instruction, but I would add on to that a fine of \$150,
9 which is \$5 for each minute that they didn't open, and
10 make it -- so therefore, my motion is a letter of
11 instruction plus a fine of \$150.

12 MR. RAFFENSPERGER: Do we have a second? Hearing
13 none, motion dies for lack of a second. It's now before
14 you again, Board. Do we have a motion?

15 MR. WORLEY: Mr. Secretary, this is David Worley. I
16 -- I don't think we should be in the practice of referring
17 late poll openings to the Attorney General in every case,
18 and also, I don't think it's appropriate in this case. I
19 also don't think that -- that we should really be imposing
20 fines having not referred the case to the Attorney General
21 for an analysis, a legal analysis, to benefit us. So in
22 this case, I think a letter of instruction would be
23 appropriate, and I would make a motion that we send a
24 letter of instruction only to Fulton County on this case.

25 MR. RAFFENSPERGER: Do we have a second? Do we have

1 a second?

2 MR. MASHBURN: This is -- this is Matt. Since the
3 only -- since the only other option if this dies is to
4 either dismiss it or refer it, I'll -- I am persuaded by
5 my friend and colleague David -- David Worley's argument
6 and so therefore, I will join in with him and second his
7 motion.

8 MR. RAFFENSPERGER: Any further comment from any
9 Board members? Hearing none, all those in favor of the
10 motion before you for a letter of instruction for SEB case
11 2017-026, signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Those opposed? Hearing none,
14 motion carries. Next case?

15 MS. WATSON: The next case is 2017-028, Fulton
16 County, express poll set-up. In April 2017, several
17 voters reported being turned away from voting in the
18 Roswell municipal runoff election held April 18th, 2017.
19 Cited as possible causes of voters being turned away was
20 improper express poll set-up. 7 voters reported that when
21 they went to vote in Roswell, there were two separate
22 elections: one for District 6 and one for the municipal
23 election. The District 6 election was running correctly.
24 However, the voters for the municipal el -- election were
25 not able to be processed. Only one of the voters advised

1 he was given the option of a provisional ballot after he
2 asked about a paper ballot. He declined and returned
3 later to vote in the municipal election. The other voters
4 advised that they were given the option to wait or to
5 return later. They were not offered a provisional ballot.
6 We're recommending Fulton County Board of Elections and
7 Registration and Director Richard Barron be referred to
8 the AG's Office for violation of 21-2-418, for provisional
9 ballots.

10 MR. RAFFENSPERGER: Okay. Fulton County, do you have
11 anything you'd like to respond to in this case?

12 MS. RINGER: I do not. Mr. Barron?

13 MR. RAFFENSPERGER: Okay. Board members, what is the
14 will of the Committee? Now would be the appropriate time
15 for --

16 MR. MASHBURN: This is Matt. Let me -- let me ask
17 Frances a question on that. Were there -- is there a
18 record that any of the voters that were delayed did not
19 end up voting, or it sounded like some came back, or did
20 you have a record that any didn't come back?

21 MS. WATSON: I do not recall any that said they were
22 not able to vote.

23 MR. MASHBURN: Yeah. This is Matt Mashburn. I make
24 a motion that we refer this to the Attorney General as
25 recommended.

1 MS. SULLIVAN: This is Rebecca. I'll second.

2 MR. RAFFENSPERGER: Any further discussion? Hearing
3 none, all those in favor of binding this over to the
4 Attorney General's Office, signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Those opposed? Motion carries.
7 Next case?

8 MS. WATSON: Next case is 2017-032, Coweta County,
9 repeat voter. In May 2017, the Coweta County Board of
10 Elections reported that John Ray Hall had voted in Ohio
11 and Georgia during the November 2016 general election.
12 Mr. Hall was found to have voted in the November 8th, 2016
13 election on October 13th, 2016 when he voted early in
14 Butler County, Ohio. Then, he advance voted in person in
15 the same election in Coweta County -- also for the same
16 election on October 17th, 2016. We're recommending Mr.
17 Hall be bound over to the AG's Office for 21-2-572, repeat
18 voting, and 21-2-573, advance voting by an unqualified
19 person.

20 MR. RAFFENSPERGER: Okay. Is Mr. Hall here? Anyone
21 from --

22 MS. WATSON: Yes, sir.

23 MR. HALL: Yes, sir, I am.

24 MR. RAFFENSPERGER: Go ahead.

25 MR. HALL: I just wanted to make a -- I had made a

1 statement to -- I believe the previous investigator was a
2 Mr. Howard. I'm not really sure about that, but I've been
3 voting for over 40 years, and I know this was wrong, and I
4 -- I still have no recollection of ever voting in Ohio.
5 He showed me the signature, and I'll admit that it's my
6 signature, but at the time, I'd had a parent just die, and
7 I had another one that was coming in and out of the
8 hospital constantly, so I was going from my address in
9 Coweta County up to Indiana to try to see my dad, try to
10 take care of him, and also, we were finishing selling up
11 our house that we owned in Ohio and doing various
12 maintenance projects and that kind of stuff.

13 The only thing I can think of is that the large Home
14 Depot that I went to and would always get my materials out
15 of and the rental store where I'd always rent other tools
16 -- ladders, scaffolding, that kind of stuff -- to make
17 repairs to the house when we were selling it was really
18 close to the polling station, and I don't know. Maybe it
19 was just the vote signs. I guess I went there and voted.
20 I -- like I said, I have -- it sounds bad, but I have zero
21 recollection of doing that. I was basically in a fog that
22 last half of 2016 from my mother dying and my dad being so
23 sick. It's, you know, not much of an excuse, but I don't
24 recall having done that, and I know for sure that that's
25 wrong, and that never should have happened, but like I

1 said, I have no memory of that.

2 And then driving back and forth from there, bringing
3 some of the last part of our home goods from the house
4 that we were trying to sell in Butler County up in Ohio,
5 that's just exhausting. I made a mistake there. I
6 certainly never, ever meant to do that. Never did that
7 while I was in the military. Never would ever do that,
8 and I realize, you know, that it's just not right. I just
9 have to say that it was just a foggy time for me, and I
10 apologize. I apologize for having to take up you guys'
11 time on this for something that should not have happened,
12 and thanks so much for listening to me.

13 MR. RAFFENSPERGER: Thank you, Mr. Hall.

14 MR. HALL: Yes, sir.

15 MR. RAFFENSPERGER: Well, members, do you have any
16 questions, or do you want to do a motion? Now would be
17 the appropriate time.

18 MR. MASHBURN: I -- I have a question for Frances if
19 it's okay. This is Matt Mashburn. I have a question for
20 Frances. When y'all do these investigations, do y'all --
21 do y'all -- what's the number of times that y'all will
22 talk to the local DA about it while you're investigating?
23 Is it always, never, frequently, or how does that --

24 MS. WATSON: No. We would not have contacted the
25 district attorney's office until it's been presented to

1 the Board, and the Board refers it to --

2 MR. MASHBURN: Okay. So in most cases, they're --
3 they're waiting for us.

4 MS. WATSON: Unless -- unless someone else has
5 already sent it to them, which they could -- you know, the
6 local -- someone locally could refer it for investigation
7 to the district attorney's office.

8 MR. MASHBURN: Okay. On this one, Matt Mashburn, I
9 make a motion that this be referred to the Attorney
10 General's Office for processing. Period.

11 MR. RAFFENSPERGER: Okay. Do we have a second?

12 MS. SULLIVAN: This is Rebecca. I'll second the
13 motion.

14 MR. RAFFENSPERGER: Do we have any further questions
15 or comments from the Board? Hearing none, all those in
16 favor of referring this case to the Attorney General's
17 Office, signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Any opposed? Motion carries.
20 Okay. Next case?

21 MS. WATSON: Next case is 2017-033, Cobb County,
22 absentee voting by unqualified elector. In June of 2017,
23 the Cobb County Board of Election and Registration
24 reported three electors had voted absentee by mail in the
25 June 20th, 2017 special election from addresses where they

1 did not reside.

2 Investigation showed that Sarah Golden voted in
3 November 2016 general election at which time she submitted
4 an application confirming her address as 26 Spring Hedge
5 Court, Smyrna. This generated a voter registration change
6 of address that was not properly processed according to
7 Cobb County Elections. The failure resulted in her
8 address remaining at 4893 Raven Place, Marietta, and her
9 absentee ballot application for the special election
10 runoff for June 20th, 2017 being rejected.

11 On April 18th, 2017, Ms. Golden returned to her
12 polling location for the Raven Place Marietta address and
13 completed a voter's certificate confirming her address as
14 Spring Hedge Court, Smyrna, Georgia. She also completed a
15 voter registration changing her address to Spring Hedge
16 Court. Before the voter registration could be processed,
17 Sarah Golden submitted an absentee ballot application for
18 the Raven Place address. The ballot was received and
19 voted. She completed the oath attesting to her address
20 being Raven Place. By the time the ballot was received,
21 Ms. Golden's voter registration change of address was
22 received, and her ballot was rejected.

23 Both Karen and Joseph Schuster [ph.] were found to
24 have resided at the address given for their June 20th,
25 2017 election. When they were requested, the absentee

1 ballots, on May 9th, 2017, the same day they requested
2 their voter registration to be changed. Karen's voter
3 registration was not changed before the absentee ballot
4 was processed and so she received her absentee ballot, and
5 it counted. However, Joseph Schuster's absentee ballot
6 was issued, but his voter registration had already been
7 changed, and his absentee ballot was rejected.

8 We're recommending that Sarah Golden be bound over to
9 the AG for fraudulent entries which is 21-2-562, when she
10 signed the oath of an absentee ballot attesting to her
11 residence at an address where she did not reside and 573,
12 absentee voting by an unqualified elector, when she voted
13 absentee as an unqualified elector in the sixth
14 congressional district. We're also recommending Cobb
15 County Board of Election and Registration be bound over to
16 the AG's Office for 21-2-218(c), as they failed to
17 properly process the November 8th, 2016 registration of
18 Sarah Golden and 21-2-218(d), as they failed to allow the
19 elector Joseph Schuster to vote in the precinct of the
20 elector's former residence.

21 MR. RAFFENSPERGER: Okay. Lots of moving parts here.
22 Do we have any of the Respondents here?

23 MS. WATSON: I believe Sarah Golden is on the phone.

24 MS. GOLDEN: Yeah, I'm Sarah. I'm here.

25 MR. RAFFENSPERGER: Okay. Go ahead, Ms. Golden.

1 Yes.

2 MS. GOLDEN: Oh, okay. Perfect. So I will say I am
3 actually not sure who the Schusters are. I will say I'm a
4 bit confused on that part as well, but that aside, four
5 years ago I did speak to a Mr. Jeff Howard with the State.
6 He asked me to provide a statement after explaining what
7 happened. I haven't heard anything since October 23rd,
8 2017 until this most recent letter. That being said, I
9 definitely think it was a mistake on both myself and the
10 poll worker, which happens. I get it being -- trying to
11 be a poll worker in the past, you go through a lot of
12 training in a short amount of time.

13 I did move. I requested an absentee ballot. I do
14 not recall filling it out because I don't even recall
15 receiving it, which is why I went to my polling location.
16 I moved within Cobb County, so I did go to the polling
17 location that I had always gone to even from my old
18 address, thinking it would not matter since I was still in
19 Cobb. Obviously, it did matter. So I filled out -- when
20 I chatted with the polling -- the poll worker, I filled
21 out a new address form, and she did walk me through if it
22 wasn't the right location, it wouldn't be tallied, and
23 when I mentioned the absentee ballot to her, I didn't sign
24 any kind of form to void that absentee. It just really
25 seemed like it was just going to -- you know, you vote

1 here. If it's not the right polling district, it's just
2 not tallied.

3 Later on -- and I don't have the letter anymore
4 because it's been so long -- later on I did receive a
5 letter saying my absentee ballot was not valid, so really,
6 I didn't even follow through with anything because I was
7 like, well, if it's not valid, then nothing was -- so I
8 guess what I'm trying to say is I think it was a mistake
9 on both parts. Maybe I wasn't walked through it
10 correctly, or I didn't explain it to the polling
11 individual correctly, so full transparency, it was not on
12 purpose, but I don't have any other of the correspondence
13 from 2017 regarding the absentee ballot or the change of
14 registration.

15 MR. RAFFENSPERGER: Okay. Is there anyone here from
16 Cobb County?

17 MS. WATSON: I do not believe so.

18 MR. RAFFENSPERGER: Okay. Board members, do any of
19 you have any questions?

20 MR. WORLEY: I have a question for Ms. Watson, Mr.
21 Secretary.

22 MR. RAFFENSPERGER: Okay. Go ahead.

23 MR. WORLEY: Was the absentee ballot -- was the
24 absentee ballot counted?

25 MS. WATSON: Let me verify that. I do not have

1 anything showing -- that is showing that it was counted or
2 rejected in the -- in the pile. Can you pull up -- I'm
3 going to look at the hard copy folder. I'm sorry, sir. I
4 do show in the report that it was processed, and her
5 absentee ballot was rejected.

6 MR. RAFFENSPERGER: Any other -- are you still
7 checking?

8 MS. WATSON: No, sir. I did verify. It was
9 rejected.

10 MR. RAFFENSPERGER: Okay. Any other questions? Do
11 we have a motion?

12 MR. WORLEY: This is Mr. Worley. I make a motion
13 that we send Ms. Golden a letter of instruction.

14 MR. RAFFENSPERGER: Okay. Do we have a second on
15 that motion?

16 MR. MASHBURN: Matt Mashburn, second.

17 MR. RAFFENSPERGER: Okay. Any further comment? All
18 those in favor of sending a letter of instruction to Ms.
19 Golden, signify by saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those opposed? Motion carries.
22 And we also have the Cobb County Board of Elections and
23 Registrations with two violations. What is the will of
24 the Board on this one, these violations?

25 MR. WORLEY: I would make a motion that we bind over

1 Cobb County to the Attorney General's Office for two
2 violations.

3 MR. RAFFENSPERGER: Okay. Do we have a second?

4 MS. SULLIVAN: This is Rebecca. I'll second.

5 MR. RAFFENSPERGER: Okay. Any further discussion?

6 Hearing none, all those in favor of binding over Cobb
7 County Board of Elections to the Attorney General's
8 Office, signify by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any oppose -- any opposed?
11 Motion carries. Okay. Next case?

12 MS. WATSON: The next case is 2017-034, Fulton
13 County, voter poll locations. On May 16, 2017 during poll
14 monitoring for the May 16, 2017 special election runoff,
15 it was reported that DRE and express polls were not
16 properly secured at the St. Jude Catholic Church poll
17 location. A poll manager reported that all the DREs were
18 locked in a storage room at the polls the night before,
19 but one DRE could not be secured with a cable because
20 there were not enough daisy chains to secure all the DREs.
21 Dwight Brower with Fulton County contends no violation as
22 the DREs were properly chained and sealed until they set
23 up and due to the space created from the set-up of the
24 machines, there was not sufficient aircraft cable to
25 secure all of the machines together. The poll manager

1 reported that one DRE was found to have a broken seal
2 prior to the opening of the poll on Election Day. We're
3 recommending a letter of instruction be issued to Fulton
4 County for 21-2-379.7, as they failed to properly seal a
5 DRE at the Fulton County SS04 precinct during the May
6 16th, 2017 special election run off.

7 MR. RAFFENSPERGER: Okay. Fulton County, do you have
8 any additional comments? Board, do you have any comments
9 or questions? If not, now would be the appropriate time
10 for a motion.

11 MR. MASHBURN: This is Matt Mashburn. I move that we
12 accept the recommendation and issue a letter of
13 instruction.

14 MR. RAFFENSPERGER: Okay. Do we have a second?

15 MR. WORLEY: I'll second that.

16 MR. RAFFENSPERGER: Okay. Do we have any comments?
17 Hearing none, all those in favor of sending a letter of
18 instruction to Fulton County for case number 2017-034,
19 signify by saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those -- those opposed? Motion
22 carries. Next case?

23 MS. WATSON: Next case is 2017-035, Cobb County,
24 voter registration. In June 2017, a complaint alleged a
25 violation of 21-2-561, false registration. The voter

1 registration application in question had been submitted on
2 December 6th, 2016 to the Cobb County Board of Election
3 and Registration via the Department of Driver Services.
4 The registration submitted in the name of Talibah Fagueera
5 Bratton came under suspicion during the verification
6 process, as it was discovered the address may be false.

7 The investigation found evidence that says that
8 Talibah Fagueera Fatima Bint Abdul Hamind Bratton violated
9 OCGA 21-2-561 of the Georgia Election Code as she
10 submitted a false voter registration application to the
11 Cobb County Board of Election and Registration on
12 12/06/2016 via the Department of Driver Services. The
13 voter registration application was confirmed as false by
14 Ms. Bratton as she admitted to having used an address
15 where she did not reside when applying for a driver's
16 license. She confirmed further that she had submitted the
17 DDS application as requesting to vote, but it was
18 unintentional as she had no intention of voting. The
19 recommendation is the case to be referred to the AG's
20 Office for the listed violation and be considered for a
21 referral to the Cobb County District Attorney's Office.

22 MR. RAFFENSPERGER: Okay. Is the Respondent here to
23 speak for herself?

24 MS. WATSON: No, sir.

25 MR. RAFFENSPERGER: Okay. What is the will of the

1 Board?

2 MS. SULLIVAN: This is Rebecca. I'll make a motion
3 that this case be referred to the Attorney General's
4 Office.

5 MR. RAFFENSPERGER: Okay.

6 MR. WORLEY: I'll second that.

7 MR. RAFFENSPERGER: Okay. Do we have any further
8 comment? Hearing none, all those in favor of referring
9 this case to the Attorney General's Office, signify by
10 saying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Any opposed? Motion carries.
13 Next one?

14 MS. WATSON: Next case is 2017-039, Paulding County,
15 voter registration. In July 2017, we received an
16 allegation that a voter registration submitted to the
17 Paulding County Board of Election and Registration was
18 false, as the address provided on the registration was not
19 the address of the applicant submitting the registration.
20 Investigation found evidence to suggest that Sharmaine
21 Swift Covington violated 21-2-561, false registration, as
22 she used a Paulding County address when submitting a voter
23 registration through the Department of Driver Services on
24 June 27th, 2017.

25 She states the voter registration was not

1 intentionally [sic]. She failed to opt out of voter
2 registration during the process of using a fraudulent
3 address to obtain a driver's license. We recommend the
4 case be referred to the Attorney General's Office for the
5 listed violation.

6 MR. RAFFENSPERGER: Okay. Is the Respondent here to
7 speak for herself?

8 MS. THOMAS: She was, but she's no longer on.

9 MS. WATSON: She was on, but she is no longer.

10 MR. RAFFENSPERGER: Okay. What is the will of the
11 Board?

12 MR. MASHBURN: This is Matt Mashburn. To me, this
13 sounds like one that should go straight to the DA as well,
14 so I make a motion that this be referred to the AG and the
15 local DA.

16 MR. RAFFENSPERGER: Okay. Do we have a second?

17 MS. SULLIVAN: I'll make a -- I'll second that
18 motion.

19 MR. RAFFENSPERGER: Okay. Any discussion? All those
20 in favor of the motion before you, signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any op -- any opposed? Motion
23 carries. Okay. Next case?

24 MS. WATSON: Next case is 2017-040, Fulton County,
25 nonresident -- non-citizen. In August 2017, we received a

1 report of a Fulton County non-citizen voter. The
2 allegation was that Clifton Seymour Salmon, a non-citizen,
3 had registered and voted in Fulton County.

4 Investigation found evidence to suggest that Clifton
5 Seymour Salmon violated the Georgia Election Code as he
6 registered to vote through the Department of Driver
7 Services on 12/07/2013 and again on 03/12/2014. The
8 evidence further suggests that Mr. Salmon again violated
9 the Georgia Election Code as he voted in the November 8th,
10 2016 general election in Fulton County, Georgia as a
11 nonresident. We're recommending Clifton Seymour Salmon be
12 referred to the Attorney General's Office for the listed
13 violation of 21-2-571 and 21-2-5 -- 571. We did receive a
14 phone call from Mr. Salmon's ex-wife, who advised Mr.
15 Salmon when he registered through the Department of Driver
16 Services was not fluent with English and may not have
17 understood the DDS process regarding the voter
18 registration.

19 MR. RAFFENSPERGER: Okay. Is the Respondent here?

20 MS. WATSON: Yes.

21 MR. RAFFENSPERGER: Mr. Salmon?

22 MR. SALMON: Yes?

23 MR. RAFFENSPERGER: The floor is yours.

24 MS. NEWSOME: Good morning. Mr. Salmon is also on as
25 well -- on as well. Good morning, everyone on the Board

1 and Mr. Secretary. Again, I am Ms. Newsome, Mr. Salmon's
2 ex-wife. Initially, when this happened, he did register
3 to vote August -- I think 2013. Mr. Salmon had just come
4 up from Jamaica November of 2013 and -- trying to go get
5 the proper license to drive around. I was not with Mr.
6 Salmon during that time when he was taken to the DMV to
7 register to vote. Normally, I'm with him to help him fill
8 out all the paperwork as he's limited with reading. He
9 struggles with reading and then the proper English, the
10 accent that he has.

11 So he had to go back again in '14 because when he
12 entered, I can't remember the status he came on, but it
13 was a temporary, I believe, license provided to him. When
14 he went back, again, I was working. I was not with him,
15 and because he doesn't pay attention to detail and he has
16 a difficult time reading as well, he did the same thing
17 that he did in 2013, just thinking that that was the
18 correct way to fill out the form. A couple of years
19 after, Mr. Salmon received something in the mail saying
20 that he needed to go vote. I was not aware of this.

21 When I became aware of this, I immediately contacted
22 the Secretary -- the Secretary of State's Office, and I
23 got put in touch with Investigator Bagwell. Both being
24 young, really ignorant with the laws, I spoke to Mr.
25 Bagwell. I explained to him this was not fraudulent at

1 all. This was very unintentional. It was very innocent
2 on Mr. Salmon's part. We are very apologetic. He did --
3 he really did not know. He did go in to vote and after he
4 did that, I explained to Mr. Bagwell the situation. Mr.
5 Bagwell did a thorough investigation. Mr. Bagwell
6 informed me, you know -- he never informed me that a
7 hearing would come. He made me feel as if everything was
8 okay, and then four, three and a half years later, I
9 receive this information in the mail when Mr. Salmon and I
10 are no longer married.

11 But I called and spoke to the Secretary of State
12 trying to rectify the situation and whatever it was that
13 we needed to do. I was then instructed that I needed to
14 send an email immediately to -- I believe it was a Mr.
15 Jones to remove Mr. Salmon from the voter registration
16 list, and I did that. I followed all the instructions
17 that were given. Mr. Salmon has never voted again. He
18 now understands the laws and the severity of it, whereas
19 before he did not understand any of that. So on behalf of
20 Mr. Salmon -- and he is online as well -- and to the
21 Board, I truly apologize. It was really -- being
22 transparent, there was nothing fraudulent with it. He
23 just did what he thought that he was doing the correct
24 thing to do, and unfortunately, this has come up.

25 So when I spoke to Ms. -- I called and I spoke to, I

1 believe -- I can't think of her name. I have the paper
2 here. Ms. Watson -- and I explained everything to Ms.
3 Watson, and she explained to me what today would be about
4 and she did say that the Board had to make a decision. It
5 would either be a fine or a letter of instruction for him
6 not to do it again, or I'm not quite understanding the
7 Attorney General's Office, but I do just know that it was
8 not a fraudulent case. Mr. Salmon is not a criminal, far
9 from it, and I just wanted to allow the Board to hear me
10 today, but Mr. Salmon is on as well.

11 MR. RAFFENSPERGER: Mr. Salmon, would you like to...?

12 MR. SALMON: Yes. So as she was saying, I didn't
13 have any idea of the laws in America. I was new -- new to
14 the county, and I made a mistake, and I'm truly sorry.
15 You're hearing me?

16 MR. RAFFENSPERGER: We can hear you fine.

17 MR. SALMON: Yes. So I wasn't aware of the laws, and
18 I'm so sorry that I did this, and I just want to make it
19 right, so I'm sorry.

20 MR. RAFFENSPERGER: Okay. Okay. Thank you for your
21 input. Before we get into this case, I think that
22 separate from this case, we need to send this case to the
23 Department of Driver Services and let them know that a
24 non-citizen was given -- checked off the box, and the
25 verification process did not pick that up, that we had a

1 non-citizen that was given the authority to vote, and they
2 were registered to vote through the Department of Driver
3 Services. This is something that people have great
4 concern -- they want to make sure that only American
5 citizens vote, so that is the one thing that I think our
6 Office needs to send a letter to the Department of Driver
7 Services. And before we get into this case, are there any
8 questions that any of the Board members have specifically
9 about this case then?

10 MS. NEWSOME: Good morning. May I add one more
11 thing? I'm so sorry.

12 MR. RAFFENSPERGER: Go ahead.

13 MS. NEWSOME: Initially, the reason that Mr. Salmon
14 went back the second time is what we later found out a
15 year and a half later, and this was on the error of the --
16 I guess the immigration. They entered him in the country
17 incorrectly, so he was never supposed to go back twice to
18 the DMV. He was only supposed to go just one time, but
19 because he was entered incorrectly, he was initially given
20 the temporary driver's license, and then I think a year
21 later, he had to go back for the permanent, and so that's
22 why he went back in '14 and just remember what he had did
23 in '13 and tried to fill the form out the exact same way.

24 MR. RAFFENSPERGER: Okay. Thank you. Do any of the
25 members have any questions, or is there a motion before?

1 MR. MASHBURN: This is Matt Mashburn. I move that
2 this go -- be referred to the Attorney General and also
3 have an immediate referral to the local DA, and I agree
4 with the Secretary that a letter needs to go to DDS.

5 MR. RAFFENSPERGER: Do we have a second?

6 MS. SULLIVAN: This is Rebecca. I'll second that
7 motion.

8 MR. RAFFENSPERGER: Okay. The motion is before the
9 Board. Any further comments?

10 MR. WORLEY: Mr. Secretary, I think to refer it to a
11 district attorney and for the district attorney to do
12 anything about it, there would have to be a showing of
13 intent. I don't -- I don't see on the facts of this case
14 that there is a -- an intent to violate that statute, so I
15 would support sending it to the Attorney General's Office
16 for the purpose of arranging a fine through a consent
17 order, but I'm not going to support Mr. Mashburn's motion.

18 MR. RAFFENSPERGER: Okay. Duly noted. Any further
19 comments? Hearing none, all those in favor of referring
20 this to both the Attorney General's Office and the local
21 prosecuting attorney, please signify by saying aye.

22 THE BOARD MEMBERS (except Mr. Worley): Aye.

23 MR. RAFFENSPERGER: Those opposed?

24 MR. WORLEY: No.

25 MR. RAFFENSPERGER: Okay. Motion carries. Next

1 case?

2 MS. WATSON: Next case is 2018-020, Fayette County,
3 qualification of electors. In May 2018, a Mr. Ridges
4 advised that on May 22nd, 2018, his wife Mrs. Jarvis
5 Ridges went to her polling location to vote. She was told
6 that she had already voted earlier that day. When Jarvis
7 Ridges disputed this report, the poll manager researched
8 and determined an error was made by a poll worker.
9 Although it was determined that she was both registered
10 and qualified to vote in the election, Jarvis Ridges was
11 required to vote a provisional ballot during the May 22nd,
12 2018 Fayette County election.

13 It was determined that the son of Jarvis Ridges had
14 voted, and the poll worker selected Jarvis Ridges instead
15 of Jalen Ridges, marking Jarvis Ridges as having voted.
16 When Jarvis went in to vote, the system indicated she had
17 already voted, and the error was discovered. The poll
18 worker provided a provisional ballot to Jarvis to vote in
19 the election. The provisional ballot was then rejected by
20 the Fayette County Board of Elections and Registration,
21 citing that there was already a vote in her name, knowing
22 the vote was already cast by her son. The reason given
23 was that if the provisional was approved, it would be a
24 second vote in her name. It was determined that although
25 Jalen thought he had registered through DDS, it was not

1 actually registered until May 22nd, 2018.

2 We're recommending the change -- the charge against
3 Jalen Ridges be dismissed, as he believed he was a
4 registered voter at the time that he presented to vote,
5 and we're recommending that Fayette Board of Elections and
6 Registration, Floyd L. Jones, Director of Elections and
7 Voter Registration, and Judith Bausch, poll manager, be
8 bound over for violation of SEB rule 183-1-12-.02(4)(b),
9 when the voter certificate that Jalen Ridges presented at
10 the poll was erroneously verified and Jarvis Ridges'
11 voting record was selected to create a voter access card
12 for Jalen Ridges, and SEB rule 183-1-12-.06(4)(c), when
13 they had acknowledged that Jarvis Ridges was timely
14 registered, qualified to vote in the election, and
15 reported to her correct assigned polling location, yet she
16 was required to vote a provisional ballot rather than cast
17 her ballot on a DRE machine, and Fayette County Board of
18 Elections and Registration, Brian W. Hill, registrar,
19 Floyd L. Jones, Director of Elections, be bound over to
20 the AG's Office for 21-2-419(c)(1), when they rejected
21 Jarvis Ridges' provisional ballot although they determined
22 that she was timely registered to vote and was eligible
23 and entitled to vote in the May 22nd, 2018 general
24 election, and 21-2-419(d)(1), when they rejected Jarvis
25 Ridges' provisional ballot and failed to notify her of the

1 proper reason for the rejection.

2 And there also was listed -- a violation of 21-2-603,
3 and we are recommending that be dismissed as not enough to
4 support the violation.

5 MR. RAFFENSPERGER: Okay. Do we have any of the
6 Respondents here?

7 MS. WATSON: Yes. There are several people.

8 MR. RAFFENSPERGER: Okay.

9 MS. THOMAS: Just one second. We're going to let
10 everybody speak at one time. Do you want to start with
11 Mr. Ridges?

12 MR. RIDGES: Good morning. I would like to say that,
13 on behalf of my son, he -- the driver's services part of
14 the registration is not very good at this time. He
15 checked the box when he got his driver's license to
16 register to vote, and he went off to college, came back
17 from college, and this was his first time voting, so there
18 was the assumption that he was registered to vote because
19 he checked the box on the official state document saying
20 he wanted to be registered, so when he stood up to vote,
21 the error was made checking off my wife's name. He voted,
22 and -- and by all accounts, he thought he was eligible to
23 vote, and the poll worker gave him the card to vote,
24 checking him in, and so that part of the problem, I think,
25 leads more back to DDS and the registration of voting. I

1 think everything else was explained clearly on my wife's
2 behalf, not being able to vote when she was a registered
3 voter. Thank you.

4 MS. THOMAS: Next, Ms. Judith?

5 MS. BAUSCH: Yes. I was the poll manager there, and
6 I would not disagree with part of that statement, but Mrs.
7 Jarvis needed to leave, and we wanted her to be able to
8 vote. So we provided her with a provisional ballot. We
9 had been in touch with the Board of Elections, and they
10 were backed up, and she could not stay. There's nothing
11 more to really say about this. It was truly a mistake on
12 the poll worker's part. He should have been checking the
13 birth dates, and he did not. He is no longer working
14 because it upset him so much. I do apologize that Mrs.
15 Jarvis didn't get to vote. We thought we were truly doing
16 the correct thing in giving her the opportunity to vote
17 provisionally. I do not know what else to say. I upheld
18 my -- I upheld my vote to give her the most perfect
19 election we could.

20 MR. RAFFENSPERGER: Okay.

21 MS. THOMAS: And Mr. Patrick Stough and Brian Hill
22 are here from Fayette County.

23 MR. RAFFENSPERGER: Okay.

24 MR. STOUGH: Thank you. This is Patrick Stough with
25 the county attorney's office for Fayette County. I'm here

1 on behalf of the Fayette County Board of Elections. First
2 of all, I'd like to say that the Board acknowledges that
3 errors were made, particularly with regard to the error
4 that allowed Mr. Ridges to vote under his mother's name.
5 As has already been stated, the poll worker who made that
6 error is no longer serving as a poll worker for Fayette
7 County. The Board also acknowledges that the decision to
8 not count Ms. Ridges provisional ballot may have been an
9 error. The Board thought it was making the correct
10 decision at the time, and there was no evil intent in
11 their decision.

12 The Board does take issue with two aspects of the
13 report. First, it implies that there were no
14 communications between the poll manager and the Elections
15 Office about what to do once the error was discovered. It
16 also implies that it was improper to require Ms. Ridges to
17 complete a provisional ballot. Brian Hill, who was the
18 registrar at the time and who is on this call, was in
19 communications with both the poll manager and our state
20 liaison at the Secretary of State's Office. The decision
21 to have Ms. Ridges complete a provisional ballot was based
22 on the directions from our state liaison.

23 The Board also takes issue with any allegations that
24 there was intent to cover up an error, as implied by the
25 report. I do understand that they've asked that that not

1 go forward, but I wanted to speak on that. Again, the
2 Board made the decision and thought it -- that it thought
3 was correct at the time, and it was clearly understood
4 that a complaint would probably be filed by a member of
5 the Ridges family. This occurred during a public meeting,
6 and the minutes of that meeting and the recording of that
7 meeting will bear this out. These can be made available
8 to the Board or to the AG's Office as necessary. If
9 there's any further questions about that, I believe -- I
10 don't know if he's on the call, but one of our members was
11 intending to be present to speak on that.

12 MR. RAFFENSPERGER: Okay.

13 MS. THOMAS: Brian, did you want to add anything?

14 MR. RAFFENSPERGER: Okay. Board members, did you
15 have any questions for any of the Respondents or for our
16 investigator?

17 MR. WORLEY: Mr. Secretary, this is David Worley. I

18 --

19 MR. HILL: I'm sorry. Excuse me. I'm sorry. I was
20 muted, and I was trying to speak a little bit. Excuse me.

21 MR. RAFFENSPERGER: Okay. Is this Mr. Hill?

22 MR. HILL: Yes, sir. This is Brian Hill.

23 MR. RAFFENSPERGER: Okay. Go ahead.

24 MR. HILL: Excuse me for interrupting. Good morning,
25 Mr. Secretary and State Election Board members. Yes. I

1 just wanted to add just a quick note here as far as with
2 Mr. Mark Ridges and his son Jalen Ridges. I'm not sure if
3 Mr. Ridges recalls me talking to him, and I was very
4 transparent -- me and Mr. Floyd Jones, we were very
5 transparent in talking with them and trying to give them a
6 good understanding of the mistakes and were very
7 apologetic of the error that was done on our Board of
8 Elections' part. I -- what was told to me from Mr. Mark
9 Ridges was that Mr. Jalen Ridges tried to register to vote
10 at the age of 16 when he went to go get his driver's or
11 his license or ID, but he did check that box at the DDS to
12 try to register, but of course, at the age of 16, you
13 cannot get registered to vote in the State of Georgia, so
14 DDS did not send that over to our dashboard in our
15 election net database, so of course he wasn't on our
16 electors list during the time.

17 We admit the error that was done by our poll workers,
18 and we thought we handled this in the best way we could.
19 As soon as we were notified by this by our poll manager,
20 Ms. Judith, in a timely manner, we called Ms. Melanie
21 Fourchette, which was the Secretary of State's liaison for
22 our county at the time. She informed us to, you know,
23 issue a provisional ballot, which we did, and to not count
24 her in our election database because of course, her vote
25 has already been cast by, of course, instead of her by her

1 -- her son Jalen Ridges. So I just wanted to add that
2 more detail to that information. Of course, we didn't
3 bring it before our Board until -- until the certification
4 meeting that Friday of that same election week. Thank
5 you.

6 MR. RAFFENSPERGER: Okay. Board members, I think,
7 Mr. Worley, you had a question?

8 MR. WORLEY: Not so much a question as a statement.
9 There are a couple of things troubling to me about this
10 case, and -- but I think you have to look at what really
11 happened here. Two things happened: Jalen Ridges was
12 allowed to vote when he was not registered, and Mrs.
13 Ridges' provisional vote was not counted. As to the
14 first, looking at that, it seems to me that there was a
15 mistake made. It was a mistake made by the poll worker.
16 It doesn't seem to me that anyone else involved in the
17 process did anything wrong. The poll manager, Ms. Bausch,
18 did exactly what she was supposed to do, it seems to me,
19 when Mrs. Ridges came to vote, which is that she had her
20 cast a provisional ballot. So I don't -- I don't see any
21 wrongdoing on the part of the poll manager at all.

22 When it comes to what happened after that, the real
23 problem is that Ms. Ridges' vote was not counted. Her
24 provisional ballot was not counted when she had every
25 right to cast a ballot. This issue, it seems, was

1 presented to the Fayette County Board of Elections by Mr.
2 Hill, who according to the report that we've received
3 presented all of the facts to the Fayette County Board of
4 Elections and did everything that he was supposed to do,
5 so I don't see anything wrong on his part as the
6 registrar.

7 Where the problem is is that the Board rather than
8 counting Ms. Ridges' vote and admitting what had happened
9 decided not to count her vote, and I think that was an
10 error and was a violation of the law, and while Mr. Stough
11 -- I accept what Mr. Stough says, that this was all done
12 in a public meeting, but we don't have that. We don't
13 have those minutes. I'd certainly like to see those
14 minutes going further, but based on what we have in front
15 of us, I think Fayette County's actions need to be
16 referred to the Attorney General, so that's my view of the
17 case, and as a preliminary matter, I'd move that the
18 charges against Brian Hill and Judith Bausch be dismissed.

19 MR. RAFFENSPERGER: Okay.

20 MR. MASHBURN: Matt Mashburn, I second.

21 MR. RAFFENSPERGER: Okay. All those in favor of that
22 motion, signify by saying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Okay. That first
25 motion carries.

1 MS. SULLIVAN: Mr. Secretary, this is Rebecca. If I
2 could just add an additional question or comment, perhaps
3 for the Elections Division, I recall a very similar case
4 like this from one of our recent meetings and was
5 wondering is there -- is there training? Is there a
6 specific FAQ out there, guidance, on what happens when a
7 family members has been allowed to vote accidentally and
8 how to handle that for the subsequent family member who
9 comes to vote? Is there -- is there clear guidance on
10 what's the proper cure for that other than, you know, of
11 course, allowing a provisional ballot to be cast, but at
12 that point, how did the Board -- how did this -- how are
13 those votes counted?

14 MR. HARVEY: Ms. Sullivan, this is Chris Harvey with
15 the Elections Division. There is -- there is a specific
16 procedure for cancelling an erroneously credited absentee
17 ballot, so whether it's for a family member or somebody
18 else with a similar name, there is a way where you can
19 take the credit back from somebody else and assign it to
20 the proper person. That is provided to the counties. It
21 happens occasionally when people aren't -- somebody just
22 overlooks it, maybe a junior or a third or a senior or
23 something like that, so it's not uncommon, but it doesn't
24 happen a lot. But most counties are familiar with how
25 that goes about.

1 MS. SULLIVAN: Thank you.

2 MR. RAFFENSPERGER: Okay. There are -- I don't
3 believe we answered all the questions or issues or
4 recommendations that are before the Board in this matter.
5 Is there any further action that the Board would like to
6 take on any open issues?

7 MR. WORLEY: Mr. Secretary, if Mr. Ridges is still on
8 the call, I did have a follow-up question for him. It
9 seems that the same day that Mr. Ridges voted -- or his
10 son, Jalen, voted, he registered -- registered to vote or
11 shortly thereafter. Could he explain that?

12 MR. RIDGES: He -- he attempted, as Mr. Hill said, on
13 his driver's license the box was there. His assumption,
14 as well as mine -- I gave him instructions to check the
15 box because it was a state document, and I assumed as well
16 as he did that once he turned 18, he'd be registered to
17 vote. We knew he couldn't register at 16, so the
18 assumption was he was going to be registered at 18 at the
19 appropriate time. Shortly after that date when we found
20 out that he was not actually registered, he immediately
21 went to register, and we got his registration information
22 within a week or two after that.

23 MR. WORLEY: Okay. Thank you.

24 MR. MASHBURN: This is Matt. Just trying to clarify
25 in my mind, is the remaining issue that's open is the --

1 there's a pending motion or needs to be a motion to
2 dismiss the mom? Is that right? Is it the mom? Who are
3 we missing?

4 MS. WATSON: We're recommending the charge against
5 Jalen Ridges.

6 MR. WORLEY: Mr. Secretary, this is David Worley. I
7 would make a motion that Jalen Ridges, the son, receive a
8 letter of instruction and that the remainder of the case
9 be bound over to the Attorney General's Office, that is,
10 Fayette County be bound over to the Attorney General's
11 Office.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MR. MASHBURN: Second, Matt Mashburn.

14 MR. RAFFENSPERGER: Do we have any further
15 discussion?

16 MR. MASHBURN: Yeah. This is Matt Mashburn. To just
17 add in to what David eloquently and wisely said earlier is
18 this is -- this is one of the most -- to me, this is one
19 of the most serious issues that I've seen since I've come
20 across the Board because the allegation that we have a
21 provisional ballot being discussed and we do want to --
22 it'll be important to see what these minutes say going
23 forward -- but you've got a provisional ballot, and they
24 look at it and say is this a lawful voter? Yes. Did she
25 try to vote? Yes. Are we going to count her vote? No.

1 So to me, you know, it's a very, very, very serious issue,
2 so I'm glad that David made the motions that he did, and I
3 support it -- support it one hundred percent.

4 MR. RAFFENSPERGER: Okay. Okay. We have the motion
5 before us. We have a second. Any further discussion?
6 Hearing none, all those in favor of the motion, signify by
7 saying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any -- any opposed? Motion
10 carries. If you will indulge me, if we could take a break
11 until 11:45. The session is in, and I have to deal with
12 something, and so if we'll get back at 11:45, that will be
13 fantastic. Thank you very much.

14 (Meeting break)

15 MR. RAFFENSPERGER: Great. We can resume then. Ms.
16 Watson, we're ready when you are. I believe everyone is
17 back.

18 MS. WATSON: All right. The next case is 2018-040,
19 Fulton County/DeKalb County, voter registration
20 applications. We received a complaint from a Ms. Helen
21 Butler, the Director of the People's Agenda, reporting an
22 issue with a canvasser, a Samunta Pittman. She advised as
23 part of their quality control process for handling voter
24 registration forms submitted by Mr. Pittman, they found
25 potential fraudulent activity.

1 Investigation revealed evidence to indicate that Mr.
2 Pittman while working for the People's Agenda had as a
3 canvasser fraudulently filled out 70 State of Georgia
4 applications for voter registration forms. Mr. Pittman
5 denies that he completed the applications. We recommend
6 Mr. Pittman be bound over to the Attorney General's Office
7 for 70 counts of violations of 21-2-562, fraudulent
8 entries.

9 MR. RAFFENSPERGER: Okay. Well, before we get
10 started, I would like to give a shout-out and thank Ms.
11 Butler for really reporting that issue, so thank you, Ms.
12 Butler. We have talked over the years, and I just really
13 appreciate that you brought that to the Election
14 Director's attention. Okay. So this is before us now.
15 Is the Respondent here to speak on behalf of herself
16 [sic]?

17 MS. THOMAS: No. Just Fulton County is here.

18 MS. WATSON: Fulton County, but no. They're not a
19 Respondent, and Mr. Pittman is not available.

20 MR. RAFFENSPERGER: Okay. Board members, do you have
21 any questions?

22 MR. WATSON: I don't have any questions, Mr.
23 Secretary, but I would also compliment Ms. Butler for
24 bringing this attention -- or bringing this to the
25 attention of the Secretary of State's Office and making

1 sure that her organization follows the rules correctly.

2 MR. RAFFENSPERGER: And that was 70 applications
3 fraudulently filled out?

4 MS. WATSON: Correct.

5 MR. RAFFENSPERGER: What is the will of the Board?
6 Now would be the appropriate time for a motion if you're
7 so inclined.

8 MS. LE: This is Anh. Given the volume of fraudulent
9 applications, I would make a motion to send this to the
10 Attorney General's Office but also the district attorney
11 for a closer look.

12 MR. RAFFENSPERGER: Thank you. Do we have a second
13 for that motion?

14 MR. MASHBURN: Second, Matt Mashburn.

15 MR. RAFFENSPERGER: Do we have any further comment
16 from any Board members? Hearing none, all those in favor
17 of referring this case to the Attorney General's Office
18 and the local district attorney's office, signify by
19 saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Any opposed? Any opposed?
22 Motion carries. Next case?

23 MS. WATSON: Next case is 2018-041, Cherokee County,
24 felon voter. In July 2018, Cherokee County Elections
25 reported that Jared Ferrara Abell did vote during the

1 general primary of May 22, 2018 while still serving a
2 felony sentence. Investigation confirmation the listed
3 individual was serving a felony sentence and still on
4 probation until 2028. He did vote on November 8th, 2016
5 and then on May 22, 2018. We recommend Jared Ferrara
6 Abell be bound over to the Attorney General -- General's
7 Office for a violation of 21-2-216(b).

8 MR. RAFFENSPERGER: Okay. So do we have the
9 Respondent here to speak on his behalf?

10 MS. WATSON: No, sir.

11 MR. RAFFENSPERGER: Do we have any questions from any
12 of the Board members? Now would be the appropriate time
13 to make a motion if you're so inclined.

14 MR. WORLEY: I would make a motion that we bind Mr.
15 Abell over to the Attorney General's Office.

16 MR. RAFFENSPERGER: Okay. Do we have a second?

17 MR. MASHBURN: Second.

18 MR. RAFFENSPERGER: Okay. Do we have any further
19 comment? All those in favor of binding this case over to
20 the Attorney General's Office, signify -- signify by
21 saying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. RAFFENSPERGER: Any opposed? Motion carries.
24 Next case?

25 MS. WATSON: Next case is 2018-069, Webster County,

1 qualification of elector. On October 26th, 2018, Bonnie
2 Witt self-reported she accidentally allowed a voter who
3 was unregistered in Webster County to vote on one of the
4 DRE units. Ms. Witt later realized her mistake when
5 trying to issue an in-person credit for the voter. The
6 individual allowed to vote was identified as Summer C.
7 Jones, who was registered in Lowndes County.

8 Investigation shows Summer Catherine Jones went in to
9 vote in Webster County during early voting. The voter
10 access card was programmed using Catherine Dawn Jones'
11 information. Due to the mix up in Webster County, Summer
12 Catherine Jones was not certain her vote would count and
13 went to vote in Lowndes County for the same election.
14 We're recommending Webster County Board of Elections and
15 Registration and Bonnie Witt, the Deputy Registrar, be
16 bound over to the AG's Office for violation of SEB rule
17 183-1-12-.02(4)(b), when they allowed an unregistered
18 voter to vote in Webster County -- at the time of the
19 incident, voter Summer Jones was a registered voter of
20 Lowndes County -- and also recommending Summer Jones be
21 bound over to the AG's Office for 21-2-572, repeat voting
22 in the same election.

23 MR. RAFFENSPERGER: Okay. Do we have anyone from
24 Webster County, Ms. Summer Jones, any of the Respondents
25 here?

1 MS. WATSON: I believe that they both may be
2 available.

3 MS. THOMAS: Ms. Witt, you can go ahead.

4 MS. WATSON: Ms. Witt?

5 MS. THOMAS: You're unmuted. You can go ahead and
6 speak.

7 MS. JONES: My father was there actually with me,
8 while we went to go vote. I came home from college one
9 weekend, and they went to go -- my father and my
10 grandfather went to go vote, and so I just went with them,
11 not thinking that my driver's license had my Valdosta
12 State -- Valdosta address on there. When we came in, Ms.
13 Bonnie Witt did not request to see my license, driver's
14 license, not seeing that I was actually me and not my mom,
15 and I was now in Valdosta and registered in Valdosta in
16 Lowndes County, so I went ahead and voted. She said she
17 didn't need to see my driver's license, and so after the
18 fact, she realized her mistake and immediately got on the
19 phone that I had registered -- or I had voted as my mom,
20 Catherine Dawn Jones.

21 And so my father and I asked her if my vote would
22 count, and she said that she would fix the problem, that
23 my vote would not end up counting, and that -- that I
24 could go vote in Lowndes County in order to get my vote in
25 for the election. It was an honest mistake on Ms. Witt's

1 part. I do think that she should have looked at my
2 driver's license, but also just a mistake on my part as
3 well, so thank you for letting me speak today.

4 MR. RAFFENSPERGER: Okay. Thank you. Next speaker?
5 Ms. Witt?

6 MS. THOMAS: You're unmuted. You can speak now.

7 MS. WATSON: I think she's trying, but we can't hear
8 her.

9 MR. RAFFENSPERGER: Well, Webster County. Do we have
10 anyone there?

11 MS. WATSON: She's online and unmuted, but she's --
12 we're not hearing here.

13 MR. RAFFENSPERGER: Okay.

14 MS. WATSON: We're trying to reach out to her.

15 MR. RAFFENSPERGER: In the meantime, does the Board
16 have any questions?

17 MS. THOMAS: Hi, Ms. Bonnie. Hi, this is Brianna.
18 I'm going to put you on speaker to speak with the Board.

19 MS. WITT: I was trying to talk to them, but I keep -
20 -

21 MS. THOMAS: Okay. Give me one second. Okay. All
22 right you can go ahead.

23 MS. WITT: Okay. This is Bonnie Witt, and I just
24 want to say that I'm sorry that this incident happened.
25 It was just a human error. I looked at her license, but

1 it was -- the mother's name is Catherine Dawn and the
2 daughter is Summer Dawn or something like that, but
3 anyway, I just looked at it wrong, and I made a human
4 error, and I'm very sorry that I did, and I've been very
5 careful ever since then, and all I can say is I'm sorry.
6 It's just a human error.

7 MR. RAFFENSPERGER: Okay. Do any Board members have
8 any questions for either Ms. Witt or Ms. Jones?

9 MS. LE: This is Anh Le. I do have a question for
10 Ms. Witt. Ms. Witt, did -- Ms. Jones said that you didn't
11 ask for her ID and didn't look at her ID. Is that true?

12 MS. WITT: She did have it out, and I looked at it,
13 but her mother's name is, like, Catherine Dawn, and her
14 name is Summer Dawn, and I just messed up.

15 MS. LE: Right. I mean, I -- I understand that
16 sometimes human error -- human errors happen. I just want
17 to make sure that you did, in fact, check an ID when a
18 voter comes -- yes.

19 MS. WITT: I did. I probably didn't look close
20 enough at the address, but I was just looking at the name
21 and the picture.

22 MS. LE: Okay. Thank you.

23 MR. RAFFENSPERGER: Okay. Members, what -- do you
24 have any further questions or now would be a good time for
25 a motion?

1 MR. WORLEY: Mr. Secretary, David Worley here.

2 MR. RAFFENSPERGER: Yes, sir.

3 MR. WORLEY: I -- in reading this report and the
4 Fayette County report that we dealt with earlier, I -- I
5 just was struck by the contrast in this case and the
6 Fayette County case in that in the Webster County case the
7 election official realized their mistake right away,
8 admitted to it, tried to resolve it in the appropriate
9 way, so in this case, I would make a motion that we send a
10 letter of instruction to Ms. Jones and to Webster County.

11 MR. RAFFENSPERGER: Okay. Do we have a second?

12 MR. MASHBURN: Matt Mashburn seconds.

13 MR. RAFFENSPERGER: Okay. Any further discussion
14 from the Board? Hearing none, all those in favor of the
15 motion to send letters of instruction to Webster County
16 and also to Ms. Summer Jones, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Okay. Motion carries. Thank
19 you. Next?

20 MS. WATSON: Next case is 2018-070. In October of
21 2018, Jimmy Lawson alleged someone fraudulently submitted
22 an absentee ballot in his name and forged his signature on
23 the ballot envelope. This incident was discovered and
24 reported by the Lowndes County Election Supervisor.
25 Investigation revealed that the absentee ballot for Jimmy

1 Lawson was completed and submitted by his sister Sophia
2 Sharpe. We recommend Sophia Sharpe by referred to the
3 AG'S Office for 21-2-573, absentee voting by an
4 unqualified elector.

5 MR. RAFFENSPERGER: Okay. Is Ms. Sharpe here?

6 MS. WATSON: I believe the only one is -- Deb Cox
7 with Lowndes County is on the line.

8 MR. RAFFENSPERGER: Okay. Good morning, Ms. Cox. Do
9 any Board members have any questions for Ms. Cox from
10 Lowndes County? What is the will of the Committee?

11 MS. LE: This is Anh Le. I would move -- I would
12 submit a motion to send this to the Attorney General's
13 Office.

14 MR. WORLEY: I would second that.

15 MR. RAFFENSPERGER: Okay. Any further discussion?
16 All those in favor referring this case to the Attorney
17 General's Office, signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Any opposed? Motion carries.
20 Next case?

21 MS. WATSON: Next case is 2018-094. November 7th,
22 2018, the complainant contacted the investigations office
23 to report that Hassan Musaddiq, a convicted felon, had
24 voted in the general election of November 6th, 2018.
25 Investigation confirmed that Hassan Musaddiq was convicted

1 of a felony in the federal court system in May of 2018 and
2 was still under sentence in November of 2018 at the time
3 of voting. Mr. Musaddiq was not aware that it was a
4 violation for him to vote and was very apologetic. We're
5 recommending Mr. Musaddiq be bound over to the AG's Office
6 for 21-2-216(b).

7 MR. RAFFENSPERGER: Okay. Is Mr. Musaddiq here?

8 MS. WATSON: No, sir.

9 MR. RAFFENSPERGER: Okay. Do we have any questions
10 from any of the Board members?

11 MS. LE: I do have a question on our process that's
12 not necessarily specific to this case, but given that
13 sometimes when someone is -- is put on probation or they
14 may not be fully aware, is there some kind of coordination
15 or outreach that we have with I guess the probation
16 officers or the community that deals with felons to give
17 them some information on when they're allowed to vote? Do
18 you know?

19 MR. GERMANY: This is Ryan. We do have that with the
20 Department of Community Supervision in Georgia, and we
21 work with them to provide information at the beginning of
22 their probation, which says hey, you can't vote until your
23 sentence is completely up, and then also some information
24 at the end saying hey, your sentence is now up. It can be
25 a little confusing at the end because sometimes there's

1 more than one section, but for federal, it's not something
2 that -- that we have, but we can certainly look into how
3 we could put something like that in place.

4 MS. LE: Thank you, Mr. Germany. I think voting when
5 you're not qualified is a serious offense, but sometimes
6 it would be -- like, you know, as you mentioned before,
7 it's helpful to have this information out as much as
8 possible to help minimize accidental, if you will, type of
9 illegal voting. Thank you.

10 MR. RAFFENSPERGER: Do we have any further questions
11 or comments? Now would be an appropriate time to make a
12 motion.

13 MR. MASHBURN: This is Matt. Refresh my
14 recollection. I'm looking through my notes. When did
15 this happen? What did this occur?

16 MR. RAFFENSPERGER: 2018.

17 MR. MASHBURN: 2018. This is a felony, and so that
18 would have a statute of limitations of seven years?

19 MS. WATSON: The OCGA was 21-2-216(b). I don't
20 believe that would be a felony.

21 MR. MASHBURN: Okay. The Attorney General is sorting
22 that out. All right. Thank you.

23 MS. LE: This is Anh Le. I move to mo -- to send
24 this to the Attorney General's Office.

25 MR. RAFFENSPERGER: Did we have a second?

1 MR. WORLEY: I'll second.

2 MR. RAFFENSPERGER: Okay. We have a second. Any
3 further discussion? All those in favor of the motion to
4 move SEB case 2018-094 to the Attorney General's Office,
5 signify by saying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.
8 Okay. Next case?

9 MS. WATSON: Next case is 2018-099. On November
10 27th, 2018, a Mr. Todd Snoot [ph.] reported he received a
11 possible fraudulent voter registration precinct card. Mr.
12 Snoot stated the registration card listed his address in
13 the name of Jameera Mickens [ph.] Mr. Snoot stated he did
14 not know Ms. Miggins, and she had never resided at his
15 address.

16 Investigation showed that Jameera Mickens did
17 register online using the complainant's address. Ms.
18 Mickens stated that she had made a mistake in entering the
19 information. The online process of entering street
20 numbers and street selections would make it very unlikely
21 that she could have entered this information by mistake,
22 as the address she used was 2403 Field Crest Drive, and
23 the address she was currently living at was 807 South Fry
24 Street, Apt. 422. We're recommending Jameera Mickens be
25 bound over to the AG's Office for 21-2-561(3), false

1 registration.

2 MR. RAFFENSPERGER: Okay. Is Ms. Mickens here to
3 speak for herself?

4 MS. WATSON: No, but Deb Cox is also on the line.

5 MR. RAFFENSPERGER: Hi, Ms. Cox. Does anyone have
6 any questions for Ms. Cox, the Elections Directors in
7 Lowndes County? Now would be the appropriate time for
8 the Board to make a motion if they're so inclined.

9 MR. MASHBURN: This is Matt Mashburn. I move that we
10 proceed in accordance with the recommendation and bind it
11 over.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MS. SULLIVAN: This is Rebecca. I'll second the
14 motion.

15 MR. RAFFENSPERGER: Any further discussion? All
16 those in favor of binding this over to the Attorney
17 General's Office for case number 2018-099, signify by
18 saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Any opposed? Motion carries.
21 Next case?

22 MS. WATSON: 19-004, Muscogee County: on November
23 2nd, 2018, Muscogee County Director of Elections and
24 Registration Office Nancy Boren reported a voter possibly
25 being under a felony sentence at the time of voting. On

1 October 25th, 2018, Michael M. Ware submitted a voter
2 registration in October 2018 that matched felon records
3 through e-net that has changed to cancel felon. Mr. Ware
4 was mailed the letter notifying him of the status change
5 to his voter registration. He was also given a copy of
6 the letter when he entered the precinct to vote and was
7 offered a provisional ballot. The provisional ballot was
8 rejected as he offered no further information to show he
9 was not under felony sentence. We're recommending Mr.
10 Michael Ware be bound over to the Attorney General's
11 Office for violation of 21-2-216(b).

12 MR. RAFFENSPERGER: Okay. Do we have any of the
13 Respondents here?

14 MS. WATSON: Michael Ware --

15 MR. RAFFENSPERGER: Mr. Ware?

16 MS. WATSON: No, he is not.

17 MR. RAFFENSPERGER: Okay. Board members, do you have
18 any questions? What is your will on this case?

19 MR. WORLEY: I'll make a motion that we bind Mr. Ware
20 over to the Attorney General's Office.

21 MR. RAFFENSPERGER: Okay. Do we have a second?

22 MS. LE: This is Anh Le. I second.

23 MR. RAFFENSPERGER: Any further discussion? Hearing
24 none, all those in favor of binding this case to the
25 Attorney General's Office, SEB 2019-004, signify by saying

1 aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Motion carries. Okay. Next
4 case?

5 MS. WATSON: The next case is 2019-005, Fulton
6 County, voter registration. On January 31st, 2019, it was
7 reported canvassers were coming to the UPS Store at 4279
8 Roswell Road Northeast in Atlanta looking for people
9 registered to vote at that address. Investigation
10 revealed it was determined that there were 12 individuals
11 listed as registered voters using the UPS box location as
12 a residential address for voter registration. We're
13 recommending that Amira Bennett, Melissa Rockwell, Lynn
14 Nicks, Sherry Whitfield, Cheryl Simone, Ashley Essal,
15 Thelma Ferguson, and Gilmore Catalano [all ph.] be bound
16 over to the Attorney General's Office for violation of 21-
17 2-217(a)(1) or issue a letter of instruction to the
18 voters, at the Board's discretion. I did verify that
19 these voters did have local Atlanta addresses except for
20 one, which is now listed in Hilton Head, South Carolina
21 but was at a legal Atlanta address at the time.

22 MR. RAFFENSPERGER: Okay.

23 MS. WATSON: Additionally, there was four -- four
24 others that had registered since the report was taken at
25 that location, and they were listed in the report, but

1 they were not given notice for this hearing, so we would
2 need to bring those back, if they are not also... because
3 they were not given proper notice.

4 MR. RAFFENSPERGER: I understand. So the first four
5 had proper notice, and the last four did not.

6 MS. WATSON: The ones I mentioned all were -- all
7 were given notice. I did not -- Sheila Cox, Anne
8 Denihood, Michael Nicks, and Betty Peyton [all ph.] are
9 the ones not given notice.

10 MR. RAFFENSPERGER: Okay. Got it. Okay. Do we have
11 a motion?

12 MR. WORLEY: Mr. Secretary, I had a question for Ms.
13 Watson. Ms. Watson, most of these people were notified
14 that they were improperly registered, correct? But only
15 one of the people mentioned had corrected their situation?

16 MS. WATSON: Several of them have -- have since corr
17 -- changed their locations from the 4279 to other Atlanta
18 addresses, so the majority of them have been changed to
19 alternate locations as of today, and they're -- we do have
20 one of the Respondents, a Lynn Nicks, that's on the -- on
21 the call, and she has changed hers as well, so I believe
22 all of the ones -- the first eight that we are -- are
23 looking at today have all changed to residential addresses
24 after being notified.

25 MR. WORLEY: In that case, I would make a motion that

1 we send a letter of instruction to the eight people who
2 have corrected their addresses.

3 MS. LE: This is Anh.

4 MR. RAFFENSPERGER: We have a motion. Do we have a
5 second?

6 MS. LE: This is Anh Le. I second that motion.

7 MR. RAFFENSPERGER: Okay. Any further discussion?
8 All those in favor of the motion before us, signify by
9 saying aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Next?

13 MS. WATSON: Next case is 2019-008, private --
14 private voter registration drive. In March of 2019,
15 Gwinnett County Elections Office reported that 201 voter
16 registration applications had been received from New
17 Georgia Project in a timeframe greater than 10 days of a
18 complainant having completed the form. Investigation
19 revealed between the dates of February 27th and May 13th,
20 there was 1,268 voter registration applications that were
21 hand-delivered by a representative of New Georgia Project
22 to the Gwinnett County Elections Office. These
23 applications were delivered in 16 different groups and
24 were all delivered beyond the mandatory 10-day period.

25 Applications were also received for residents of

1 DeKalb, Clayton, Cobb, Fulton, Henry, Newton, Rockdale,
2 Walton, Oconee, Jefferson, Barrow, Tift, Douglas, and
3 Paulding counties. These were all delivered to Gwinnett
4 County, and Gwinnett County personnel then distributed
5 them to the appropriate election offices. We're
6 recommending that the CEO of New Georgia Project be bound
7 over to the State Election Board for violation of rule
8 183-1-6-.02(8)(a), by failing to deliver to Gwinnett
9 County Elections voter registration applications within
10 the 10-day timeframe.

11 MR. MASHBURN: I think -- I think you might have
12 misspoke. You said bound over to the State Election
13 Board. You mean the Attorney General, right?

14 MS. WATSON: Yes. I'm sorry, the Attorney General's
15 Office.

16 MR. RAFFENSPERGER: Okay. There's a recommendation.
17 Do we have any further comments? Do we have a motion?

18 MR. WORLEY: Mr. Secretary, this is David Worley.
19 I'm going to recuse myself on this case.

20 MR. RAFFENSPERGER: Okay. Do we have any --

21 MR. MASHBURN: This is Matt Mashburn. I make a
22 motion that the recommendation be adopted, and the matter
23 be bound over to the Attorney General.

24 MR. RAFFENSPERGER: Okay.

25 MS. MCGOWAN: Mr. Secretary, this is Charlene McGowan

1 from the Attorney General's Office. Can I have some
2 clarification as to which -- who the Respondent is that's
3 actually the subject of the recommendation? Is it the CEO
4 of the organization or the organization itself?

5 MS. WATSON: It's the organization, New Georgia
6 Project, and the listed CEO at that particular time was
7 Raphael Warnock.

8 MS. MCGOWAN: So it -- I'm still confused. Is it --
9 is the recommendation that the CEO, Mr. Warnock, be bound
10 over or --

11 MS. WATSON: It's the organization that we -- we list
12 the CEO as the person to be notified, not just the
13 organization. In the past, we've had an issue when we
14 just list the organization and not identify a person also,
15 so we're listing the New Georgia Project and CEO Raphael
16 Warnock as the Respondent.

17 MR. RAFFENSPERGER: And that's the motion before us.
18 We do not have a second. Do we have a second?

19 MS. LE: It's Anh Le. I second the motion to bind
20 over the New Georgia Project to the Attorney General's
21 Office in this matter.

22 MR. RAFFENSPERGER: Okay. Do we have any further
23 discussion? Hearing none, all those in favor of the
24 motion, signify by saying aye.

25 THE BOARD MEMBERS (except Mr. Worley): Aye.

1 MR. RAFFENSPERGER: Any opposed? And one recusal,
2 thank you. Motion carries. Next?

3 MS. WATSON: Next is 2019-017, Barrow County,
4 qualifications of elector. On May 28th, 2019, the
5 Elections Division advised the Investigations Division in
6 regards to a complaint that a non-United States citizen
7 had voted in several previous Georgia elections. The
8 complaint alleges that Albert Niks of Winder, Barrow
9 County, had voted in elections conducted in Gwinnett,
10 Walker, and Barrow counties from 2000 to 2014. Mr. Niks
11 immigrated from the Netherlands in 1985 and currently has
12 a permanent resident immigration status.

13 Investigation revealed Mr. Niks is not a United
14 States citizen. Albert Niks voted in 8 separate elections
15 between 2000 and 2014. Albert Niks does not meet the
16 requirements under 21-2-216(a)(2). We're recommending Mr.
17 Niks be bound over to the Attorney General's Office for
18 violation of 21-2-571 and 21-2-216(a)(b).

19 MR. RAFFENSPERGER: Okay. Is Mr. Niks here to speak
20 for himself?

21 MS. WATSON: No. He is not. He did call and said
22 that he came from California, and he was allowed to vote
23 in California. He was not aware that he could not vote in
24 Georgia.

25 MR. RAFFENSPERGER: Okay. Do we have any questions

1 from any Board members? So I would take exception to the
2 comment that I know you cannot vote in any federal
3 elections in the United States of America as a non-
4 citizen, but be that as it may, we're talking about
5 Georgia law here.

6 MS. LE: I do have a -- this is Anh. I have a
7 question for the County officials. Are they on? How was
8 he able to get a ballot for all those elections?

9 MS. WATSON: When he came to Georgia, he had been
10 registered previously in several states, and when he came
11 -- came here, he also registered and how -- how it was not
12 identified that he was not a citizen, I am not familiar.

13 MR. RAFFENSPERGER: Can we send another letter to the
14 Department of Driver Services and give the backdrop of
15 this case so they're aware. There is a citizen question
16 on the Department of Driver Services, but we are supposed
17 to be verifying that at all times, and this raises --
18 elevates the concerns of citizens. I say this because
19 years ago when I was a young child, my parents -- my dad
20 was transferred to Canada, and I know he never -- neither
21 of my parents ever voted in Canada because they knew you
22 could not vote in Canada as a non-citizen, so obviously, I
23 know that when you're in foreign countries, you don't
24 vote, and people should understand that when you're in the
25 United States. You have to be an American citizen. It's

1 one of the most precious rights we have is that only
2 American citizens vote in elections, so it's very
3 important that the Department of Driver Services are aware
4 of that. That said is there any other comment from any of
5 the Board members?

6 MR. MASHBURN: This is -- this is Matt Mashburn. I
7 have a question for Charlene if I could ask -- if I might,
8 and I hate to put her on the spot.

9 MS. MCGOWAN: If it's all right with the Secretary.

10 MR. RAFFENSPERGER: Oh, sure. Go ahead.

11 MR. MASHBURN: Charlene, this is a venue -- or the
12 report says venue for criminal prosecution will lie in
13 Walter, Gwinnett, and Barrow counties. I hate to put you
14 on the spot, and I don't know but I'll find out is a
15 legitimate answer here, but how -- how would the Attorney
16 General process this, seeing that this is in multiple
17 counties.

18 MS. WATSON: They're doing that at an administrative,
19 not a criminal.

20 MS. MCGOWAN: Yeah. I mean we -- we would just list
21 the counties that are implicated in the case, but it --
22 this is a state administrative proceeding and so the venue
23 is not an issue for the civil proceeding.

24 MR. MASHBURN: All right. So in that case, my -- in
25 that case, would it be out of order for me to move that it

1 also be recommended to Walker, Gwinnett, and Barrow County
2 DAs? Would that be out of order?

3 MS. MCGOWAN: I do not believe that would be out of
4 order. It would be up to the district attorney's office
5 to determine whether or not they have venue and
6 jurisdiction over the claims.

7 MR. MASHBURN: So this -- this strikes me as -- it
8 seems to be a particularly troublesome case, so I -- I
9 would make a motion that it be referred to the Attorney
10 General, but also recommended to the DAs of Walker,
11 Gwinnett, and Barrow counties.

12 MR. RAFFENSPERGER: Do we have a second?

13 MS. LE: This is Anh. I second that.

14 MR. RAFFENSPERGER: Okay. Any further comment? All
15 those in favor of the motion as presented, signify by
16 saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.
19 Oh, another non-citizen, Newton County. Next case.

20 MS. WATSON: Yes. It's 2019-021, Angela White Davis
21 from Newton County reported a non-citizen voter that was
22 registered in Newton County. In reviewing old voter
23 registration applications, it was discovered that Sean
24 Watson had marked no for the question are you a US citizen
25 on his application dated November 4th, 2008. There was a

1 voter history for Sean Watson voting in 2008, 2012, and
2 November of 2018. Mr. Watson advised he has been in the
3 country since 1985, and his mother got her naturalization
4 when he was 15 years old. Mr. Watson was under the
5 assumption that he was automatically a citizen. The
6 status of Mr. Watson was confirmed through immigration as
7 a lawful permanent resident. A lawful permanent resident
8 is not eligible to vote. We're recommending Sean Watson
9 be bound over for a violation of 21-2-216(a)(2) and 21-2-
10 561(1).

11 MR. RAFFENSPERGER: Okay. Is Mr. Watson here to
12 speak for himself?

13 MS. WATSON: No. He is not.

14 MR. RAFFENSPERGER: The Newton County Board of
15 Elections?

16 MS. WATSON: No.

17 MR. RAFFENSPERGER: Okay. Do we have any questions
18 or comments from any Board members? If not, now would be
19 the appropriate time for a motion.

20 MR. WORLEY: I would make a motion that we bind this
21 case over to the Attorney General.

22 MR. RAFFENSPERGER: Do we have a second?

23 MR. MASHBURN: Second.

24 MR. RAFFENSPERGER: Any further comment? All those
25 in favor of the motion before you, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any op -- any opposed? Motion
3 carries. Next?

4 MS. WATSON: The next case is 2019-023 in Henry
5 County. In August 2019, a current complaint alleging a
6 non-citizen, Hurlstone Hendy, voted in 2004, 2008, and
7 2012. The voter was identified as Hurlstone Hendy with
8 the first registration form dated July 19th, 2008 in Henry
9 County, second registration when Mr. Hendy changed his
10 address in April of 2010. The records indicated Mr. Hendy
11 has been a permanent resident in the United States since
12 1997. Mr. Hendy voted in 2004 in DeKalb County, 2008 and
13 2012 in Henry County. There was also a voter registration
14 submitted in 2014 that was rejected for being a
15 nonresident citizen. We recommend Hurlstone Hendy be
16 bound over for a violation of 21-2-561 (1) and 21-2-571,
17 voter by unqualified elector.

18 MR. RAFFENSPERGER: Okay. Is Mr. Hendy on the phone?

19 MS. WATSON: He is not.

20 MR. RAFFENSPERGER: Okay. What is the will of the
21 Committee or Board on this?

22 MS. LE: I move that we send this to the Attorney
23 General's Office.

24 MR. WORLEY: I second that motion.

25 MR. RAFFENSPERGER: Do we have a -- do we have any

1 further discussion? Hearing none, all those in favor of
2 this case 2019-023 to the Attorney General's Office,
3 signify by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.
6 Thank you. Next case?

7 MS. WATSON: 2019-026, Gwinnett County: On
8 09/25/2019, we opened an investigation concerned a
9 complaint from the Gwinnett County Elections Office that
10 they had discovered someone who had registered to vote
11 three separate times with different information. The
12 individual submitting the voter registrations was named
13 Jason Jeter, using the address of 3297 Willow Fields Lane,
14 Loganville, Georgia. Two of the three voter registrations
15 had fraudulent date of births entered. We have been
16 unable to locate a Jason Jeter to interview him, but we
17 are recommending Mr. Jeter be bound over for violation of
18 two counts of 21-2-561(1).

19 MR. RAFFENSPERGER: So I take it that Mr. Jeter will
20 not be on the phone call today?

21 MS. WATSON: No.

22 MR. RAFFENSPERGER: Okay. What is the will of the
23 Board?

24 MR. WORLEY: I would make a motion that we bind over
25 Mr. Jeter to the Attorney General's Office for further

1 action.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. SULLIVAN: This is Rebecca. I'll second.

4 MR. RAFFENSPERGER: Any further comments? All those
5 in favor of binding this case over to the Attorney
6 General's Office, signify by saying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Any -- any opposed? Motion
9 carries. Next case?

10 MS. WATSON: 2019-032: Dawn B. Foster reported Court
11 Strickland [ph.] fraudulently using her home address to
12 completely a voter registration card. Mr. Strickland was
13 interviewed and advised he was at the train station and
14 someone asked him to register to vote. He said he was
15 already registered, and he just wrote down that address in
16 a hurry but confirmed that he never lived at that address
17 he provided. There was no other registration date located
18 for Mr. Strickland. We recommend Court Strickland be
19 bound over for violation of 21-2-561(3), when he knowingly
20 gave false information when registering as an elector.

21 MR. RAFFENSPERGER: Okay. Is Mr. Strickland on the
22 phone?

23 MS. WATSON: No. He is not.

24 MR. RAFFENSPERGER: What is the disposition of the
25 Board?

1 MR. MASHBURN: This is Matt Mashburn with a question,
2 so his information was -- he was -- there was a canvasser,
3 and he told the canvasser he was already registered, and
4 he didn't want to register again?

5 MS. WATSON: No. He -- he told the -- he completed
6 the form at the request of the canvasser and just wrote
7 down that address, knowing that it was a fraudulent
8 address.

9 MR. MASHBURN: The thing about this is whether to
10 send this back to y'all and go find the canvasser because
11 the canvasser might need to be brought up on this one.

12 MR. RAFFENSPERGER: We could do that at a later date.
13 Handle this issue, and then circle back.

14 MR. MASHBURN: Yeah. I would -- I would make a
15 motion that we bind this over to the Attorney General's
16 Office but also request the Investigator's Office to maybe
17 open up a case about the canvasser or just check into the
18 canvassers.

19 MR. RAFFENSPERGER: Okay. Do we have a second for
20 the motion to send this to the Attorney General's Office
21 for Court Strickland?

22 MS. SULLIVAN: This is Rebecca. I'll second.

23 MR. RAFFENSPERGER: Okay. Any further discussion?
24 All those in favor of the motion as presented, signify by
25 saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? No opposed. And
3 then, Ms. Watson, the request from the State Election
4 Board was to see if we could find this canvasser and do a
5 full and thorough investigation. Thank you.

6 MS. WATSON: Okay.

7 MR. RAFFENSPERGER: Next case?

8 MS. WATSON: 19-055, Fulton County. On November
9 12th, 2019, Marion Brooks advised on November 5th, 2019,
10 she was told she could not cast a ballot because she had
11 been sent an absentee ballot. She stated she had never
12 requested an absentee ballot. Investigation shows records
13 to indicate Marion Brooks voted early advance on October
14 15th, 2019. The signature on the application appeared to
15 be consistent with those on file for Marion Brooks.
16 Marion Brooks agreed that this was her signature. Marion
17 Brooks returned to the poll on November 5th, 2019 and was
18 told that she had already voted. Marion Brooks stated she
19 had not and was allowed to vote on a machine, casting a
20 second ballot for the same election. Marion Brooks
21 advised that she did not realize she was voting for the
22 same election.

23 We're recommending Marion Brooks be bound over for
24 21-2-572, repeat voting, and Fulton County Board of
25 Election and Registration and Election Director Richard

1 Barron, and Teresa Ajai [ph.] be bound over for a
2 violation of State Election Board rule 183-1-14-
3 .09(1)(a)(2), when an absentee ballot which has been voted
4 shall be returned to and received by the Board of
5 Registrars that shall be deemed to have been voted and no
6 other ballot shall be issued to this same elector, and
7 also 21-2-590, poll officer permitting unregistered or
8 unqualified person to vote.

9 MR. RAFFENSPERGER: Okay. Is Marion Brooks on the
10 phone call today?

11 MS. WATSON: No.

12 MR. RAFFENSPERGER: Okay. Fulton County Board of
13 Elections, do they have anything they would like to add to
14 this case?

15 MS. RINGER: No, Mr. Secretary. Thank you.

16 MR. RAFFENSPERGER: Board members, do you have any
17 questions, or do you have a motion?

18 MS. LE: This is Anh Le. I move to bind this case
19 over to the Attorney General's Office for both
20 Respondents.

21 MR. RAFFENSPERGER: Okay. Do we have a second?

22 MR. MASHBURN: Second, Matt Mashburn.

23 MR. RAFFENSPERGER: Any additional Board comments,
24 input? Hearing none, all those in favor of the motion
25 before you, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.

3 Next case? Telfair County. Or did I skip one?

4 MS. WATSON: Yes. 2020-014, Fulton County. On May
5 18th, 2020, we received an installation update regarding
6 video surveillances done at the 2020 primary election
7 absentee ballot drop box locations. Director Barron
8 provided the update, which indicated multiple locations
9 still required surveillance system installations or
10 repairs. On June 8th, 2020, we received a complaint
11 regarding a security issue with the East Point Library
12 absentee ballot drop box located at 2757 Main Street, East
13 Point. According to the complaint, a voter found the
14 absentee ballot drop box key still inside the drop box
15 lock, leaving the drop box unsecured. Sage Fulton [ph.]
16 then advised that on June 8th, 2020, she dropped her
17 absentee ballot off at the drop box located at 7741
18 Roswell Road. Ms. Fulton checked her MyVoter page later
19 and discovered her ballot had still not been counted.

20 Investigation showed in May 2020, we conducted site
21 inspections to each of the 20 drop box locations in
22 service at that time. We also spoke to the vendor
23 contracted to install the video surveillance cameras at
24 each location. We found all secure with video
25 surveillance hardware. However, Fulton County advised the

1 surveillance video footage could only be retained for 14
2 calendar days, which was not consistent with the Board
3 rule at that time.

4 As to allegation two, the poll workers leaving the
5 key in the absentee ballot drop box, we were able to
6 review the video showing the keys left in the drop box.
7 We were able to confirm that no one tampered or removed
8 any ballots. The video shows the complainant take the
9 keys from the drop box. The complainant then took the
10 keys and dropped them off to an East Point PD Major Davis.
11 The keys were then returned to Fulton County.

12 As to allegation three, Sage Fulton dropped her
13 ballot in a drop box the day prior to the election on June
14 8th, 2020. The absentee ballot has not been processed as
15 received or any documentation provided by the County. The
16 County has stated previously that they received absentee
17 ballots in the drop box that did not have the outer
18 envelope, so they were unable to process them. Fulton
19 County did not provide any documentation as to the
20 absentee ballot of Sage Fulton.

21 We're recommending the following be bound over to the
22 AG's Office: Fulton County Board of Registration and
23 Director Richard Barron for board rule 183-1-14-0.6-
24 .14(5), secure absentee ballot drop boxes when the County
25 deployed a video surveillance system that does not retain

1 video surveillance footage for at least 75 days, and OCGA
2 21-2-386(a)(1)(a), safe-keeping, certification, and
3 validation of absentee ballots when the election division
4 staff left the ballot box key inside the lock of the
5 absentee ballot drop box, and Fulton County Board of
6 Registrations and Elections and Chief Registrar Ralph
7 Jones for State Election Board rule 183-1-14-0.6-.14(10),
8 for the failure to process an absentee ballot dropped in
9 an official absentee ballot drop box in the same manner as
10 absentee ballots returned by mail.

11 MR. RAFFENSPERGER: Okay. Do Richard Barron or
12 anyone from Fulton County, Ralph Jones, wish to speak
13 before the Election Board?

14 MR. BARRON: We do have the -- we -- all of our boxes
15 do have 75 days now and have been since I think the August
16 election.

17 MS. RINGER: There was an issue with respect to our
18 ability to have that type of surveillance retained
19 initially, and as Mr. Barron has said, that has been
20 rectified. Additionally, as noted in the report with
21 respect to the drop box key, reviewing of the surveillance
22 showed that no one had, in fact, tampered with the
23 absentee ballot box, so therefore, we would ask that that
24 matter not be bound over.

25 MR. RAFFENSPERGER: Okay. Board members, do you have

1 any questions?

2 MR. MASHBURN: Mr. Barron, this is Matt Mashburn.
3 Just wanted to reemphasize or have a more direct question:
4 did I understand you correct that there was no drop box
5 anywhere in Fulton County for the November election or the
6 January runoff that did not have video surveillance? They
7 all had video surveillance for the general election and
8 the Senate runoff, correct?

9 MR. BARRON: Correct.

10 MR. MASHBURN: This was just limited to the
11 primaries?

12 MR. BARRON: Yeah. Well, they all had video
13 surveillance. They just didn't -- they didn't have 75
14 days of video surveillance memory. They do -- they did
15 for November and January.

16 MR. MASHBURN: Okay. Thank you.

17 MS. LE: This is Anh Le. I have a question for the
18 county officials. So if you were -- were you able to look
19 and see how this happened? I know one key out of all the
20 boxes, but it's also an election integrity issue, so the
21 question is were you able to understand how it happened
22 and how it was left behind, and has there been training or
23 something to address this so that, you know, going forward
24 it wouldn't happen again?

25 MR. BARRON: Yes. We changed the ways in which the

1 key -- a voter came up while -- while the gentlemen were
2 emptying that box, and I think it distracted the gentleman
3 that was supposed to get the -- get the key, but they have
4 a way now to check to make sure that they have the keys.
5 They are bound up in a different way so that there is
6 actually no way to -- to leave them in the drop box.

7 MS. LE: Okay. Thank you.

8 MR. BARRON: They do a check before they leave the
9 site.

10 MS. LE: Thank you.

11 MR. RAFFENSPERGER: Any additional questions from
12 Board members? Now would be the appropriate time to make
13 a motion if you're so inclined.

14 MR. WORLEY: Mr. Secretary, this is David Worley.
15 Given that Fulton has corrected the situation, instituted
16 training, made it so that the keys would not be able to be
17 left further, and after not unexpected problems initially
18 setting up the video systems, you know, established that
19 all of the drop boxes have at least 75 days of
20 surveillance, I would move that we send Fulton a letter of
21 instruction in this case.

22 MR. RAFFENSPERGER: Do we have a second?

23 MS. LE: I -- I have a question. I'm sorry. Did the
24 voter end up getting to vote? I know that they couldn't
25 find the absentee ballot. What happened with the voter in

1 the end?

2 MS. WATSON: No. The voter was -- it is unknown what
3 happened to the absentee ballot.

4 MS. LE: So she didn't --

5 MR. BARRON: That's from a different drop box too,
6 correct?

7 MS. WATSON: That -- that's correct.

8 MS. LE: So do I understand correctly that in the
9 end, she did not have a vote that counted?

10 MS. WATSON: It was not accounted for in the -- in
11 the system for credit for voting, so it -- we have no --
12 no way to know whether it was counted or not counted
13 because there is no documentation for it.

14 MS. LE: I see.

15 MR. BARRON: We did have a few hundred that were
16 deposited without the outer envelope, only the inner
17 envelope, so we were unable to identify the voters because
18 they just put the white envelope in.

19 MR. MASHBURN: And just to clarify that, those were
20 not counted, correct?

21 MR. BARRON: Correct.

22 MS. RINGER: I want to make sure the Board
23 understands what Mr. Barron is saying. The outer envelope
24 would be the envelope that would have the identification
25 of the voter, so if, in fact, this voter did not include

1 the outer envelope when she deposited her absentee ballot,
2 we would have no way of being able to say whether, you
3 know, who her vote was and if it counted, so at this
4 juncture, we're not able to say if the failure to count
5 the voter's absentee ballot is, in fact, one of Fulton
6 County's or the voter.

7 MS. LE: This is Anh Le. I second the motion in
8 consideration of the facts that number one, it's been
9 rectified as mentioned, and the voter in this case -- I
10 was concerned about the voter's ability to vote or have it
11 counted, but given the circumstances, I understand. So I
12 second the motion.

13 MR. RAFFENSPERGER: Okay. Any further comments?
14 Hearing none, all those in favor of the motion in front of
15 the Board, signify by saying aye.

16 THE BOARD MEMBERS (except Mr. Mashburn and Ms.
17 Sullivan): Aye.

18 MR. MASHBURN: No.

19 MS. SULLIVAN: No.

20 MR. RAFFENSPERGER: So that -- right now, it's two-
21 two. I'll vote no against the motion, and it's back
22 before the Board. Is there a new motion?

23 MS. SULLIVAN: This is Rebecca. I'll make a motion
24 that this case be bound over to the Attorney General's
25 Office.

1 MR. RAFFENSPERGER: Do we have a second?

2 MR. MASHBURN: Second.

3 MR. RAFFENSPERGER: All those in favor of the motion
4 presented, signify by saying aye.

5 THE BOARD MEMBERS (except Mr. Worley and Ms. Le):

6 Aye.

7 MR. RAFFENSPERGER: Any opposed?

8 MR. WORLEY: No.

9 MS. LE: No.

10 MR. RAFFENSPERGER: Okay. Motion -- three-two, motion
11 carries. It heads to the Attorney General's Office.

12 Thank you. Next case?

13 MS. WATSON: Next case is 2020-020, Telfair County.
14 During an absentee ballot drop box inspection at Telfair
15 County Elections Office in May of 2020, it was discovered
16 they were using a cardboard box instead of a locked
17 container for the absentee ballots to be deposited in. A
18 drop slot was located in the door with a cardboard box
19 inside the Elections Office for absentee ballots to be
20 deposited in. The container was not locked, and there was
21 nothing to prevent tampering or removal of ballots. The
22 County corrected the drop box by having a wooden container
23 built that has a secure box for the ballots to be dropped
24 into from the slot. We're recommending that Telfair
25 County Board of Registrars and probate judge Elections

1 Supervisor Diane Walker and Chief Registrar Rebecca
2 Widener be bound over to the AG's Office for SEB rule 183-
3 1-14-0.6-14.

4 MR. MASHBURN: Mr. Secretary, this is Matt Mashburn.
5 I need to recuse myself from this case.

6 MR. RAFFENSPERGER: Okay. Fair enough. Any
7 questions from any -- well, do we have any people from
8 Telfair County? Diane Walker, Rebecca Widener?

9 MS. WATSON: I believe Ms. Widener is on the phone.

10 MR. RAFFENSPERGER: Good morning -- or good
11 afternoon, Ms. Widener. You can speak if you'd like.

12 MS. THOMAS: You are unmuted.

13 MS. WATSON: We're going to call her.

14 MR. RAFFENSPERGER: Okay. Do we have any questions
15 or any input? Do any of the Respondents want to speak to
16 this case? Okay. Hearing none, Board members, it's
17 before you. What is the disposition?

18 MR. WORLEY: Well, Mr. Secretary, ordinarily I'd be
19 inclined to give Telfair County some leeway here and send
20 a letter of instruction, but since we've just established
21 a precedent that if there's a problem with a drop -- drop
22 box, even a corrected one, we're going to bind it over to
23 the Attorney General's Office, so I'd make a motion to
24 bind this case over to the Attorney General's Office.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. LE: This is Rebecca. I'll second that.

2 MR. RAFFENSPERGER: Okay. Any further -- any further
3 comments? All those in favor of the motion before you,
4 please do so signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.
7 Thank you. Next case?

8 MS. WATSON: Next case is 2020-115, Gwinnett County.
9 In October of 2020, it was reported that a Daniel Wilowski
10 [ph.] had posted on the NextDoor app that he had two
11 absentee ballots for sale. The investigation revealed the
12 post stated two absentee ballots for sale. I was sent two
13 absentee ballots but have decided to vote in person.
14 18.95 for Biden voters, cash only, no charge for Trump
15 voters and complimentary MAGA hat. I sense a storm
16 brewing in the horizon. Mr. Wilowski was contacted, and
17 both ballots were confirmed to be in his name. Mr.
18 Wilowski stated he had no intentions of selling or giving
19 the ballots to anyone. He did not think that anyone would
20 take him seriously. We recommend referring Mr. Wilowski
21 to the Attorney General's Office for a violation of 21-2-
22 604. The complainant in this case did call after the
23 notices went out and stated that she was contacted by the
24 Respondent, and he explained he was joking and wanted to
25 withdraw the complaint. Mr. Wilowski also responded that

1 he was obviously joking and was displeased that we would
2 spend time on this complaint.

3 MR. RAFFENSPERGER: Okay. Is the Respondent on the
4 phone?

5 MS. WATSON: He was, but he no longer is.

6 MR. RAFFENSPERGER: Board members, do you have any
7 questions, or do you have a motion?

8 MS. SULLIVAN: This is Rebecca. Because I think it
9 is unlikely that this was serious and was most likely a
10 joke as explained by the Respondent, I would make a motion
11 that a letter of instruction be issued in this case.

12 MR. RAFFENSPERGER: Okay.

13 MR. MASHBURN: This is Matt Mashburn. I have a
14 question. Do you find out whether he actually had two
15 ballots?

16 MS. WATSON: He did.

17 MR. MASHBURN: He -- and did you figure out how he
18 got two ballots?

19 MS. WATSON: They were both issued to him.

20 MR. MASHBURN: Rebecca, I don't -- I don't mean to
21 interrupt your motion, but I want to ask that we send this
22 back and find out how he got two ballots, or we find out
23 if it's a joke or not. Is that -- will you accept that as
24 a friendly...

25 MS. SULLIVAN: Sure.

1 MR. RAFFENSPERGER: So Rebecca would be withdrawing
2 her motion, and then, Mr. Mashburn, I believe you're
3 making a motion.

4 MR. MASHBURN: Yes. If Rebecca takes no offense from
5 it.

6 MS. SULLIVAN: I am not offended.

7 MR. RAFFENSPERGER: Do we have a second on that?

8 MR. WORLEY: I'll second -- I'll second Mr.
9 Mashburn's motion.

10 MR. RAFFENSPERGER: Do we have any further
11 discussion? All those in favor of sending this back so we
12 can get some additional information from the County as to
13 how the gentleman got two ballots so this will be brought
14 before us at a later date, signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Okay. Thank you very much. Next
17 case?

18 MS. WATSON: Next case is 2020-119, Macon County. On
19 Thursday, October the 15th, an investigator conducted an
20 inspection of the early voting precinct and discovered an
21 unsecured drop box inside of the Elections Office. It was
22 found that a slot in the wall of the building led into the
23 Election Supervisor's office to an unsecured cardboard box
24 for absentee ballots. Patsy Johnson, the Elections
25 Supervisor, advises the office remains locked, and there

1 is video surveillance. The County ordered a ballot box
2 that could be secured and had it installed to correct the
3 issue. We're recommending that Patsy Johnson, the
4 Elections Supervisor for Macon County, to be referred to
5 the Attorney General's Office for SEB rule 183-1-14-0.6-
6 14(8) and have talked to Patsy Johnson who did advise that
7 after this inspection that they did have the metal box
8 installed shortly after.

9 MR. MASHBURN: This is Matt Mashburn. I move that we
10 accept the recommendation and refer it to the AG's Office.

11 MR. WORLEY: This is David Worley to second that.

12 MR. RAFFENSPERGER: Okay. Any further comments?
13 Hearing none, all those in favor of referring this to the
14 AG's Office, please do so by signifying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.

17 MS. WATSON: The next case is listed as 2020-194,
18 Floyd County. The attorney for one of the Respondents
19 requested a continuance that was -- was granted.

20 MR. RAFFENSPERGER: Okay. Fayette County.

21 MS. WATSON: Yes. The next case is 2020-197, Fayette
22 County. We opened an investigation following an
23 allegation that Fayette County Board of Elections and
24 Registration failed to ensure and verify all votes on
25 memory cards were uploaded into the elections management

1 tabulation system.

2 Investigation revealed there were four early voting
3 locations, but the Fayette County library scanner was
4 nearing the ten thousand count. The memory card was
5 exchanged for a new one and transported to Floyd Jones,
6 where it was secured. Fayette County Director Floyd Jones
7 reported that at the end of early voting, he assumed there
8 were only four cards and was satisfied when his office
9 collected all four cards. The fifth and final was
10 overlooked and left in one scanners. When the audit was
11 being conducted and the numbers were not matching up, Mr.
12 Jones looked into the issue and discovered that there was
13 indeed a fifth card, which was located still inside the
14 scanner which was in storage. The memory card that was
15 recovered contained 2,760 votes. We're recommending that
16 Fayette County Board of Election and Voter Registration
17 and Fayette County Elections Director Floyd Jones be bound
18 over to the AG's Office for violation of State Election
19 Board rule 183-1-12-12(b), consolidation of results.

20 MR. RAFFENSPERGER: Okay. Does anyone from Fayette
21 County wish to speak on this?

22 MR. STOUGH: Yes, this is Patrick Stough with the
23 Fayette County attorney's office, speaking on behalf of
24 the Fayette County Board of Elections. The Board
25 obviously acknowledges the serious errors that occurred in

1 this case, and as a result of those errors, the County
2 conducted its own investigation. That investigation
3 identified numerous errors that were made by Mr. Jones
4 that led to the issue including failure to account for
5 memory cards. As a result of the investigation, Mr. Jones
6 resigned from his position, and he is no longer employed
7 by the County. In addition, steps are being taken to
8 ensure that this doesn't happen again, including a system
9 of checks and balances to keep track of all memory cards
10 and service during an election. A copy of the County's
11 investigation can be made available to the Board or to the
12 AG's Office as necessary, and if you have any questions,
13 I'm happy to try to answer them.

14 MR. RAFFENSPERGER: Okay. Members, do you have any
15 questions? Do you have a motion that you would like to
16 make?

17 MR. WORLEY: This is Mr. Worley. Given the
18 seriousness of the infraction here and the resulting
19 issues relating to the confidence that the voters have in
20 the November election because such a large number of votes
21 were mislaid as it were prior to the recount being done
22 and the audit being done, I think it's appropriate that --
23 that something more than a letter be done in this case,
24 and therefore, I would refer this to the Attorney
25 General's Office and make a motion to do that.

1 MR. RAFFENSPERGER: Do we have a second?

2 MR. MASHBURN: Matt Mashburn, second.

3 MR. RAFFENSPERGER: Okay. Do we have any additional
4 input or comments from any Board members? If not, there's
5 a motion before you, a motion to approve to move this case
6 to the Attorney General's Office, signify by saying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Any opposed? Motion carries.
9 Okay. Okay. We have the Attorney General's report, two
10 cases before us.

11 MS. MCGOWAN: Thank you, Mr. Secretary. For the
12 Attorney General report as you mentioned, we have two
13 cases to present. They are SEB case number 2016-113 and
14 case number 2015-089 -- I believe that might initially
15 have been incorrect on the agenda, but the case number is
16 2015-089. The first case --

17 MR. RAFFENSPERGER: Okay.

18 MS. MCGOWAN: -- involved a -- case number 2016-113
19 involves a non-citizen voter and the Respondent agreed to
20 a consent order that includes a cease-and-desist, a public
21 reprimand, and a \$500 civil penalty. Case number 2015-089
22 involved the City of Snellville, and this case involved
23 the improper handling of provisional ballots during the
24 2015 municipal election by the election officials at the
25 City of Snellville. With that negotiated consent order,

1 the Respondents agreed to a cease-and-desist, a public
2 reprimand, and a \$500 civil penalty. So the Attorney
3 General's Office recommends that these consent orders be
4 approved by the Board.

5 MR. RAFFENSPERGER: We can hear these, if you're so
6 inclined, individually or together. What is the will of
7 the Board?

8 MR. WORLEY: Mr. Secretary, I would make a motion
9 that we accept the Attorney General's recommendation in
10 both cases and authorize the Secretary to sign the consent
11 orders.

12 MR. RAFFENSPERGER: Do we have a second?

13 MS. LE: This is Anh Le. I second.

14 MR. RAFFENSPERGER: Okay. Do we have any further
15 comment from any Board members?

16 MR. WORLEY: I would -- I'm sorry. I would make a
17 comment, Mr. Secretary.

18 MR. RAFFENSPERGER: Okay. Please do.

19 MR. WORLEY: One of these cases is -- well, the
20 Snellville case I know in particular was one where we
21 asked the Attorney General to go back and negotiate an
22 appropriate penalty, so I just wanted to thank the
23 Attorney General's Office for doing that. That's all.

24 MR. RAFFENSPERGER: Okay. Thank you. All those in
25 favor of accepting SEB case 2016-113 and SEB case 2015-089

1 from the Attorney General's Office with their
2 recommendation, signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Any opposed?

5 MR. MASHBURN: Aye. No. Not opposed. Aye.

6 MR. RAFFENSPERGER: Thank you. Well, before I make -
7 - take a motion for adjournment, if any Board members
8 would like to speak with -- I know we've been going long
9 here. It's four hours. It's a big part of our backlog,
10 but I really am grateful for your work, but we've also
11 come to a very contentious election cycle, so any Board
12 members would like to, you know, say anything, the floor
13 is yours right now. Well, hearing none, I'll entertain
14 the motion to adjourn.

15 MR. WORLEY: So moved.

16 MR. MASHBURN: Second.

17 MR. RAFFENSPERGER: Okay. Meeting is adjourned.

18 Thank you.

19 (Meeting adjourned 12:58PM)

CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 141 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 5th day of March, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

February 17, 2021

Steven Ray Green Court Reporting, LLC
404 733 6070

THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

February 17th, 2021
9:00 A.M.

PRESIDING OFFICER: BRAD RAFFENSPERGER
SECRETARY OF STATE

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Secretary of State Brad Raffensperger, chair

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Carter Jones

Frances Watson

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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P R O C E E D I N G S

1
2 MR. RAFFENSPERGER: Good morning, everyone. I'd like
3 to call the meeting to order of the State Election Board
4 for February 17th, 2021. We'll start off with an
5 invocation and a Pledge of Allegiance, and I'll do the
6 invocation.

7 (Invocation)

8 (Pledge of Allegiance)

9 MR. RAFFENSPERGER: Well, good morning. Before we
10 get started, if we could have a roll call of attendance
11 since this is a Zoom call, if I could call all the
12 members. Mr. Worley?

13 MR. WORLEY: Present.

14 MR. RAFFENSPERGER: Okay. Ms. Anh Le?

15 MS. LE: Good morning. Present.

16 MR. RAFFENSPERGER: Good morning. Mr. Mashburn?

17 MR. MASHBURN: Present.

18 MR. RAFFENSPERGER: Ms. Sullivan?

19 MS. SULLIVAN: Present.

20 MR. RAFFENSPERGER: Okay. Your name wasn't on the
21 leader board here, but great. We have a full complement
22 of State Election Board members. Before we get started,
23 we've updated the agenda to have a presentation from Car -
24 - Carter Jones, who was our monitor that the State
25 Election Board inserted into Fulton County as part of the

1 consent agreement we had with Fulton County coming out of
2 the June primary election. Mr. Germany, if you would like
3 to -- you probably have some background information to
4 share about that, and then you'll be introducing Mr.
5 Carter Jones.

6 MR. GERMANY: Thanks, Mr. Secretary. This is Ryan
7 Germany. The Board members, as you well remember, we
8 entered into a consent agreement with Fulton County
9 following the issues that arose during the June primary.
10 I want to thank the Board members for doing that and for,
11 you know, taking the novel step that to my knowledge has
12 not been done before of appointing Carter Jones as the
13 monitor for the Fulton County elections to oversee the --
14 the substantive kind of solutions that would have been put
15 in the consent agreement that Fulton County agreed to. I
16 want to thank Fulton County Board of Elections too for
17 welcoming Carter in, for agreeing to Carter. We had --
18 part of the consent order was we had to agree with Fulton
19 County who the monitor was going to be, and I think we
20 ended up between the two of us really fortunately landing
21 on Carter Jones.

22 His experience in elections was with the
23 International Republican Institute where they would
24 monitor elections in developing countries, and so he was
25 familiar with observing elections, and I think Carter did

1 a great job really going to Fulton and becoming --
2 becoming a trusted person and someone they saw as a help.
3 And I know that's what the Board, I think, wanted to do
4 with the way we approached the Fulton County case. So
5 I'll turn it over to Carter. I know he'll -- he'll give
6 some brief remarks, and then he'll obviously be available
7 for questions from the Board, and I just want to thank
8 Carter for -- he put in a lot of -- a lot of hours at the
9 Fulton County Elections headquarters, at State Farm,
10 really, all over the place. So Carter, thanks for your
11 service, and I look forward to your report.

12 MR. JONES: Thank you, Ryan, for that kind
13 introduction, and ladies and gentlemen of the Board, thank
14 you for the opportunity to come here and share some of my
15 observations from my time with Fulton County here with you
16 today. I do want to preface all of my statements today
17 with the reminder from what -- what was in my executive
18 summary that has gone -- gone out to folks that wanted to
19 get it that at no point in my more than 270 hours around
20 Fulton County's election processes from October to January
21 did I see any illegality, fraud, or intentional
22 malfeasance. Now, that being said, I did, unfortunately,
23 see a lot of sloppy processes, and that was one -- one
24 thing that I wanted to really highlight today, and I was
25 aware of that BRE meeting yesterday, and I do want to

1 underscore that firing Rick Barron is not a shortcut to
2 fixing the mismanagement inside Fulton's elections
3 department.

4 From -- from November to January, I saw a lot of
5 things that could be tightened and also the kind of
6 fingerprints of what I will call systemic disorganization.
7 We talk about, at State Farm, a failure to adequately pre-
8 scan before Election Day, November 3rd, led to -- I will -
9 - I will say chaos at State Farm Arena, scanning into the
10 night. We all know what happened with the controversy
11 that came around November 3rd with working so late. I
12 don't need to allude to that anymore. On November 3rd --
13 November 5th, excuse me -- a failure to deliver election
14 materials on time. Going into the November election, I
15 was at Fulton's warehouse on the Monday before November
16 3rd until 1AM. Still, all election materials had not been
17 delivered, and I was back there at 5AM the next morning,
18 November 3rd, to see that there were still election
19 materials that hadn't been delivered, and the polls were
20 supposed to open in two hours. That is not all the fault
21 of Richard Barron.

22 There was no process provisionals going into the
23 November 3rd election, and that was apparent on November -
24 - November 7th, when we had to recall party monitors,
25 myself, as well as the Deputy Secretary of State and

1 Commissioner Liz Hausmann to go down to State Farm Arena
2 to watch Fulton figure out what was going on with their
3 provisional process. Had there been a system in place,
4 then they would have been able to easily pick that up and
5 figure out what ballots they had missed, what ballots
6 needed to be rescanned, or even how many ballots they had,
7 but it was my understanding that they did not at any point
8 do an intake count on provisional ballots, and they -- as
9 a result of that, there was mass confusion, and a lot of
10 folks -- a lot of folks having, you know, no idea how or
11 what the actual problem was and then perhaps solving it in
12 the worst way possible by instead of hand counting ballots
13 to see if their paper record matched the number of ballots
14 they had there, they used the OPEX cutters again to use
15 them as very expensive -- very expensive ballot counters
16 instead of just doing it by hand, which nearly gave me a
17 heart attack because I thought they were opening new
18 ballots on the Saturday after the election.

19 There was -- it's documented in my report there was a
20 sloppy chain of custody within the Pryor Street office,
21 ballots bouncing all around Pryor Street leading into
22 November 3rd. But to Fulton's credit, they learned from
23 my comments to their leadership in January, and they were
24 able to buttress those and do the entire process linearly
25 at the World Congress Center. Perhaps, it is this

1 willingness to learn from their mistakes that caused some
2 grade inflation that the BRE wanted to talk about
3 yesterday.

4 One -- one big issue that we saw in terms of the
5 consent order is that Fulton did not adequately update
6 Election Net and give voters credit, which caused a lot of
7 confusion for people that had requested absentee ballots,
8 perhaps filled them, perhaps not. Some people got
9 multiple ballots, and that's just sloppy -- sloppy
10 management, and I don't mean multiple ballot applications.
11 I think a lot of folks got multiple ballot applications.
12 I mean actual, physical ballots. I saw one -- I had one
13 poll manager send me a photo of someone who had received a
14 UOCAVA ballot who was not active-duty military, and the
15 only way that that would happen would be sloppy -- sloppy
16 data management on Fulton -- on Fulton's behalf.

17 Last minute mailers and voter registrations completed
18 at the 11th hour on October 26th is, I find, very, very
19 sloppy, and again, not the fault of the Elections Chief
20 but part of a systemic disorganization within Fulton
21 County. I have the number in my report, but more than
22 160,000 notice of poll changes were sent out a week before
23 the election, which caused me and the Secretary of State's
24 Office to be flooded with complaints about Fulton changing
25 something "at the last minute." I also know that -- I

1 believe it was 2500 voter registrations had not been
2 completed, and the ACLU even got involved going into the
3 election. I believe it was the Friday before the Tuesday
4 we voted in November.

5 These are all just part and parcel of the larger
6 systemic issues within Fulton's management, and there's no
7 shortcuts to fixing that. It's going to take an internal
8 review, as well as an, you know, autopsy or post-action
9 review to figure out what they can actually fix.

10 And then from an elections standpoint, one thing that
11 I would like to encourage the Board on is that -- is that
12 transparency and proximity are not the same thing. I was
13 at the World Congress Center on January 5th when Fulton
14 was served a court order demanding that party monitors get
15 more access and get closer to the actual, physical
16 process. Now, apart from social distancing guidelines and
17 the fact that there was atrocious mask etiquette or mask
18 hygiene on the part of the monitors, I think there was a
19 massive misunderstanding between the definitions of
20 transparency and proximity. I believe Fulton's process
21 was very transparent. I think there are things they could
22 have done better in January, but just because you're not
23 right up against a -- a poll worker being able to see
24 their screen does not mean that the election is not
25 transparent. There were cameras all over the place. You

1 could see that nothing illegal was happening. No ballots
2 were showing up in the middle of the night. There was
3 transparency in the process. However, you know, there was
4 not necessarily the proximity I would have liked.

5 And then one last axe that I've been grinding for
6 months is that I would like to see the State Election
7 Board push the parties to have greater accountability for
8 the folks that they provide credentials to as their
9 monitors. We had folks that had no training and clearly
10 no understanding of how the election process worked coming
11 down there thinking their party credential was a badge and
12 a gun and that they were going to stop the steal or get
13 involved and yell at election workers. We had multiple
14 death threats to people's faces, taking pictures inside
15 the polling unit, and just sowing -- sowing discord and
16 confusion due to a lack of training.

17 If there was a protocol for the parties to actually
18 vet the folks that came down, it would serve the process
19 of rumor abatement so that anyone who was trained would
20 know the actions and the hardware that you would see in
21 elections. It would also remove some of the confusion in
22 the process. To provide an example, if everybody is
23 trained that wants to be a credentialled monitor, when an
24 attorney from not the state alleges that suitcases were
25 pulled from out from under the table at State Farm,

1 everyone that's received the training knows that those are
2 ballot bins, and we have them in every precinct in the
3 state. So there's a functional element to that.

4 So with that being said, I will yield my time back to
5 the Board and open -- open it up to any questions that
6 y'all might have.

7 MR. RAFFENSPERGER: Thank you, Carter. Carter,
8 before we get to that point, for the citizens that are
9 listening in today, I know that the Board members have
10 seen your resume, but have you ever monitored elections
11 before, and if so, where? And what organization did you
12 represent when you did that? Just provide some background
13 information.

14 MR. JONES: Yes, sir. So I worked with the
15 International Republican Institute for four years, almost
16 five years, in Washington, D.C. I organization IRI's --
17 actually, our entire delegation, which is the Consortium
18 for Elections and Political Party Strengthening, which is
19 IRI, NDI, which is National Democratic Institute, and
20 IFES. I did a lot of the logistics and planning for the
21 2015 Nigerian national election monitor, so I was -- I was
22 there. I was physically on the ground for Nigeria's 2015
23 elections. I monitored that. I also did data collection
24 on the back end, so that we could write our elections
25 report. Let's see. I also did a lot of preparation work

1 for Kenya's 2017 election, but I moved on from IRI before
2 that election actually occurred. I have about a decade of
3 election experience from running campaigns to studying
4 electoral systems to working at IRI, which is -- their
5 tagline is advancing democracy worldwide.

6 MR. RAFFENSPERGER: And I remember, if I recall,
7 seeing something on your resume with Senator Isakson.

8 MR. JONES: Yes, sir.

9 MR. RAFFENSPERGER: What capacity were you affiliated
10 with Senator Isakson?

11 MR. JONES: So I was a -- I had the opportunity to be
12 an intern in Senator Isakson's office in 20 -- I believe
13 that was 2012. I was only there for about five months,
14 but I think that's, in intern dog years, that's quite a
15 long time.

16 MR. RAFFENSPERGER: Thank you. Board members, I
17 imagine that many of you have questions. Who wants to go
18 first? Mr. Worley, any questions?

19 MR. WORLEY: I did have one question, Mr. Secretary.
20 Mr. Jones, your comment about poll observers feeling that
21 their badge, you know, essentially gave them a right to do
22 whatever they wanted in the polling place, you observed
23 that happening. Was that more prevalent in one party's
24 observers than another's?

25 MR. JONES: You're going to put me on the spot. Yes,

1 sir. I do believe that it was more of -- more of leaning
2 towards one party. Then it actually became towards the
3 end of January, one party was actually monitoring the
4 other party.

5 MR. WORLEY: And which party was that?

6 MR. JONES: The GOP was sending a lot of folks --
7 even from out of state, which I thought was interesting.
8 I talked to folks from Tennessee and Illinois that had GOP
9 credentials. By the end, the party was just sending
10 blank, like, form -- form letters that people would show
11 up and didn't even have their names completed. Until
12 January 5th, that wouldn't have been accepted, and then on
13 the night of January 5th, starting -- starting around 5, I
14 guess people got out of work and then really after 7 when
15 polls closed, there was a massive amount of -- massive
16 amount of folks that showed up, but there must have been
17 50 monitors from just one party at the World Congress
18 Center on January 5th.

19 MR. WORLEY: Okay. And so you're -- and I appreciate
20 your honesty about this given your background, so your --
21 your comment about the need for more training of poll
22 observers is directed more at the GOP than any other
23 party?

24 MR. JONES: No, sir. I believe it applies to both
25 parties.

1 MR. WORLEY: Right. But your observation was that it
2 was those GOP observers who lacked the training that you
3 think is necessary.

4 MR. JONES: But -- but I think both parties could --
5 could benefit from additional training. I don't
6 necessarily want to point fingers at one party, but I
7 think -- and I had to -- essentially, my scope expanded in
8 January to rumor abatement. A lot of folks wanted to --
9 wanted to come down and talk to somebody about what they
10 had heard on the news or seen on social media, and, you
11 know, I let them come yell at me, so that was -- but yeah.
12 I think both parties and also just Georgia could benefit
13 from additional -- additional training.

14 MR. WORLEY: Thank you.

15 MR. JONES: Yes, sir.

16 MR. RAFFENSPERGER: Ms. Sullivan, do you have any
17 questions you'd like to ask Mr. Carter?

18 MS. SULLIVAN: I don't have any questions at this
19 time. Thank you.

20 MR. RAFFENSPERGER: Ms. Le, do you have any questions
21 you'd like to ask Mr. Carter?

22 MS. LE: Mr. Carter, this is Anh. Thank you for that
23 report. To the extent of your knowledge on the -- to Mr.
24 Worley's question, any disruption that was caused by
25 individual poll watchers, is it your understanding that

1 was coming from an individual capacity? The individuals
2 did not necessarily direct it from the party; is that
3 correct?

4 MR. JONES: That's -- that's a good question. I'm
5 not entirely sure. I know that on -- during the RLA and
6 the recount, there were kind of team huddles where folks
7 would develop kind of a strategy, and I know that some
8 folks were working in teams of two during the RLA where
9 one person would stand in front of a -- in front of a
10 desk, and the other would stand behind a desk while
11 auditors were auditing the -- you know, by hand, the
12 ballots. But I'm not sure. Maybe that was just somebody
13 who had a good idea. So you know, it's hard to say. I,
14 myself, did not get that -- get that close or ask those
15 sort of questions. I was more just answering questions.

16 MS. LE: Thank you.

17 MR. JONES: Yes, ma'am.

18 MR. RAFFENSPERGER: Mr. Mashburn, you actually spent
19 some time down at the Fulton County election offices.
20 Didn't know if you had any questions for Mr. Jones?

21 MR. MASHBURN: Yes. I -- I was down there, and I did
22 see Mr. Jones both at English Avenue diligently performing
23 his work, and I also saw him at State Farm Arena when I
24 was at State Farm Arena for about 10 hours on Wednesday.
25 But what I -- what my question is we know that Fulton

1 County is -- is making changes at the very top with their
2 Elections Director, but what you described is more of a
3 systemic problem that seems to run from top to bottom, and
4 so my question is -- is kind of over -- overall, does
5 Fulton County just need to tear down their entire system
6 and rebuild it from scratch, or is it salvageable, or what
7 are your recommendations of where we -- where we go next
8 at Fulton County?

9 MR. JONES: That's -- that's good question. Thank
10 you. I do think it is salvageable. There are just some
11 big changes that need to -- need to come through. I think
12 some folks are still working with Fulton County being, you
13 know, not the same size county that it is today. They
14 need to tighten processes. They need to look at kind of
15 internal policies, but no. I do not think it is rotten to
16 the core, but I also think that firing Rick is not, you
17 know, a magic shortcut to fixing the problems. There will
18 -- there will need to be some sort of critique. You know,
19 someone -- someone come in and do an audit of the
20 processes and the team, and I think that the new director
21 has a herculean effort if they have no power to replace
22 some of the people that are -- are big problems within the
23 system.

24 I think -- I do not think it is rotten to the core. I
25 think it is salvageable. I think a lot of the things, you

1 know, that ran well were -- had interesting -- interesting
2 innovations. I liked the mobile buses idea. I liked the
3 super centers for polling. I thought that was a good idea
4 too. It's also good press for elections to remind people
5 to go out and vote. You get to go out on the floor at
6 State Farm. That's pretty cool. But back-office stuff, I
7 think that they do need -- they do need to fix, access,
8 and analyze, and it's not, you know, we need to tear it --
9 tear it completely down, but I do think there needs to be
10 some managerial shake up.

11 MR. MASHBURN: Thank you. This is Matt Mashburn
12 again. Do you -- do you have a feeling or is it your
13 impression that Fulton County cooperated and acted in
14 accordance with the terms of the consent order as it -- as
15 it related to your functions?

16 MR. JONES: Yes. They provided me access to wherever
17 I wanted to go. One gripe I had is that I did always kind
18 of find out secondhand about stuff, like they could have
19 been more proactive about telling me when they were going
20 to start, you know, working on things. Like the recount,
21 I found out the day after it happened that they were
22 starting the recount. But I think they complied with
23 giving me the backstage pass and making -- making all
24 their stuff available to -- to me so that I really could
25 see what was going on and learn -- learn from the process,

1 so I -- I think they complied with that. Regarding the
2 rest of the consent order, I would have to look at my
3 executive summary.

4 MR. MASHBURN: Yeah. That -- that's kind of where I
5 wanted to go is whether they -- whether -- thank you in
6 regards to the access because one of the impressions I had
7 was that you were able to go anywhere you wanted to go and
8 see anything you wanted to see, and I appreciate you
9 confirming that. But we do, the Board -- at least me, and
10 I think the rest of the Board wants to be sure or have a
11 look at whether or not they complied with the substantive
12 provisions of the consent order as well, and I understand
13 you just said -- you need to look at that or we need to
14 look at that?

15 MR. JONES: I think that y'all might want to look at
16 it. So my -- my executive summary is structured to match
17 the consent order even down to the number and letter of
18 the items, going through ballot procedures, poll workers,
19 poll training, you know, and so forth, so that, you know,
20 did they comply is a little bit trickier than a yes or no.
21 They did on some things. They did not on others. I
22 mentioned updating Election Net as one that they, you
23 know, failed to fully comply, but they did what seemed to
24 me a good faith effort to follow a lot of the terms of the
25 consent order. Providing an example, poll workers, they

1 almost doubled their target for number of poll workers.
2 Early voting locations, they exceeded -- they had thirty-
3 two -- thirty plus two mobile sites plus seven outreach
4 sites in November. Their target was twenty-four. They
5 had 255 Election Day voting locations. That was, you
6 know, the target. So they, you know, it wasn't a complete
7 -- complete, complete failure by any means, but it also
8 was not a rosy picture given the things that I saw with my
9 access.

10 MR. MASHBURN: Okay. And for those -- those of the
11 public that's listening in who don't have the benefit of
12 your report, go ahead and tell us what were the areas
13 where they fell short. Go ahead and specify those for us.

14 MR. JONES: Yes. Yes, sir. So the absentee -- so
15 I'll just run through this top to bottom. For the
16 absentee process, I was very, very concerned with chain of
17 custody at -- at Pryor Street. I alluded to this in my
18 comments, kind of ad hoc problems, the system held
19 together by tape and chewing gum but managed -- managed to
20 limp across the line at the end, but they -- they fixed it
21 in January. But yeah, ballots moving all around Pryor
22 Street. They were in five -- five different rooms.

23 MR. MASHBURN: And I'm going to interrupt you --
24 interrupt you just for a second for a point of
25 clarification for the people listening in.

1 MR. JONES: Sure.

2 MR. MASHBURN: When you talk about chain of custody
3 issues, the chain of custody issues all dealt with paper
4 ballots, correct?

5 MR. JONES: That is -- with absentee by mail. Yes,
6 sir.

7 MR. MASHBURN: The paper ballots?

8 MR. JONES: Yes, sir.

9 MR. MASHBURN: Hand-marked paper ballots?

10 MR. JONES: Correct.

11 MR. MASHBURN: I'm sorry to interrupt you, but I
12 think it's an important clarification. Thank you. Please
13 continue.

14 MS. LE: Carter, I'm sorry. This is Anh, and along
15 the same questioning, can you give us an example of the
16 chain of custody issue you saw?

17 MR. JONES: Sure. So I have a paragraph here on page
18 2 for the folks that have -- that have it. For example, a
19 room which housed the team that was doing additional voter
20 verification through Rocket file -- it was also a
21 temporary housing location for ballots -- but an E-net
22 processing room was on a separate floor, so the ballots
23 would come into the mail room and then move to this
24 temporary storage, which also had another function, and
25 then would go to the -- the second floor to the E-net

1 verification room, where -- in between in transit, no one
2 was signing out the ballots. They didn't really have a
3 count and the same when they would move back. I witnessed
4 while I was there with the Elections Chief a temp worker
5 taking -- who had not received adequate training, in my
6 opinion -- was taking ballots that had just come in the
7 door and then accidentally later -- inappropriately moving
8 them to this stack that was on the way out to State Farm.
9 So the Elections Chief caught it and said, like, whoa,
10 whoa, whoa, stop what you're doing, but had he not been
11 there, had he not been giving me a tour that day, perhaps
12 those ballots that had not been verified would have ended
13 up at State Farm, but they did go through the whole
14 verification process. So things like that.

15 And then other chain of custody stuff, I saw a good
16 number during the RLA and recount of unsealed ballot bags.
17 I just hate unsealed ballot bags. It's such a headache,
18 and it's such an easy thing to fix, just seal the ballot
19 bags, and again, to Fulton's credit in January, every
20 ballot box that came in was sealed and did have the proper
21 chain of custody form. So they learned from my -- from my
22 feedback in November, but those sort of things are really,
23 really concerning to me, especially when we're hearing
24 chain of custody on the news so much. Would you like me
25 to keep going with the report or do y'all want to ask some

1 questions about that.

2 MS. SULLIVAN: Mr. Secretary, I have a related
3 question, if I can ask it.

4 MR. RAFFENSPERGER: Yes, please do.

5 MS. SULLIVAN: Mr. Jones, with respect to these
6 issues you're just discussing about chain of custody, do
7 you see failures in those areas as primarily a lack of
8 having appropriate procedures in place or training about
9 those procedures or a combination of both?

10 MR. JONES: That -- I think I would say a combination
11 of both because -- but I do think they're very similar.
12 You know, this is one of the things where we talk about,
13 you know, it doesn't need to be -- it's salvageable. And
14 if you -- and Fulton did a good job in January of fixing
15 these silly problems and some kind of self-inflicted
16 wounds from November, and they conducted the entire
17 process transparently and linearly at the World Congress
18 Center. There weren't things bouncing all over a
19 building. They would come into an intake cage, where they
20 controlled the outflow, and then they would, you know,
21 move down the line. Once they were vetted, they would,
22 you know, be opened and then be scanned. That -- that
23 system makes a lot more sense. It is salvageable. It is
24 not, you know, rotten -- rotten to the core top to bottom,
25 but I do think it was a failure of process and perhaps, a

1 lack of foresight to see that they were going to get, you
2 know, 150,000 absentee ballots.

3 MR. RAFFENSPERGER: Mr. Jones, I noticed that one of
4 our citizens asked who is responsible for the training.
5 The county election director is responsible for training
6 everyone in their county. We have 159 counties. County
7 election directors and their management teams in the
8 larger counties such as Fulton, they -- that would bear
9 the responsibility; am I not correct?

10 MR. JONES: I -- I'm sorry. Could you repeat your
11 question?

12 MR. RAFFENSPERGER: That's -- that's a correct
13 statement that I just made. That it's the county election
14 director that's responsible for training --

15 MR. JONES: I'm -- I'm not sure about that, Mr.
16 Secretary, but regardless -- regardless of who does the
17 training, there's a lack of oversight into the process.

18 MR. RAFFENSPERGER: Obviously. If there's no other
19 questions, one -- one of my takeaways from this is -- I
20 think the Board members were alluding to it, but we had
21 the consent agreement to establish accountability. You
22 looked at what happened in June versus where we are today.
23 There has been improvement, but that doesn't mean it's
24 acceptable even today, and I think -- you also -- I
25 believe the consent agreement was violated by Fulton

1 County. They did not fulfill all of the stated objectives
2 that we required, and so therefore, I would submit to the
3 Board that the State Election Board still has an
4 outstanding issue with Fulton County, and I believe that
5 our General Counsel and the Attorney General's Office can
6 circle back with Fulton County so that they have a new
7 county election director that they'll be hiring, looking
8 at a team, but I think that it is in the State's interest
9 that -- that we do have influence and make sure that we
10 are going to have continued improvements in there. We
11 have 159 counties, but Fulton County represents over ten
12 percent of the voting population, and the rest of Georgia
13 wants things improved, so Mr. Carter, I believe -- Mr.
14 Carter.

15 Mr. Carter Jones, I do appreciate everything you've
16 done. You've put eyes into it, 270 hours. You were there
17 until 2 o'clock in the morning, and so I'm very grateful
18 that, you know, the consent degree allowed us to bring you
19 on board, and you were really able to observe things and
20 really help facilitate at some points, lending your
21 expertise, but I do think, Board members, that we have
22 authority, that we can continue to make sure that there's
23 further improvements for the upcoming election cycles. I
24 don't know if Mr. Germany wants to add any comments to
25 that at this time, but I think that's one thing I would

1 like to circle back with all the Board members, perhaps
2 next week.

3 MR. GERMANY: Yes, sir. This is Mr. Germany. This
4 is Ryan Germany. With -- and I think that's a good point
5 that the consent agreement that we entered into, you know,
6 set out basically milestones that Fulton agreed to meet
7 and thought they could meet, and as Carter said, they --
8 they did -- first of all, as Carter said, we did see --
9 and the Secretary said -- we saw a lot of improvement from
10 June, but there were things that they thought they would
11 be able to do that they fell short on. The consent
12 agreement has a \$50,000 civil penalty, you know, if that
13 occurs, that's waived if they basically reach all those
14 milestones. I think from reading Carter's report while
15 there was improvement, and while they did meet many of
16 those milestones, they did not meet all of the milestones.
17 With the permission of the Board, I would like to -- to
18 reach out to their counsel and talk about how to best, I
19 think, deal with that remaining issue. It might be,
20 rather than a civil penalty, to continue the type of
21 monitoring that Carter has done or something like that
22 that can kind of continue the road to improvement that --
23 that we're seeing, and that's something I'd be happy to do
24 if that's the will of the Board.

25 MR. MASHBURN: This -- this is Matt Mashburn. On

1 those -- on those comments, I've been monitoring elections
2 for 30 years, and it's always Fulton. It's always been
3 Fulton. It always goes down to Fulton, and so the Board
4 puts on this monitor and for the first time ever in 30
5 years, we see dramatic and remarkable improvement, so
6 clearly, that was the right thing to do, and clearly, it's
7 the right thing to continue to do going forward, so I
8 don't -- I don't believe they fulfilled all of their
9 obligations to relieve them of the \$50,000 penalty, and I
10 don't think they're ready to be relieved from the Board's
11 oversight either, so I agree with Mr. Germany that the
12 Secretary of State's Office and Fulton County and the AG's
13 Office should figure out how -- how they recommend we
14 proceed in continuing this progress because while, you
15 know, everybody's always said that it was good progress,
16 but it's not enough. But -- but my comment is for the
17 first time in 30 years, there finally was progress when --
18 when we took -- when we took the bull by the horns and
19 installed the monitor, we finally got movement in the
20 right direction. So that's my comment.

21 MR. RAFFENSPERGER: Was that a comment or was that a
22 motion?

23 MR. MASHBURN: I'll make a motion that the -- I'll
24 make a motion that the AG and the Secretary of State's
25 Office and Fulton County come together with a proposal to

1 continue the consent order.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. LE: I'd like to -- this is Anh Le. I'd like to
4 make a friendly addition to that motion in the sense that
5 Fulton County has been in the elections business for a
6 long time. I'm very interested in knowing what their
7 thoughts in terms of how they best proceed as well and
8 take ownership of some of the changes as opposed to
9 relying on the Secretary of State's Office or the AG
10 coming in, expending its resources to tell them what's
11 wrong. I think that they probably also have some
12 suggestions. I'd like to know how they think they can
13 proceed forward and whether it means reaching out to other
14 counties, getting best practices, and taking some
15 ownership of how to proceed forward as well.

16 MR. RAFFENSPERGER: Mr. Mashburn, I don't know if
17 that means amending your motion -- your motion.

18 MR. MASHBURN: Yeah. I'm -- I'm trying to figure
19 out.

20 MR. GERMANY: And Mr. Secretary, counsel for Fulton
21 County is on, if we'd like to hear from them as well.

22 MR. RAFFENSPERGER: Please. Who speaks for Fulton
23 County?

24 MS. RINGER: This is Cheryl Ringer with the office of
25 the Fulton County attorney. I would just like to state

1 that we have not seen Mr. Jones' report and so to have an
2 open session like this where Fulton County is not able to
3 even respond to a report it hasn't seen does not seem to
4 be fair, so I would like the opportunity to obtain the
5 report and then provide Fulton County's comments at a
6 later date.

7 MR. GERMANY: So Ms. Ringer, this is Ryan. The
8 report was approved by the counsel that Fulton County had
9 representing the Board in this case, and also, it was
10 presented to the Fulton County Board of Elections at their
11 meeting.

12 MS. RINGER: It was presented -- it was presented --
13 I'm sorry. It was presented to the Board, but I, as
14 counsel, have not seen it, and the counsel that initially
15 worked with you all is not present at this meeting, so I'm
16 just saying I can't speak because I haven't seen it, and
17 the counsel you're saying has seen it is not present.

18 MR. RAFFENSPERGER: We have a State Election Board
19 meeting next week. Mr. Mashburn, if you'd be agreeable, I
20 would like to put this matter on the agenda for next week,
21 along with the cases that will be presented, and there can
22 be a discussion at that time. In the meantime, the
23 Attorney General's Office and our General Counsel can have
24 discussions with Fulton County's counsel. Does that work?
25 And that will then give everyone an opportunity to ramp

1 up, if that's agreeable to all parties concerned today.

2 MS. RINGER: Thank you, Mr. Secretary.

3 MR. MASHBURN: Yes, Mr. Secretary. I'll withdraw the
4 motion, and we'll -- we'll bring it up for next week's
5 meeting.

6 MR. RAFFENSPERGER: Thank you. I do want to --
7 before we move onto the cases, I do want to -- I do want
8 to make two points. One is Mr. Carter Jones said in his
9 letter at no time did I ever observe any conduct by Fulton
10 County election officials that involved dishonesty, fraud,
11 or intentional malfeasance, nor any other fraudulent
12 conduct that would undermine the validity, fairness,
13 accuracy of the results published and certified by Fulton
14 County. That said, however, there is a high level of
15 distrust because of the other issues that Carter Jones
16 discusses with lack of management competency, and it
17 creates the lack of confidence in results from Fulton
18 County, and that's why it's a critical issue.

19 I understand that perhaps none of this happened, and
20 it didn't affect the outcome of the election, but it
21 created tremendous distrust not just, you know, in Georgia
22 but throughout the entire country because of the national
23 significance of the presidential election. And therefore,
24 it is very important that we continue to make sure that
25 the Fulton County Election Board and the Fulton County

1 election system, you know, gives Georgia, gives residents
2 of Fulton County but all of Georgia, solid elections, that
3 we know that they're honest and fair elections, with the
4 appropriate amount of both accessibility and security that
5 we can trust the results, and that's where we need to move
6 forward. So I look forward to having those discussions in
7 detail next week.

8 MR. WORLEY: Mr. Secretary, this is Mr. Worley.
9 Could I add something?

10 MR. RAFFENSPERGER: Yes, sir.

11 MR. WORLEY: I don't -- I don't dismiss your concerns
12 about the operations of Fulton County's election system,
13 but I think we have to point out that the reason that
14 there is distrust of the results from Fulton County has,
15 for the most part, nothing to do with the items that Mr.
16 Jones has pointed out. The reason there is a distrust of
17 the election system is because one figure in the country
18 spent months and months and months sowing distrust of the
19 election system. That is not going to be solved by
20 tinkering with Fulton County's election process. That's
21 all. Thank you.

22 MR. RAFFENSPERGER: Okay. Our first thing up on the
23 agenda is section 2 -- 3, investigation reports, the
24 consent cases.

25 MS. WATSON: Yes, sir, Mr. Secretary. This is

1 Frances Watson. Do you -- is the will of the Board to
2 vote en bloc or have any of the consent cases pulled out
3 for presentation?

4 MR. RAFFENSPERGER: Members, what is your will? Mine
5 would be to vote en bloc, unless you'd like to have some
6 cases pulled out.

7 MR. MASHBURN: This is Mr. Mashburn. I have no cases
8 to be pulled out.

9 MR. RAFFENSPERGER: Can I -- Can I hear that again?

10 MR. MASHBURN: I have no cases to be pulled out, Matt
11 Mashburn.

12 MR. RAFFENSPERGER: Mr. Worley, did I hear you?

13 MR. WORLEY: Yes. Neither do I, and I would make a
14 motion that we follow the recommendation of the
15 investigative department and dismiss the consent cases en
16 bloc.

17 MR. RAFFENSPERGER: Do we have a second?

18 MS. SULLIVAN: Rebecca Sullivan, I'll second.

19 MR. MASHBURN: Second.

20 MR. RAFFENSPERGER: Okay. Do we have any -- do we
21 have any discussion? Hearing none, all those in favor of
22 accepting the motion as presented, signify by saying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.

25 Okay. The next set are the letter cases.

1 MS. WATSON: Yes, sir. If there is not any to be
2 pulled out, we can vote en bloc on those also.

3 MR. RAFFENSPERGER: What is the will of the Board?

4 MR. WORLEY: Mr. Secretary, this is Mr. Worley. I
5 make a motion that we follow the recommendation of the
6 investigative department and send a letter of instruction
7 in the four cases that are on the letter case agenda.

8 MR. RAFFENSPERGER: Okay. Do we have a second?

9 MS. SULLIVAN: Rebecca Sullivan, I second.

10 MR. RAFFENSPERGER: Do we have any further
11 discussion? Hearing none, all those in favor of accepting
12 the motion as presented, signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Any opposed? Motion carries.
15 Okay. New cases and Ms. Watson, before we get started,
16 probably around 10 o'clock, we'll take our first five-
17 minute break, and then we'll, you know, come back, and
18 then we'll go on and try to take a break every hour. I
19 understand feedback was that we didn't take enough breaks
20 sometimes, so I want to be respectful of all of our Board
21 members. So new cases, SEB case 2016-076, Hancock County.

22 MS. WATSON: Yes, sir. Before we start with those
23 cases, the last meeting on the 10th, the Board -- I
24 presented Gwinnett County, 2020-115, and this was the case
25 where the individual had received two ballots and had

1 posted on NextDoor the ballots for sale. The Board had
2 requested to find out why he received two ballots. I did
3 reach out to Gwinnett County and have a response from
4 them, if this would be the appropriate time for that
5 update.

6 MR. RAFFENSPERGER: Yes, it would be.

7 MS. WATSON: Okay. Gwinnett County says they did
8 enter the request for the absentee ballot into the
9 spreadsheet for the vendor to issue. They do have a
10 situation where if there is a change at the same time that
11 they are issuing the ballot that it will sometimes create
12 an additional line to issue a second ballot. The regular
13 practice is to check that spreadsheet for duplicates and
14 remove any duplicates. In this particular case, that was
15 missed on the part of the County, and it slipped through,
16 and two ballots were issued in error by the County. The
17 recommendation at the time still stands for a letter of
18 instruction for Mr. Wilowski [ph.] in reference to posting
19 the ballots for sale on NextDoor.

20 MR. RAFFENSPERGER: Okay. What is the will of the
21 Committee, the Board?

22 MR. MASHBURN: Yes. This is -- this is Matt
23 Mashburn. Since we -- since we now found out that he
24 really did have two ballots, and he really -- so that he
25 could have done what he said he was going to do, to me

1 that changes -- that changes the -- that changes it. If
2 he didn't have two ballots and said I've got two ballots
3 for sale, that's -- that's a joke, and I get that. A bad
4 joke, like saying you have a bomb like you're going
5 through the airport is a joke, a terrible joke. But here,
6 he actually had two ballots, so I don't agree that a
7 letter of instruction is -- is the proper remedy, so I
8 think -- I think I would recommend -- I would make a
9 motion that we refer this to the District Attorney for
10 illegal possession of a ballot.

11 MR. RAFFENSPERGER: Do we have a second?

12 MR. WORLEY: This is Mr. Worley. I would second
13 that.

14 MR. RAFFENSPERGER: Do we have any comment from any
15 of the Board members?

16 MS. SULLIVAN: That motion is for illegal possession
17 of a ballot, where he did not request -- just to verify,
18 did he request two ballots, or were those sent by the
19 County in error?

20 MS. WATSON: Those were sent -- they were sent by
21 error.

22 MS. SULLIVAN: So he was in possession of two
23 absentee ballots by -- I mean, no fault of his own,
24 correct?

25 MS. WATSON: Correct.

1 MR. MASHBURN: Yeah, but this -- but rather than take
2 the two ballots to the County and say hey, you've issued
3 two ballots to me incorrectly, he put them up for sale.

4 MR. RAFFENSPERGER: Mr. Mashburn's point is well
5 taken. Do we have any other comments?

6 MR. MASHBURN: Yeah, and I think -- go ahead.

7 MS. SULLIVAN: I was just going to say was the
8 Respondent notified that we would be considering this case
9 again today?

10 MS. WATSON: Yes, sir [sic]. He was. I'm sorry.
11 Yes, ma'am. He was notified. I sent him an email.

12 MS. SULLIVAN: And yet he is not here today to speak?

13 MS. WATSON: Is he -- he is not on the line.

14 MS. SULLIVAN: Thank you.

15 MR. RAFFENSPERGER: Any other comments?

16 MS. LE: Yes, this is Anh Le. Mr. Mashburn, your
17 motion is just to the DA and not to the DA and the AG's
18 Office; is that correct? Or do we want to go send it to
19 the --

20 MR. MASHBURN: Correct. Yeah. My motion is to go
21 straight to the DA. I think we get a choice -- we have a
22 choice to do one or the other or both, so I -- I think
23 your -- I think what I'm picking up from your question is
24 that you -- you would like for me to amend the motion to
25 say both the AG and the DA, Anh Le?

1 MS. LE: I'm thinking that because, you know, the
2 District Attorney has their own authority and discretion
3 on what to do with any case that we send over, so I -- I
4 would also like to have us take a look at it -- or the
5 AG's Office take a look at it as well, please.

6 MR. MASHBURN: Okay. So David, David, is that okay
7 with you if we -- if we amend the motion that you seconded
8 to include that?

9 MR. WORLEY: Yes, that's fine.

10 MR. MASHBURN: Okay. With Anh Le's amendment, I
11 restate my motion to send this to the AG and the DA.

12 MR. RAFFENSPERGER: And Mr. Worley has seconded that.
13 Any further comment? Hearing none, all those in favor,
14 signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.
17 Thank you, Ms. Watson, for bringing that before us.

18 MS. WATSON: Yes, the next case is 2016-076, Hancock
19 County. In May 2016, Mr. Henry Lee Robinson [ph.] alleged
20 that coroner candidate Audrey Ingram had filed a false
21 affidavit listing his residence in Hancock County for two
22 years. He based his assumption on property records in his
23 name, voter registration dates. The second allegation
24 came from Marion Warren who reported that Davoris Lamar's
25 [ph.] picture had been circulated in the polling places

1 and poll workers had been instructed not to allow him to
2 assist voters. Complainant Marion Warren also stated he
3 tried to enter the District 3 polling area, the Mayfield
4 Human Development Center, and was told that he couldn't
5 enter. The poll manager, Jocelyn Hough [ph.], prevented
6 him from entering the polling precinct. Allegation 4, the
7 complainant reported that her disabled aunt and uncle were
8 told by Hancock County Registrar's Office that they would
9 not be allowed to receive an absentee ballot to a P.O. box
10 that is not the address where they are registered.

11 The fifth allegation was the complainant reported
12 that during the counting of absentee ballots, the process
13 slowed down, and there seemed to be problems with the
14 ballot reader. The observers during this process were Gen
15 -- Jim Youmans, a BOER board member observing for the
16 Republican party who is now deceased, and Peggy Lewis, an
17 observer for the Democratic party. Each said they
18 witnessed quite a number of ballots that had been
19 fraudulently changed.

20 Investigation revealed in the first allegation, the
21 County held a hearing to determine the qualifications of
22 Mr. Ingram and determined he was qualified, and he could
23 remain on the ballot. As to allegation 2, poll workers
24 denied that any photos were passed around or turning away
25 Mr. Lamar from any precinct. There was [sic] no

1 supporting witnesses located to confirm that complaint.

2 In allegation 3, poll workers did prevent Mr. Warren and
3 Helen Butler from entering precinct 1B, as they believed
4 only voters and authorized poll watchers were allowed to
5 enter. In allegation 4, Tiffany Neal, the Elections
6 Supervisor at the time, states there would be no reason to
7 deny sending an absentee ballot to a P.O. box, and they do
8 so frequently.

9 In allegation 5, there was no evidence to
10 substantiate the claim. However, witnesses did state that
11 there was an unusually higher number of absentee ballots
12 that had more than one candidate marked in a particular
13 race. However, no individuals could advise who may have
14 made the changes. When the investigator went to review
15 the absentee ballots, it was determined that the majority
16 of the marked absentee ballots were missing, and all of
17 the voter certificates were missing. We recommend that
18 Hancock County Board of Elections and Registration,
19 Tiffany Neal, and Jocelyn Hough be referred to the
20 Attorney General's Office for violation of SEB rule 183-1-
21 12-.02(4), when poll manager Jocelyn Hough refused to
22 permit Marion Warren and Helen Butler to observe voting at
23 the Hancock Human Development Center, and also Tiffany
24 Neal and Hancock County Board of Elections and
25 Registration for violation of 21-2-500(a), in failure to

1 retain and secure the absentee ballots and the voter
2 certificates at the Hancock County Superior Court clerk.
3 And there is someone on the line to speak.

4 MR. RAFFENSPERGER: Okay. Who's here to speak from
5 Hancock County?

6 MS. GRANT: Good morning. Good morning. My name is
7 Andrea Grant. I am the attorney for the Board of
8 Elections and Registration, and I can't really speak to
9 Jocelyn Hough, Tiffany Medlock, aka Neal, situation about
10 refusing to allow Marion Warren and Helen Butler observe
11 because Tiffany Medlock/Neal resigned on July 5th, 2016,
12 and her last day on the job was August 9th, 2016.

13 However, it's the Board's opinion that if they refused
14 access that was outside the scope of their authority, and
15 the Board shouldn't -- they should have known, and the
16 Board should not be held responsible for their actions.

17 The next -- the next violation is a little more
18 complex. As many of you know, the courthouse in Hancock
19 County burned in 2014. The Clerk of Court was located at
20 a nearby technical college in a very small room. Some of
21 their records were stored in that small room. Some of the
22 records were stored in -- they had a makeshift courtroom,
23 and then they had another locked room where some of the
24 records were stored, so when the election happened -- this
25 allegation is May 24th, 2016 -- the voter certificates and

1 absentee ballots were not in the Clerk of Court's office.
2 The Clerk -- Clerk of Court was in the technical college,
3 and their records were kept in various places. It wasn't
4 until August 11th, 2016 after the election and after
5 everything had been submitted to the Clerk of Court that
6 they moved to their current location at the courthouse
7 after it was rebuilt.

8 According to the investigative report, a court order
9 around April 7th, 2018 was presumably served on the clerk.
10 However, to our knowledge, nobody on the BOER, the Board,
11 was notified about the service on the clerk or had an
12 opportunity to work with any investigator or the Clerk of
13 Court to locate any missing records, or -- I don't -- I
14 don't know what the missing records were. The Chairman --
15 but the Board did try to take action once we received this
16 -- this notification for this case, Chairman Ingram was
17 tasked with meeting with the Clerk of Court to seek more
18 information. However, he died, unfortunately, of COVID on
19 February -- just very recently, February 9th, 2021, prior
20 to reporting back to me or to the Board on his
21 conversations with the Clerk of Court.

22 Because I represent the County as a whole and not
23 just the -- I mean, I do not represent the County as a
24 whole. I only represent the Board of Elections and
25 Registration. So ethically, I've -- I feel like I cannot

1 directly contact the clerk of court, and due to the
2 passing of Mr. Ingram -- did not have an opportunity to
3 have a full conversation with the attorneys for the Board
4 of Elections and Registration.

5 Now, the Board of Elections and Registration is not
6 trying to blame the clerk of court for the missing items,
7 rest assured, but the items could have been stored in
8 several locations at the temporary facility. The Board of
9 Elections and Registration was not the entity that
10 actually moved the records, and it's highly possible that
11 these items were misplaced, misidentified, mismarked in
12 transit. In other words, basically, the chain of custody
13 cannot be ascertained to any certainly. So in light of
14 these unusual circumstances, the BOER requests -- and no
15 actual evidence of malfeasance of the BOER, the BOER
16 requests a letter of reprimand in this matter for the
17 second count.

18 MR. RAFFENSPERGER: Thank you, ma'am. Members, any
19 questions for -- any of the Board members?

20 MS. WATSON: Also, Mr. Secretary, a Marion Warren is
21 on the line as well as Nancy Stephens.

22 MR. RAFFENSPERGER: Yes. Ms. Warren [sic], do you
23 have anything you'd like to add?

24 MS. THOMAS: You can unmute yourself. I'm sorry. Go
25 ahead. Unmute yourself again.

1 MR. WARREN: It's Mr. Warren, Secretary.

2 MR. RAFFENSPERGER: Oh, I'm sorry. I guessed -- the
3 first name. Okay.

4 MR. WARREN: It happened in the military too, so I'll
5 let you get away with that one.

6 MR. RAFFENSPERGER: I'm sorry. I see it. Got it.
7 Marion Campbell was a great football coach though, so
8 anyway, go ahead, Mr. Warren.

9 MR. WARREN: Yeah. Yes. The 2016 election, in my
10 opinion, probably has a lot of different fingers attached
11 to it because I called it -- watching it, I called it the
12 worst debacle I've ever seen in my whole life. There were
13 things being done that were absolutely -- and I understand
14 the fact that the two individuals, particularly Ms. Hough,
15 I understand that at this particular point -- this is a
16 four-year old case, and I do understand that, but there
17 was no reason for her to prevent -- the law has been in
18 effect for quite a long time giving observers the right to
19 enter into a poll place. It just didn't get written in
20 2016, so I can't very well just walk away from that and
21 say so it's okay. Maybe it was a mistake. I don't think
22 that it was. I think that, you know, I think that at some
23 particular point some redress should be done or something,
24 probably a letter of reprimand either/or pass it on
25 because that's not -- when it comes down to the public

1 opinion and paying attention to the voting process, I
2 think that should be welcomed rather than rejected. I'm
3 finished.

4 MR. RAFFENSPERGER: Thank you, sir. Members, do you
5 have any questions for anyone? What is the will of the
6 Board?

7 MS. LE: Just -- this is Anh, Anh Le. With respect
8 to the -- Ms. Eveler's [sic] first comment about the Board
9 not being responsible for the individual actions of their
10 poll workers, on that note, on that first item, I
11 recommend -- or I make a motion to have a consent order
12 with the County to ask all -- to provide evidence of
13 proper training going forward of their poll managers to
14 prevent this from happening again. I think that this is
15 from a 2016 case, so to send this to the Attorney
16 General's Office in my opinion may not accomplish what we
17 would want which is a change in practice and to ensure
18 that it doesn't happen again, so I feel that a consent
19 order with the County ensuring training in this manner
20 would be more effective.

21 On the second issue, the ballot -- yeah, the absentee
22 ballots being moved, because of the fire and the difficult
23 that that presented, I would make a motion for a letter of
24 instruction. But I will comment that to Ms. Eveler's
25 [sic] point that she could not reach out to the Clerk of

1 Court, you know, even if you don't have jurisdiction over
2 that office or a formal relationship, there's always an
3 opportunity to pick up the phone in cases where it affects
4 your everyday business as well. So -- but I still would
5 make a motion to issue a letter of instruction on the
6 second item.

7 MR. RAFFENSPERGER: Do we have a second?

8 MR. MASHBURN: Second, Matt Mashburn.

9 MR. RAFFENSPERGER: Do we have any further comments?

10 Hearing none, all those in favor of the motion as
11 presented, signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed?

14 MR. GERMANY: Mr. Secretary? Mr. Secretary, hang on.
15 This is Ryan.

16 MS. WATSON: Nancy -- Nancy Stephens is also on the
17 line in reference to this case. I believe she wishes to
18 speak.

19 MR. RAFFENSPERGER: Okay.

20 MS. LE: Oh, my apologies.

21 MS. STEPHENS: Can you hear me okay?

22 MR. RAFFENSPERGER: Yes.

23 MS. STEPHENS: Okay. I would like to hold my
24 comments for case number 2020-018, if I may, please?

25 MS. WATSON: Okay. Thank you.

1 MR. RAFFENSPERGER: Okay. Okay, fair enough. All
2 those in favor -- I think we voted, did we not? And there
3 were no opposed? Motion carries. Okay. Do we want to
4 take a break now? It's after 10, and come back at 10:15.
5 Does that give everyone enough time for a short break?

6 MS. LE: Yes. Mr. Secretary, this is Anh Le. I just
7 wanted for the record -- I'll be stepping off this meeting
8 for a scheduling conflict that I have, and I'll come back.
9 When I do approximately in an hour, I'll announce it for
10 the record.

11 MR. RAFFENSPERGER: Thank you so much.

12 (Meeting break)

13 (Meeting resumes)

14 MR. RAFFENSPERGER: Okay. Next case.

15 MS. WATSON: Okay. Case 2016-090, Peach County,
16 absentee ballots. Several complaints were received
17 regarding Peach County elections concerning the May 24th,
18 2016 general primary election. The first allegation was
19 not getting out absentee ballots sufficiently in that the
20 elections supervisor was campaigning for certain
21 candidates and previously in 2015, that she did not
22 certify the election in a timely manner, and she would
23 call registered voters while working and encourage them to
24 come and vote. The second allegation: during a poll
25 monitoring conducted during early voting, it was reported

1 that four out of 19 absentee ballots did not have the date
2 signed. They were received, recorded, and were not signed
3 and approved by the Peach County election supervisor. It
4 was also reported that DRE machines were not locked with a
5 cable or another locking device. The third allegation was
6 a probate court judge candidate reported that two people
7 reported her name was not on their ballots when they went
8 to vote.

9 The fourth allegation was Peach County Sheriff Terry
10 Deese reported that during the May 24th, 2016 election and
11 absentee ballot processing, after the election, it was
12 reported that the door to the room where the election
13 documents including absentee ballots were located was not
14 considered secured as several courthouse employees have a
15 key to it. He estimated approximately one hundred, plus
16 or minus, keys to that room had been distributed.

17 Investigation revealed as to the first allegation,
18 the complaint was anonymous, and no evidence was located
19 to substantiate the complaint. In the second allegation,
20 poll workers provided conflicting information regarding
21 the DRE machines being secured with a locking device. Due
22 to the conflicting information, the allegation was not
23 substantiated. A review of the absentee ballots confirmed
24 that they were all marked with the date/time received as
25 signed by the election supervisor. Martha Gossier stated

1 that she completed the information on the absentee ballots
2 after it was brought to her attention during the poll
3 inspection.

4 The review of the election documents revealed 48
5 advance voting applications were accepted and processed.
6 When the applications were incomplete, 8 absentee ballot
7 envelopes were processed when they did not complete all
8 the necessary information. 58 voter certificates were
9 processed improperly, and 54 had no names, initials, or
10 signature of the poll officer receiving the voter
11 certificate. 21 had no type of identification of the
12 elector provided. 3 had no current address of the
13 elector. One had no elector's date of birth, and one, no
14 signature of the elector.

15 In allegation three, there was no evidence located to
16 substantiate the violation. As to allegation four,
17 investigation indicated the door to the room containing
18 election documents, which included voted absentee ballots,
19 was found unlocked with election documents unattended on
20 multiple occasions between the 24th and 26th of May, and
21 also, that the -- there were approximately 100 keys to the
22 room that had been distributed, making it an unsecure
23 location.

24 We're recommending Peach County Board of Elections
25 and Registration, Marcia -- Marcia Gossier, former interim

1 Peach County Elections Supervisor be bound over to the
2 AG's Office for Board rule -- SEB rule 183-1-14-.02(10),
3 when after absentee ballot applications were submitted,
4 the registrar failed to note the voter's registration
5 number on the application, 35 counts, and 21-381(a)(1)(c),
6 when she accepted and process an absentee ballot
7 application for Maria White Hill [ph.] that did not have
8 the relation of the relative requesting the ballot written
9 on it, and 21-2-500(a), after the absentee ballots were
10 tabulated, they were not placed into a locked ballot box
11 or transferred to locked ballot box bags. The room where
12 the ballots were kept was found unsecured and unattended
13 within the courthouse on May 25th and 26th. And Peach
14 County Board of Elections and Registration, Marcia
15 Gossier, Bonnie Bartley [ph.], and Sylvia Malone [ph.] in
16 reference to 21-2-451, execution of voter certificates,
17 when the poll worker failed to sign his or her name or
18 initials on voter certificates filled out by the electors
19 on the May 24th, 2016 general primary election, 54 counts.

20 MR. RAFFENSPERGER: Thank you.

21 MS. WATSON: There is no one on the line to speak.

22 MR. RAFFENSPERGER: Okay. Do we have any questions
23 from any of our Board members? Hearing none, what is the
24 will of the Board?

25 MR. WORLEY: Mr. Secretary, this is David Worley. I

1 make a motion that we bind this case over to the Attorney
2 General.

3 MR. RAFFENSPERGER: Okay. Do we have a second?

4 MR. MASHBURN: Second, Matt Mashburn.

5 MR. RAFFENSPERGER: Do we have any comment? Hearing
6 none, all those in favor binding this over to the Attorney
7 General, please do so by signifying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.
10 Next case?

11 MS. WATSON: Next case is 2016-110, Long County, and
12 I was contacted by an attorney for Harriet Smith who is
13 one of the Respondents in this case and requested that her
14 portion be continued to a later date, as she had a death
15 in her family, and that request was granted, but we will
16 proceed with the other Respondents.

17 MR. RAFFENSPERGER: Okay.

18 MS. WATSON: In July 2016, the following allegations
19 were reported. In allegation one, the complainant who was
20 a candidate in Long County heard from numerous sources
21 that the opposition was paying individuals to vote, \$10
22 for absentee ballots. There were no witnesses or
23 corroborations found in that allegation. The second
24 allegation, the complainant reported that 18 ballots were
25 being mailed to P.O. Box 736, which was not regist -- a

1 registered address for the individuals. The P.O. Box
2 belonged to Harriet Smith, the complainant's opponent's
3 mother, and Robert Harrison Smith.

4 The third allegation, the complainant reported that
5 Bobby Smith and Judy Brooks went to the Sandalwood
6 Community in Ludowici, Georgia, giving away pizzas and
7 getting residents to apply for absentee ballots. The
8 fourth allegation, the complainant reported that one
9 voter, Ronnie Johnson, stated Leonard Pool [ph.] built the
10 steps on his residence and Bobby Smith paid for them. He
11 also reported that Bobby was bringing him an absentee
12 ballot. The fifth allegation, the complainant stated that
13 County Commissioner Clifton Deloach, who is Bobby Smith's
14 uncle, voted on July 5th, 2016 in a runoff. He was at the
15 Long County courthouse and the registrar's office many
16 times during early voting after he had already voted.

17 During the investigation, it was discovered that
18 Yarissa Andrea Velazquez Gomez [ph.] and her sister Brenda
19 Velazquez Gomez [ph.] had lived at the Harriet Smith group
20 home in Ludowici, Georgia. According to Election Net, the
21 sisters registered to vote and voted in the 2014 and 2016
22 elections in Long County, which included the July 26, 2016
23 general primary runoff election. Both Yarissa and Brenda
24 were born in Mexico, were permanent residents, but were
25 not U.S. citizens.

1 Investigation revealed allegations one, three, four,
2 and five could not be substantiated. In allegation two,
3 it was revealed that Harriet Smith, the mother of the
4 candidate, did list her post office box in the space for
5 out of county address on the listed absentee ballot
6 applications so that she could make sure they received
7 ballots. During the investigation, it was also verified
8 that two individuals that were not U.S. citizens were
9 registered to vote and voted. Both individuals had stayed
10 at Harriet Smith's group home in Ludowici. Harriet Smith
11 advised that she believed when the girls received their
12 green cards and became permanent residents that they could
13 register to vote. Both individuals, Yarissa and Brenda
14 Velazquez Gomez, denied that they registered or voted in
15 the election.

16 We're recommending Yarissa Andrea Velazquez Gomez and
17 Brenda Velazquez Gomez be bound over to the AG's Office
18 for 21-2-216(a) and 21-2-216(g). Also recommending Long
19 County Board of Elections and Registration, Sierra
20 Hamilton, the former Elections Supervisor be bound over to
21 the AG's Office for 21-2-226(a) and also SEB rule 183-1-
22 06.

23 MR. RAFFENSPERGER: Okay. Do we have any of the
24 Respondents here to speak on their behalf?

25 MS. WATSON: I believe Teresa Odom is on the line to

1 speak to this case.

2 MR. RAFFENSPERGER: Okay. Ms. Odom?

3 MS. THOMAS: You may unmute yourself. Ms. Odom, you
4 may unmute yourself.

5 MS. SULLIVAN: I believe Ms. Odom commented that she
6 did not wish to speak.

7 MR. RAFFENSPERGER: Okay. Board members, do you have
8 any questions or comments? Hearing none, what is the will
9 of the Board?

10 MR. WORLEY: This is Mr. Worley. I'd make a motion
11 that we bind the case over to the Attorney General.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MR. MASHBURN: Second, Matt Mashburn.

14 MR. RAFFENSPERGER: Okay. Any comment? Hearing
15 none, all those in favor of binding case 2016-110 over to
16 the Attorney General's Office, do so by signifying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.

19 It's bound over. Next case?

20 MS. WATSON: Next case is 20 -- 2017-002, Fulton
21 County. On January 4th, 2017, we opened an investigation
22 into the complaints of three electors that alleged they
23 had not received their requested absentee ballots for the
24 November 8th, 2016 general election. Elector Eileen Gray
25 [ph.] alleged that she applied in late August or early

1 September for an absentee ballot for the November 8th,
2 2016 general election. The application submitted directed
3 the ballot be mailed to Ms. Gray at college in Belmont
4 University, Nashville, Tennessee. The ballot received,
5 after making original applications, was in the name of
6 another person. Numerous follow-up contacts with Fulton
7 County Elections Office by Ms. Gray and her father, Robert
8 Gray, resulted in a second replacement ballot being
9 mailed, which was never received. A third ballot was sent
10 via overnight, with that ballot arriving late, and
11 remained questionable if it arrived back to Fulton County
12 Elections Office in time to be counted.

13 Elector Ava Simone Sinneburger [ph.] alleged that she
14 applied for an absentee ballot for the November 8th, 2016
15 general election, and the ballot was never received.

16 Elector Sasha Mitteraga [ph.] alleged that she requested a
17 ballot for the November 8th, 2016 general election, and
18 the ballot was never received.

19 Investigations showed as to Eileen Gray, the first
20 ballot was returned as undeliverable as no room number was
21 listed. The second ballot was mailed on 11/4 with the
22 room number, but so close to the election, it would be
23 difficult for the elector to receive the ballot. There is
24 no record the elector was able to cast the ballot during
25 the election. Fulton County was unable to provide the

1 absentee ballot application and affidavit of Ms. Gray, in
2 violation of 21-2-73. As to Ava Simone Sinneburger, in
3 interviewing Ms. Sinneburger further, she advised that she
4 could not be positive that she completed the absentee
5 ballot application online, and Fulton County has no
6 records of the application. As to Sasha Mitteraga, it was
7 confirmed that she submitted an application for absentee
8 ballot on 10/7/2016, and records indicate that Fulton
9 County did process the application and mailed it on
10 10/28/2016.

11 Our recommendation is for Fulton County Board of
12 Elections and Registration and Chief Registrar Ralph Jones
13 be issued a letter of instruction for a violation of 21-2-
14 73, as they failed to preserve records for 24 months for
15 Eileen Patricia Gray's original absentee ballot
16 application and affidavit that was required when she
17 reported that she had not received her requested absentee
18 ballot.

19 MR. RAFFENSPERGER: Okay. Thank you. Is anyone here
20 to speak?

21 MS. WATSON: Yes. Yes, sir.

22 MR. LOWMAN: Yes. This is David Lowman from the
23 office of the Fulton County attorney, and we would accept
24 the letter of instruction in the one allegation regarding
25 the failure to preserve the absentee ballot application.

1 However, with respect to the other two because of the
2 issues with the US Postal Service and the inability to
3 substantiate those allegations, we ask that they would be
4 dismissed as to Fulton County.

5 MR. RAFFENSPERGER: Board members, do you have any
6 questions for Ms. Watson or the attorney? What is the
7 will of the Board?

8 MR. MASHBURN: Just to make -- this is Matt Mashburn.
9 Just to make clear, so Fulton County is agreeing to
10 Frances' recommendation?

11 MR. LOWMAN: Yes, sir.

12 MR. MASHBURN: Correct? Okay. So Matt Mashburn, I
13 make a motion that we adopt Frances' recommendations and
14 issue a letter of instruction and dismiss the other two
15 cases.

16 MS. SULLIVAN: Second.

17 MR. RAFFENSPERGER: Okay. Any further comments? All
18 those in favor, signify by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Any opposed? Motion carries.
21 Next case?

22 MS. WATSON: Next case is 2017-015. On March 6th,
23 2017, Fulton County Deputy Elections Chief Sharon Benjamin
24 reported that a mayoral candidate for the City of South
25 Fulton, Robert Dalton the III, had been engaging voters in

1 conversation and handing out campaign literature within a
2 hundred and fifty feet of the poll and at one point had
3 entered the poll with a voter. Investigation revealed Mr.
4 Dawson was observed by the poll manager at the Wolf Creek
5 polling location engaging in conversation and passing out
6 campaign pamphlets in the parking lot of the polls within
7 a hundred and fifty feet of the polls. It was observed
8 that Mr. Dawson handed a voter a pamphlet and walked the
9 voter to the doorway of the voting room. Mr. Dawson had
10 been contacted and instructed regarding the no campaigning
11 restrictions earlier in the day by Dwight Brower with
12 Fulton County elections. We recommend Robert Lee Dawson
13 the III be referred to the Attorney General's Office for a
14 violation of 21-2-414(a)(1). I believe Mr. Dawson is on
15 the line.

16 MR. RAFFENSPERGER: Okay. Mr. Dawson?

17 MR. DAWSON: Hi, greetings. Can you all hear me?

18 MR. RAFFENSPERGER: Yes, we can, loud and clear.

19 MR. DAWSON: Okay, great. Thanks for your time, and
20 apologies in advance for this matter. This was a first
21 election for a new municipality. I was a vigorous
22 campaigner, and it should be noted that I was campaigning
23 against a former Fulton County Commissioner who ended up
24 being the mayor of the city, so everything I did was under
25 total scrutiny. The -- the dispute here is the fact that

1 originally the parking lot was fair game, and then we
2 showed up one day, and they had changed the border of the
3 parking lot, so, you know, if we'd been campaigning for a
4 week in one area, and then the next day, you tell us we
5 can't campaign in that area, we respected that as much as
6 possible.

7 Finally, I'd like to say that I'm a member of the
8 community, active. I'm on the zoning board of appeals,
9 appointed and confirmed by the mayor and all city council
10 members unanimously, and I would hate for this to taint my
11 otherwise clean record. I apologize if I have violated
12 anything, but again, there was mass confusion, and there
13 were so many candidates. There were 11 candidates. I'm
14 not even sure if they've identified the right candidate
15 who -- who supposedly walked to the door because I would
16 never do that disrespectfully, so I'm begging that you
17 guys will dismiss this case or at the max give me a letter
18 of instruction, but you have my word that nothing like
19 this would happen again, that it didn't happen
20 intentionally, and again, it was a new city, very hotly
21 contested race, and every little thing I did was under
22 scrutiny. When we had all kinds of serious violations, I
23 can't believe I'm on the mound for this one four years
24 later.

25 MR. RAFFENSPERGER: Board members, do you have any

1 questions for Mr. Dawson or for Ms. Watson? Okay.

2 Hearing none, what is the will of the Committee?

3 MR. MASHBURN: This is -- this is Matt Mashburn, and
4 the hundred and fifty foot protective bubble is -- is one
5 of my hot buttons, and so I understood -- I understand
6 that this, the Respondent here, was told not to interact
7 with voters within the hundred and fifty foot bubble and
8 continued, so we've just got to -- got to -- we've just
9 got to do whatever we can to restore the protective area
10 that's intended to protect voters from intimidation within
11 this hundred and fifty foot area, so I'm not of the mind
12 that a letter of instruction or a dismissal is warranted
13 here. Frances, did I understand correctly that your
14 recommendation was to bind this over to the AG? So I make
15 a motion to bind this over to the AG.

16 MR. RAFFENSPERGER: Do we have a second?

17 MS. SULLIVAN: This is Rebecca Sullivan. I will
18 second the motion.

19 MR. RAFFENSPERGER: Okay. Do we have any on the
20 motion now? It's before the Board. Hearing none, all
21 those in favor of binding this over to the Attorney
22 General, case number 2017-015, do so by signifying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Those opposed? Motion carries.
25 Next case.

1 MS. WATSON: Next case is 2017-023, Cobb County. On
2 April 17th, 2017, Cobb County reported that four express
3 poll units were stolen from the vehicle of a poll manager.
4 Poll Manager Greg Rogers parked his car in the parking lot
5 at 3595 Canton Road in Marietta, Georgia. Mr. Rogers went
6 into a Kroger store and was not sure if he locked the
7 vehicle. When he returned, the express polls were gone.
8 The police were notified. The suspects were identified
9 through fingerprints, and charges were filed for the theft
10 of the equipment. Interviews with the suspects determined
11 the express polls were thrown into a dumpster. The waste
12 management company advised that the machines would have
13 been compacted several times and transferred to the
14 landfill in Hogansville, Georgia and buried under several
15 tons of track. It was the opinion of the individual that
16 the units would be unsalvageable. We're recommend that
17 Cobb County Board of Elections and Registration, Elections
18 Supervisor Janine Eveler, and poll manager Greg Joe Rogers
19 be bound over to the AG's Office for a violation of 21-2-
20 379.9(a) and Board rule 183-1-12.02(2)(f), for failure to
21 secure the voting equipment. And I believe we also have
22 Janine Eveler on the line.

23 MR. RAFFENSPERGER: Okay. Ms. Eveler, would you like
24 to speak about this?

25 MS. EVELER: Yes, Secretary. The -- the Board of

1 Elections and myself as named as violations, we were not
2 at fault in this incident. The poll manager had signed
3 his chain of custody form when he took possession of this
4 equipment, and our poll -- poll manual says specifically
5 that he will complete the form and accept custody of the
6 equipment, and the poll manual also goes on to say under
7 the poll manager's responsibilities that they will store
8 all the equipment safely and securely at their home, and
9 then it goes on further to say do not leave in your car
10 the express polls. So, you know, we had procedures in
11 place at that time, and we have, in fact, increased our
12 awareness of letting the poll managers know that it is
13 their responsibility. We have to have the poll managers
14 pick up the equipment on Sunday or Monday prior to the
15 election so that they can get it there to the poll on
16 Tuesday morning, and so they are taking responsibility of
17 -- of the equipment.

18 Unfortunately, I -- you know, I know that everything
19 is our responsibility in the end. The buck stops with the
20 -- the Board and myself, but in this case, this event was
21 precipitated by the actions of the poll manager that were
22 against our policy, and unfortunately, there were
23 criminals that took advantage of that. Thank you.

24 MR. RAFFENSPERGER: Does Mr. Rogers still work as a
25 poll manager in Cobb County?

1 MS. EVELER: Not as a poll manager. No.

2 MR. RAFFENSPERGER: Well, thank you, Ms. Eveler
3 because I know that Cobb County has a record of running
4 very efficient and well-run elections.

5 MS. EVELER: Thank you, sir.

6 MR. RAFFENSPERGER: Any questions from any of the
7 Board members? If not, -- yes, Mr. --

8 MR. MASHBURN: This -- this is Matt Mashburn. Yeah.
9 I am satisfied with the explanation from Cobb County that
10 they had express instructions not to leave it in the car,
11 and so, had this been a different case where the person
12 didn't sign something that said I know I'm not supposed to
13 leave it in the car, I would have said well, maybe they
14 need to train better, like to a similar case that we had
15 earlier, so I'm satisfied with Cobb County's explanation
16 on this and move that the worker be bound over to the AG's
17 Office but that Cobb County be dismissed.

18 MR. RAFFENSPERGER: Do we have a second? Do we have
19 a second? Motion dies for lack of a second. This case is
20 before the Board again.

21 MR. WORLEY: Mr. Secretary, this is Mr. Worley. I
22 would make a motion that Cobb County be dismissed but that
23 a letter of instruction be sent to the former poll
24 manager.

25 MR. RAFFENSPERGER: Okay. Do we have a second on

1 that motion? I know Ms. Le has stepped out --

2 MS. SULLIVAN: This is Rebecca Sullivan. I --
3 because I believe in the past that we have -- in these
4 similar cases, we have generally held the Board and the
5 supervisor responsible in cases where, you know, it is due
6 to a poll manager's actions, I would make a motion that we
7 refer this case over to the AG's Office.

8 MR. RAFFENSPERGER: Okay. So you're not seconding
9 Mr. Worley's -- Mr. Worley's motion then?

10 MS. SULLIVAN: I am not.

11 MR. RAFFENSPERGER: Okay. And so Mr. Worley, your
12 motion has died for lack of a second.

13 MR. WORLEY: I'll second Ms. Sullivan's motion.

14 MR. RAFFENSPERGER: Ms. Sullivan, can you restate
15 your motion again?

16 MS. SULLIVAN: My motion would be to bind all three
17 of the Respondents over to the AG's Office.

18 MR. MASHBURN: And David seconded, and Matt Mashburn
19 agrees with it.

20 MR. RAFFENSPERGER: Okay. All those in favor,
21 signify by saying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. RAFFENSPERGER: Any opposed? Motion carries.
24 Next case?

25 MS. WATSON: Next case is 2017-025, Fulton County.

1 In April of 2017, a case was opened to determine if Fulton
2 County Board of Elections and Registration and the Fulton
3 County Registrar had completed voter registrations in
4 accordance with election code for the April 18th, 2017
5 federal special election. Investigation shows after
6 receiving questions from voters in Fulton County that
7 advised they had registered prior to the deadline and were
8 having problems voting in Fulton County, a case was opened
9 to review the process. It was found that there was a
10 large amount of voter registrations that were completed
11 online that were submitted prior to or on the day of the
12 registration deadline for the April 18th, 2017 election.
13 These voter registrations had not been processed by Fulton
14 County.

15 On April 19th, 2017, two voters advised they were
16 turned away. The first was a Mr. Blockter [ph.] who was
17 turned away due to a voter registration issue. He was not
18 listed but believed he was registered through DDS. It was
19 found that Mr. Blockter had submitted multiple
20 registrations and since they were not processed in the
21 order they were received, it resulted in his registration
22 remaining at a previous address on Roswell Road and not
23 the current address of Mitchell Road. The second was
24 Elizabeth Bleakley [ph.] who was turned away from the
25 polls. It was found that her voter registration was

1 submitted on March the 4th, 2017 and processed on April
2 the 17th, 2017, the day before the election. A call was
3 made to the Elections Office, and she was found to be an
4 eligible voter. Instead of allowing her to vote on the
5 DRE, she was provided a provisional ballot and while
6 trying to complete the ballot was told that she had to go
7 to the Elections Office to complete the provisional
8 ballot. She did not have time to go to the Elections
9 Office and did not complete the voting process.

10 Of the pending voter registrations submitted online
11 that were pending on the Fulton County dashboard, it was
12 found that a hundred and forty-five were submitted timely
13 by the March 20th, 2017 voter registration deadline for
14 the April 18th, 2017 special federal election. 91 of the
15 145 were unprocessed as of April 18th, 2017. 49 were
16 processed as of or shortly after the applicant elector
17 voted in that April 18th, 2017 election. 3 were pending
18 due to a street issue, and one was pending citizenship
19 verification. In the DDS registration applications for
20 Fulton County, it was found that there were 86 that were
21 submitted prior to the deadline of March 20th, 2017 and
22 would have been eligible for the April 18th, 2017
23 election. 47 of the 86 remained as unprocessed. 18 were
24 processed as of or shortly after the applicant voted in
25 the April 18th, 2017 election, and 21 remained pending

1 address issues.

2 Ralph Jones explained that due to several elections
3 being conducted at the same time that they were not able
4 to process the voter registrations due to a static
5 election file. Mr. Jones cited limitations due to 21-2-
6 234(i), and it should be noted that this code deals with
7 removing electors from the list, not adding them. And Mr.
8 Jones advised they made a printout of the voter
9 registration from the dashboard and provided them to the
10 poll workers at the poll and advised them to call to
11 verify the voter's eligibility if they showed up to vote.

12 Our recommendation is for Fulton County Board of
13 Elections and Registration and Chief Registrar Ralph Jones
14 be bound over to the AG's Office for 21-2-226(a) and 21-2-
15 418(a) and Board rule 183-12-.06(4). And I believe we
16 have Ralph Jones on the line.

17 MR. RAFFENSPERGER: Mr. Jones?

18 MR. JONES: Yes. Good morning, Secretary and Board.
19 This is Ralph Jones. Ms. Watson described the situation
20 very well. We had a March election. As we finished up
21 the March election which was held on March 21st, we began
22 to enter for the April election. Before we started to
23 enter, we were just on hold for a little while to make
24 sure that all of the credit for voting had been given to
25 the -- for the previous election, so once we discovered

1 that there were people who had not been processed, we
2 distributed that list over to our poll workers to try to
3 at least intervene from any problems that they might have
4 had on Election Day, but we eventually entered all the
5 applications as -- as soon as we began to find out that
6 there was a problem at that time. But we had to hold our
7 data entry, you know, for about up until the first week of
8 April to make sure that the credit for voting was given
9 from the March election, so that's how we tried to resolve
10 it by sending out a list to the actual polling places
11 because we knew that we wouldn't get it in in time. So if
12 there's any questions for me at this time, I'd be glad to
13 answer.

14 MR. RAFFENSPERGER: Board members, do you have any
15 questions for Mr. Jones or for Ms. Watson? What is the
16 will of the Board?

17 MR. MASHBURN: Well, this is Matt Mashburn. Anh Le
18 is still out of the meeting, correct?

19 MR. RAFFENSPERGER: Correct.

20 MR. MASHBURN: So I -- David and Rebecca can speak
21 for themselves on this, but while Anh is out, I'll go
22 ahead and channel Anh and say that a lawful voter being
23 turned away is the worst thing -- in the category of the
24 worst thing that can happen. And so I -- I move that we
25 bind this over to the AG as recommended by the -- by the

1 report of the investigator.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. SULLIVAN: Second.

4 MR. WORLEY: I --

5 MR. RAFFENSPERGER: We have a second. Any further
6 comments from any Board member? Hearing none, all those
7 in favor of binding over case number 2017-025 to the
8 Attorney General's Office, do so by signifying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.
11 Next case?

12 MS. WATSON: Next case is 2017-043, Hancock County.
13 During the November 7th, 2017 City of Sparta general and
14 special election, we received the following complaints.
15 Harold Lawson reported when Richard Allen Haywood and
16 James Clark attempted to qualify for the November
17 election, the city elections superintendent at the time,
18 Aretha Hill, advised they would have to pass a background
19 check. Harold Lawson reported a candidate named Paul
20 McGee [ph.] signed a notice of candidacy and affidavit
21 saying he was not in default of any taxes, but Paul McGee
22 had unpaid taxes. Richard Allen Haywood reported Bonnie
23 Andrews [ph.] gave permission for one of his campaign
24 signs to be placed in his yard. He advised a day later a
25 city employee went to Mr. Andrews' residence and told him

1 the sign needed to be removed if he wanted to keep his
2 water and natural gas on.

3 Marion Warren reported that during the November 3rd,
4 2015 City of Sparta election for mayor that candidate
5 Richard Allen Haywood signed the notice of candidacy and
6 affidavit saying he had not been convicted of any
7 felonies. He advised Mr. Haywood was found to be lying,
8 and he defended his lie for six months. Mr. Warren stated
9 the City of Sparta had to conduct a second election, and
10 he believe Mr. Haywood should not have been allowed to
11 participate in any election process until the matter was
12 addressed.

13 Investigation revealed Aretha Hill did add a
14 requirement that a criminal history background check be
15 provided by those wishing to qualify as a candidate.
16 Aretha Hill states that she did not require the background
17 but asked the candidates to kindly provide them. This was
18 contrary to Mr. Haywood and Mr. Clark's statements that
19 they were told they could not qualify without the
20 background check being completed. Code 21-2-132 lists the
21 requirements for filing notice of candidacy. Nowhere in
22 the code is providing a background check listed as a
23 requirement. The city charter of Sparta does not list
24 background checks as a requirement to be eligible.

25 In regards to candidate Paul McGee, it was found that

1 at the time of his signing the affidavit that he was not
2 in default on any taxes, that he -- but he did, in fact,
3 owe taxes for the City of Sparta and Hancock County. A
4 challenge hearing was held on September 19th, 2017 and
5 September 22nd, 2017. Mr. McGee had paid his city taxes
6 prior to the challenge hearing and made a plan to pay the
7 county taxes. Aretha Hill then notified Mr. McGee that he
8 was qualified to run for office.

9 As to allegation three, there was no supporting
10 documentation to identify any individual that removed the
11 campaign sign. As to allegation number four, there was no
12 violation of election law, and Mr. Haywood was running for
13 office after having his rights restored through a pardon.
14 The recommendation is for City of Sparta, Aretha Hill be
15 bound over to the Attorney General's Office for a
16 violation of 21-2-132, filing a notice of candidacy, and
17 Paul McGee, elector, be bound over for violation of 21-2-
18 565, making false statements in connection with filing
19 notice of candidacy or qualifying as a candidate for party
20 nominations. And we have Marion Warren and Andrea Grant,
21 the county attorney, on the line.

22 MR. RAFFENSPERGER: Okay. If the county attorney
23 would like to speak about this case, now is a good time.

24 MS. GRANT: I -- I believe that she clarified the --
25 my concern at the very end where they were doing

1 allegations. I just want to make it clear -- and you all
2 probably know that this is solely against the City of
3 Sparta. Just because it's located in Hancock County --
4 they held their own elections, and actually, the County is
5 not involved in this one whatsoever. That's all I want to
6 make clear, but I think she did so in her recommendations.
7 Thank you.

8 MR. RAFFENSPERGER: Okay. Thank you. Board members,
9 do we have any questions? What is the will of the Board?

10 MS. THOMAS: Mr. -- Mr. Secretary, Mr. Warren is on
11 the line as well to speak in this case.

12 MR. RAFFENSPERGER: Okay. Mr. Warren?

13 MR. WARREN: Concerning Mr. Haywood's eli --
14 eligibility to run for mayor, there is a history of Mr.
15 Haywood's signing affidavits and stating that he was not a
16 felon. In 2015, that case never got to the Election
17 Board, and I don't understand really why. He was
18 disqualified from that position by a judge after he
19 carried on for six months explaining or yelling that he
20 had a partner, which he didn't. His partner didn't come
21 into effect until 2016, August. So my thing is is it --
22 is it criminal to sign an affidavit stating that you are
23 not a felon while being a felon and attempting to run for
24 office, a political office, in the State of Georgia?

25 MR. RAFFENSPERGER: Thank you. Board members, do you

1 have any questions for anyone in this case? What is the
2 will of the Board?

3 MR. MASHBURN: This is Matt Mashburn. I make a motion
4 that we refer the City of Sparta and Aretha Hill to the AG
5 and that we refer Paul McGee to the AG and the DA?

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. SULLIVAN: Second.

8 MR. WORLEY: This is Mr. Worley. I'll second also.
9 Sorry.

10 MR. RAFFENSPERGER: Okay. Any further comment?
11 Hearing none, all those in favor of the motion as
12 presented, signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: All opposed? Motion carries.
15 Okay. Next case?

16 MS. WATSON: Next case is 2017-044, City of Bartow.
17 On August 31st, 2017, Susan Scarborough [ph.] reported
18 Bartow City Hall was not open during the times posted for
19 qualifying for the upcoming election. Susan Scarborough
20 also reported she qualified to run for mayor of the town
21 of Bartow on Friday, August 25th, 2017. She advised she
22 filled out the required paperwork and paid the fee to
23 qualify to run for the position. However, when she
24 received a local newspaper on Thursday, August 31st, 2017,
25 she learned there would not be municipal elections in

1 Avera, Bartow, and Louisville, as only incumbents
2 qualified in those cities.

3 Investigation revealed it was confirmed that City
4 Hall was closed for approximately 40 minutes on Friday,
5 August 25th, 2017. The complainant was able to return and
6 submit the notice of candidacy and affidavit prior to the
7 deadline of 5:30PM. It was verified that the complainant
8 filed a notice of candidacy and signed the affidavit that
9 she was not in default of her federal, state, county,
10 municipal, or school system tax. However, it was verified
11 that the complainant was sent a notice in January of 2017
12 of past due property taxes for the years of 2014, 2015,
13 and 2016. A tax lean was issued on March 31st, 2017, and
14 a FIFA filed for the years 2014, 2015, and 2016 and
15 recorded in the Jefferson County court on April 3rd, 2017.
16 On 20 -- September the 12th, 2017, a candidate challenge
17 was held for the complainant challenging her qualification
18 due to the unpaid taxes. The decision was that she was
19 not qualified as a candidate. She did not appeal the
20 decision. The candidate was interviewed and acknowledged
21 that she knew the taxes were outstanding at the time she
22 filed the affidavits.

23 We're recommending the City of Bartow, Brittany
24 Kurtz, the City Election Superintendent, be issued a
25 letter of instruction for 21-2-132(d)(3) and Susan

1 Scarborough be referred to the AG's Office for 21-2-565.

2 MR. RAFFENSPERGER: Okay. Is Ms. Scarborough here?

3 MS. WATSON: No, she is not.

4 MR. RAFFENSPERGER: Okay. Board members, do you have
5 any questions?

6 MR. MASHBURN: I don't have any questions, but this
7 is Matt Mashburn. I move that the letter of instruction
8 be issued to the City of Bartow and that Susan Scarborough
9 be referred to the Attorney General and the DA.

10 MR. RAFFENSPERGER: Do we have a second?

11 MS. SULLIVAN: Second.

12 MR. RAFFENSPERGER: Do we have any further comment on
13 the motion? Hearing none, all those in favor of the
14 motion as presented, signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.
17 Next one?

18 MS. WATSON: Next case is 2017-045, City of Mansfield
19 in Newton County. In September 2017, we opened an
20 investigation to determine if the City of Mansfield city
21 clerk Jeana Hyde violated 21-2-70.1 as she served as
22 municipal elections superintendent in an election when her
23 daughter was the candidate. Investigation revealed the
24 City of Mansfield conducts their own elections. Jeana
25 Hyde is the City Clerk Elections Superintendent for the

1 City of Mansfield. Elsie Row, the City of Newborn clerk,
2 is the alternate Elections Superintendent, as she has
3 recently been appointed to serve in that capacity in case
4 any future conf -- conflicts should arise. The candidates
5 -- qualifying candidates submit notice of candidacy
6 affidavits to the City of Mansfield. All candidacy
7 affidavits are sent to the Newton County elections office
8 for review. If there are no problems, the candidates are
9 qualified. No intergovernmental agreements regarding
10 elections exists between the City of Mansfield and Newton
11 County Board of Election and Registration.

12 Ashley Troutman, the daughter of Jeana Hyde, was a
13 candidate for City Council Post 3 in the November 7th,
14 2017 municipal election. Blair Northern opposed Ashley
15 Troutman for Post 3 City Council. Blair Northern was
16 disqualified, as he was not a registered voter. After the
17 disqualification of Mr. Northern, all municipal candidates
18 ran unopposed, so the election was cancelled.

19 Notification of the cancellation of the election was
20 posted in the legal organ on September 10th, 2017 and on
21 October the 15th, 2017. The City of Mansfield contends
22 that the election was cancelled as all candidates ran
23 unopposed. Therefore, no election had been conducted by
24 the City of Mansfield on November 7th, 2017. The City of
25 Mansfield delegated election superintendent duties to the

1 City of Newborn Election Superintendent and requested the
2 posting of the notice of election cancellation to ensure
3 the proper election notification.

4 We recommend a letter of instruction be issued to the
5 City of Mansfield and the City Clerk, Jeana Hyde,
6 regarding 21-2-670.1, as there was no election held and
7 the City contracted an election superintendent to post the
8 election cancellation notice. We also recommend the
9 violation listed for candidate Blair Northern be
10 dismissed, as he stated he did not know that he was not
11 registered at his current address in Mansfield as he did
12 not realize the voter registration had to be updated and
13 that he was not a qualified voter within the City. His
14 qualification application was properly denied. And we
15 also have Blair Northern and Scott Cole from the City on
16 the line.

17 MR. RAFFENSPERGER: Okay. Would they like to speak
18 to this case?

19 MR. COLE: Hey, Mr. Secretary. This is Scott Cole,
20 representing Jeana Hyde and the City of Mansfield. We
21 agree with the listing of the actions that were taken.
22 Given that the election was unopposed, we contend Ms.
23 Hyde's submittal of the publication, the notice of
24 cancellation to the legal organ -- there was no election
25 that she was supervising because it was unopposed. Had

1 there been -- and then upon receipt of a complaint, we
2 retained the elections superintendent from Newborn to
3 republish the notice. Also, on behalf of the -- Mr.
4 Northern, who can speak for him -- in the end, what we
5 would request is that the complaint against the City of
6 Mansfield and Ms. Hyde be dismissed without a letter of
7 instruction, and we also concur in any request by Mr.
8 Northern -- you know, we request on his behalf that his be
9 dismissed as well. He qualified for the same post at the
10 next election and is now serving and has been serving as a
11 member of the City Council for a number of years.

12 MR. RAFFENSPERGER: Thank you, sir. Anyone else
13 who'd like to speak to that case? Okay.

14 MS. THOMAS: Mr. Northern, if you would like to
15 speak, you can unmute yourself.

16 MR. RAFFENSPERGER: Okay. Board members, do you have
17 any questions for anyone on either side? Hearing none,
18 what is the will of the Board?

19 MS. SULLIVAN: Ms. Watson, the recommendation in this
20 case is to send a letter of instruction to the City of
21 Mansfield and Ms. Hyde and dismiss Mr. Northern; is that
22 correct?

23 MS. WATSON: Yes. That is correct.

24 MS. SULLIVAN: I would make that motion.

25 MR. RAFFENSPERGER: Do we have a second?

1 MR. WORLEY: I would second that. Mr. Worley.

2 MR. RAFFENSPERGER: Any further comment from the
3 Board? Hearing none, all those in favor of the motion as
4 presented, signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.

7 MR. WORLEY: Mr. Secretary?

8 MR. RAFFENSPERGER: Yes, sir.

9 MR. WORLEY: Mr. Worley here. I had a little trouble
10 unmuting my microphone --

11 MR. RAFFENSPERGER: Okay.

12 MR. WORLEY: -- on the vote in the last case, and so
13 I would like the minutes to reflect that in SEB case
14 number 2017-044, City of Bartow, I would vote aye. I
15 would have voted aye on that motion.

16 MR. RAFFENSPERGER: Okay. I thought I had you down
17 there. Okay. Thank you for clarifying. If we can take
18 another short break and come back at 11:15, that'd be
19 great.

20 (Meeting break)

21 (Meeting resumes)

22 MR. RAFFENSPERGER: Ms. Watson, you ready?

23 MS. LE: Mr. Chairman, this is Anh. I just wanted to
24 let you know I'm back on record.

25 MR. RAFFENSPERGER: Oh, great. Great.

1 MS. LE: Thank you.

2 MR. RAFFENSPERGER: I think that puts us back at full
3 strength again. Okay. Next case.

4 MS. WATSON: Next case is 2017-047, City of LaGrange.
5 In September 2017, we received an allegation of a
6 candidate having falsified a notice of candidacy and
7 affidavit when qualifying for the City of LaGrange,
8 District 2A City Council seat. Investigation revealed the
9 election involved City of LaGrange District 2A City
10 Council seat in Troup County. The candidate was Chadwick
11 Owens Cooper. Allegation is that Mr. Cooper submitted a
12 false candidacy affidavit. The complainant also filed a
13 challenge that was heard by Troup County Board of
14 Elections and Registration on September the 12th, 2017,
15 and Mr. Cooper was disqualified as a candidate.

16 The investigation found that Mr. Cooper had been
17 registered in Alabama and had last voted in Alabama on
18 November the 8th of 2016. He was removed from the Alabama
19 voter rolls on September the 15th, 2017 at the voter's
20 request from Alabama. Mr. Cooper was interviewed and
21 could not provide an explanation as to why he signed the
22 notice of candidacy that he had been a resident of
23 LaGrange, Troup County, for five consecutive years when he
24 had been a resident for less than one year at the time he
25 submitted the notice of candidacy. Mr. Cooper advised

1 that he had disclosed at the time he qualified that he had
2 voted in Alabama in 2016. He was led to believe that he
3 was qu -- he was qualified by other elected officials.
4 The recommendation is for Mr. Cooper to be referred to the
5 Attorney General's Office for the listed violation of 21-
6 2-565(a). There is no one on the line to speak.

7 MR. RAFFENSPERGER: Okay. Do any of the Board
8 members have questions about this case? If not, what is
9 the will of the Board?

10 MR. WORLEY: Mr. Secretary, I would make a motion to
11 --

12 MR. RAFFENSPERGER: I see Mr. Cooper on chat. I
13 don't know if he wants to say something but look in the
14 chat box there if you could, Ms. Watson or Breanna.

15 MS. THOMAS: Yes, we can -- we can unmute him, just
16 give me one second.

17 MR. RAFFENSPERGER: Okay.

18 MR. COOPER: Good morning, everyone. I am Chad
19 Cooper. I did explain to the candidate when the time
20 period -- because I actually moved up to help take care of
21 my parents during that time period because I was attending
22 school and planning on returning back. Over the course of
23 several years, you know, once my mother had died, I
24 decided to run for office. I had been working up here and
25 everything, and I had talked to several people up here,

1 the mayor, other city officials, to ensure that it was
2 okay because I did not hide the fact that I had voted in
3 Alabama, and I was -- I was told that as long as I can
4 show that -- could prove that I was actually living up
5 here in the district, that was fine, and that was told to
6 me several, several times even before I actually was
7 qualified to run.

8 Eventually, when I went in there, they did not have
9 my regis -- they did not have my voter registration that I
10 -- that I completed, so I -- we had to go find it. They
11 said it was stuck in limbo in between -- in between the
12 two states. So that was -- I think that was on August
13 21st, the same day as the solar eclipse, and so once that
14 was cleared up, I mean, they -- they knew. I mean, like,
15 hey, I explained to them. I said, you know, I voted in
16 Alabama last year, and they still qualified me. I mean, I
17 did not -- I did not hide this because I was staying up
18 here in the area, and they said as long as you bring it up
19 and, you know, prove that you were staying up in the area,
20 you know, that was -- that was okay.

21 And even the election -- the Board election person,
22 you know, he -- he knew. I mean, because the first day I
23 tried to qualify, I could not qualify, and once we got it
24 straightened out, I came back. There was all the
25 information, and I still was qualified because I did not

1 know. And even in the packet that they gave us, the first
2 -- it didn't say -- it didn't even state in there -- it
3 said as long as you could prove that you were living in
4 that area. It didn't say about voting. We didn't find
5 out about the voting part until the -- until the
6 challenge, and that's -- that's why. That's why. If it
7 were known before then, I never -- I never would have done
8 it. I just -- I just wouldn't have done it.

9 MR. RAFFENSPERGER: Thank you, sir. Members, do you
10 have any questions for Mr. Cooper?

11 MR. MASHBURN: I have a question.

12 MR. RAFFENSPERGER: Yes, sir. Mr. Mashburn?

13 MR. MASHBURN: I have a question. This is Matt
14 Mashburn. I have a question for Mr. Cooper. Now, Mr.
15 Cooper, I understand, and I'm sympathetic to your
16 explanation about people telling you about registration
17 and whatnot, but didn't -- doesn't the notice of candidacy
18 also contain a statement that you've been a re -- resident
19 of LaGrange, Troup County for five years? But you hadn't,
20 right?

21 MR. COOPER: Well, no. That's what I'm saying. I
22 was actually living up here during that time period. That
23 -- that's what I'm saying. I was staying up here to help
24 take care of my parents until they died, and so that's --
25 that's why they were saying -- I mean, because I -- I

1 didn't know. I mean, I was up here during that time
2 period taking care of my parents.

3 MR. MASHBURN: And -- and for how long was that? I'm
4 sorry about your parents.

5 MR. COOPER: Oh, thank you.

6 MR. MASHBURN: A lot of us are caring for elderly
7 parents, so I'm very sympathetic. I know what it's -- I
8 know what it's like. How long -- how long was that going
9 on?

10 MR. COOPER: I think -- I think if I'm not mistaken,
11 I came in 2011 or 2012, during that time period.

12 MS. LE: This is Anh Le. I have a question as well,
13 Mr. Cooper.

14 MR. COOPER: Yes, ma'am.

15 MS. LE: Along the lines of Mr. Mashburn's question,
16 when you voted in Alabama, and I don't have Alabama law in
17 front of me, but I would imagine that you would also have
18 to attest to something to the effect that you are a
19 resident of Alabama, so how can you be both a resident of
20 Georgia and a resident of Alabama, being that you voted in
21 Alabama at the same time?

22 MR. COOPER: Yes. What had happened -- and I will
23 say because I was attending school down there. I was
24 going to Auburn University, going after my PhD at the
25 time, and that's why I was already a resident of Alabama

1 at the time period. Excuse me. And so once I moved up
2 here, it never -- it never crossed my mind up until in
3 2017 for me to run for office because I was always
4 intending on going back and trying to complete my PhD. So
5 it never -- it never crossed my mind -- hey, I'm going to
6 run for office -- up until that point. It came up right
7 in 2017, you know, after my mother had died. My father
8 was still alive. And so that's when I started asking. I
9 was like hey, look, this is -- this is the situation. You
10 know, I voted there. They said as long as you could prove
11 that you were physically living here, that would be okay.
12 And that's why -- it wasn't a -- it wasn't a situation
13 where I was trying to do anything underhanded. That's
14 just not what I do. Like I said, I never would have done
15 it. I thought I went through every step to ensure that I
16 was, you know, going to be able to qualify. That's how
17 that happened, ma'am.

18 MR. MASHBURN: This is Matt Mashburn. I'm going to
19 move that we accept the investigator's -- inspector's
20 recommendation and refer this to the AG.

21 MR. RAFFENSPERGER: Do we have a second?

22 MS. LE: This is Anh Le. I'll second that.

23 MR. WORLEY: Mr. Secretary, this is David Worley.
24 Could I ask Mr. Cooper another question?

25 MR. RAFFENSPERGER: Yes.

1 MR. WORLEY: Mr. Cooper, when was the last time you
2 voted in Alabama?

3 MS. THOMAS: Mr. Cooper, you can unmute yourself.

4 MR. COOPER: I'm sorry. Yeah, it was 2016 that I had
5 voted in Alabama, prior -- prior to me, you know, thinking
6 about running for office. And that -- that was -- that
7 was the one thing. I tried to make sure that that was
8 okay by speaking to city officials and the Election -- the
9 Election Board -- not the Board but the -- the office
10 prior, and I was always given the same answer. As long as
11 you can prove that you were physically living up here, you
12 know, that was okay. I just -- I just went down to
13 exercise my right to vote. I mean, that -- that was --
14 that was it. There was no malice at all. If I would have
15 --

16 MR. WORLEY: Okay. Thank you.

17 MR. COOPER: -- known I was disqualified -- I'm
18 sorry. Go ahead.

19 MR. WORLEY: Thank you.

20 MR. RAFFENSPERGER: Okay. Thank you. So we have a
21 motion. We have a second. Do we have any additional
22 comments or questions? Therefore, all those in favor of
23 the motion as presented, please do so by signifying aye.

24 THE BOARD MEMBERS (except Mr. Worley): Aye.

25 MR. RAFFENSPERGER: Those opposed?

1 MR. WORLEY: No. It's Mr. Worley.

2 MR. RAFFENSPERGER: Okay. Motion carries. Next
3 case?

4 MS. WATSON: Next case is 2017-048, City of Temple in
5 Carroll County. On October 11th, 2017, a complaint
6 concerning a notice of candidacy affidavit filed by a
7 candidate to run in the November 7th, 2017 municipal
8 election in the City of Temple was received. The
9 allegation in the complaint was that candidate for council
10 Board 1, Demario Healthen [ph.] had made a false statement
11 on a notice of candidacy affidavit when he qualified to
12 run for City Council Post 1. The election for mayor and
13 council was scheduled for November 7th, 2017 in the City
14 of Temple. Mr. Demario Healthen submitted a qualification
15 paperwork and a notice of candidacy affidavit for the City
16 Council Post 1. He swore on the affidavit that he had not
17 been convicted of a crime. A complaint was filed with our
18 office as well as a challenge to his candidacy. Mr.
19 Healthen withdrew his candidacy prior to the hearing. It
20 was confirmed that Mr. Healthen had pled guilty to a
21 felony in Douglas County, Georgia in 20 -- 2005 and had
22 not received a pardon or had his rights restored at the
23 time of the notice of candidacy. We're recommend Alvonte
24 Demario Healthen be bound over to the AG's Office for 21-
25 2-565.

1 MR. RAFFENSPERGER: Is Mr. Healthen here to speak on
2 his behalf?

3 MS. WATSON: No, sir.

4 MR. RAFFENSPERGER: Okay. Do the -- does the Board
5 have any questions? If not, now would be the appropriate
6 time for a motion.

7 MR. MASHBURN: This is Matt Mashburn. I move that
8 the matter be referred to both the AG and the DA.

9 MR. RAFFENSPERGER: Do we have a second? Motion dies
10 for lack of a second. Okay. The matter is before the --
11 the Board again. What is your will?

12 MR. MASHBURN: This is Matt Mashburn. I make a
13 motion that we refer the matter to the AG.

14 MR. RAFFENSPERGER: Do we have a second?

15 MS. SULLIVAN: Second.

16 MR. RAFFENSPERGER: Okay. Any additional comments
17 that any member would like to make? Or questions?
18 Hearing none, all those in favor of referring this case to
19 the Attorney General's Office, case number 2017-048,
20 signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Any opposed?
23 Motion carries. Next case?

24 MS. WATSON: Next case is 2017-049, City of Temple,
25 notice of candidacy. In 2017, we opened an investigation

1 after receiving a court complaint concerning a notice of
2 candidacy and affidavit filed by a candidate to run in the
3 November 7th, 2017 municipal election in Temple, Georgia.
4 The complaint alleged that candidate for mayor, Gerald Lee
5 Powell, had made a false statement on a notice of
6 candidacy and affidavit regarding a felony conviction.
7 Investigation revealed Gerald Lee Powell, candidate for
8 Temple City Mayor, submitted a false notice of candidacy
9 and affidavit to the City of Temple on August 24, 2017.
10 On the affidavit, Mr. Powell knowingly attested that he
11 had not been convicted of a -- of a crime and said his
12 rights had been restored. The statement Mr. Powell
13 attested to is false, as he had been convicted of a crime
14 in 1992, and his rights had not been restored for the
15 pardon and fill out an application for the restoration of
16 rights process.

17 A challenge hearing was held, and Mr. Powell was
18 found not qualified as a candidate. We recommend Gerald
19 Lee Powell be bound over to the AG's Office for 21-2-565.
20 I believe Mr. Powell may be on the line.

21 MR. RAFFENSPERGER: Mr. Powell?

22 MR. POWELL: Yes, I'm here. My name is Gerald Lee
23 Powell, and I wanted to say that I did not know that I was
24 violating any law nor did I willingly violate any law nor
25 did I willingly attempt to make any false statements.

1 What I'd like to say is back in 1994, I went to a 90-day
2 bootcamp. During that bootcamp process, your last two
3 weeks of bootcamp is when you fill out all of your
4 paperwork restoring all of your rights except for gun
5 rights, and I have that letter if there's a way that we
6 can fax it to you or whatever, but that letter stated 12 -
7 - 12/15/1994 verifying the facts that I took the classes
8 of the last two weeks while I was in the bootcamp, and I
9 completed all the paperwork for restoration of rights,
10 which was part of the process. If you're familiar with
11 the bootcamp process, they make sure when you leave there,
12 that you are registered to vote, and that you -- all your
13 paperwork is right so you can get your rights back.

14 Since that time, -- since that time, I received a
15 notification from the State Board of Pardons and Paroles
16 that my rights had been restored, and I had -- I had been
17 issued a passport back in 2000 to travel in and out of the
18 country. I've traveled all over South and Central
19 America, and I have voted since 1994. I -- once I was
20 home from the bootcamp, I called to make sure that my
21 voting rights was restored, and they were, and I have
22 voted every year since then, and then I was called for
23 jury duty. So I took my paperwork down to Mr. Kenneth
24 Skinner [ph.] which was the Clerk of Court back at that
25 time in 1998, and I asked him. I said can I serve on jury

1 duty, and I gave him my paperwork. He looked at it, and
2 he said you sure can. He said I'll make a note of this,
3 which is -- he is no longer with Carroll County anymore,
4 but from that time, I served on jury duty from -- like
5 every year, sometimes twice, three times a year, and, you
6 know, I've been an outstanding citizen. I served on the
7 planning board 2014 to 2015 for the City of Temple. No
8 problems. I even ran for city councilman in 2015 with no
9 problems.

10 The documents which I received from -- from the State
11 Board of Pardons and Paroles, I had a fire in 2000, and
12 most of my stuff got destroyed, but I did -- I was able to
13 receive a couple of papers that I was able to find in the
14 fire, but the documents which I received from the State
15 Board of Pardons and Paroles, most of them was destroyed.
16 But I have gone back to the Floyd Building on several
17 occasions to the Pardons Board, and I want to say the name
18 was Ms. Clark, so they was helping me trying to find those
19 papers that were lost in archive, and we tried for several
20 weeks looking through the archives to get those papers
21 because I know that I had them. In all my documents, they
22 was telling me that no longer existed and could not be
23 found, during -- in the archive. They said Mr. Powell,
24 from -- from 1992 to now, they said there's no way that,
25 you know, we would still have those records. So I wasn't

1 even at fault.

2 My parole board was in Newnan, Georgia, so I reached
3 out to that office, which was on Temple Avenue in Newnan,
4 and my parole guy was Mr. David Armstrong [ph.], which was
5 a very nice guy. He -- he helped me with most of my
6 paperwork when I got out. I mean, he walked me through a
7 lot of things, and I wasn't expecting that from a parole
8 officer, but, you know, he was the kind of guy that was
9 willing to help. He made sure that I had all of my
10 paperwork.

11 So I applied for the decision to qualify for running
12 for mayor because, you know, I had been an outstanding
13 citizen. I did everything right. I voted. I served on
14 jury duty with no problems. Why didn't some of that stuff
15 come up then? Because I knew I had my paperwork. And as
16 a result of all of that, I even took it as far as the
17 superior court because I felt I was right. I just
18 couldn't prove I had the correct paperwork, so I was
19 hoping that someone during my process would pull that
20 paperwork up because they was trying to keep me from
21 running, but it never happened. It -- they said it
22 couldn't be found. So I appealed that decision to the
23 Georgia Supreme Court, and I -- and I therefore applied
24 for the restoration of my civil rights again since all
25 that had happened, and I was granted -- I was granted all

1 my rights. I was even granted my gun rights, and I was
2 just -- you know, whether or not the rights had been
3 restored back then, which I know they were restored, so I
4 just went ahead and applied for everything again, and I
5 got it with, you know, no problem. You know, I did that
6 through the Governor's office.

7 So there's no question that I am legally qualified to
8 run for any public office which I desire to seek, and --
9 and at the time that I signed the application for Mayor
10 for the City of Temple, I knew and I believed that all my
11 legal qualifying rights to run was there, and that, you
12 know, I wouldn't have a problem getting them up if I
13 needed them. So, you know, as an outstanding citizen, I
14 serve all around Temple. I -- I mean, I'm sure y'all are
15 going to look back at my records, and I do have one of the
16 papers from the State Board of Pardons and Paroles that
17 was dated 12/15/94, Gerald Lee Powell, 162 Enterprise
18 Drive, and it's saying please find enclosed the original
19 order of communications. Please retain this order for
20 your future reference. Please find enclosed an
21 application and restoration for rights of pardon and
22 parole for your current eligibility to vote. However, you
23 may apply for your civil and political rights: any rights
24 to serve as a jury, rights to run for a political office.
25 Within five years, you may apply for a pardon. All

1 qualification instructions are listed on this application.
2 So Mr. Armstrong and I sent the application in, and I
3 received my paperwork from the State, and I had it. I
4 even gave it to Kenneth Skinner at the -- when was the --
5 he was the clerk, the Superior Court Clerk.

6 MR. RAFFENSPERGER: Mr. -- Mr. Powell, I have a
7 question for you.

8 MR. POWELL: Yes.

9 MR. RAFFENSPERGER: Do you have a copy of that 1994
10 piece of paper on you?

11 MR. POWELL: I do. Yes, sir.

12 MR. RAFFENSPERGER: So it wasn't destroyed in the
13 fire? Ms. Watson, have we reviewed -- is that in your
14 file? Do you have a copy of that?

15 MS. WATSON: No, sir. They did not provide any
16 information to us at that particular time. We did reach
17 out to Mr. Powell.

18 MR. RAFFENSPERGER: Can we send this case back to
19 your office and get a copy of that and then bring that
20 before us because it sounds to me like Mr. Powell has been
21 an exemplary citizen. He went through bootcamp, and he's
22 been a productive, tax-paying Georgia, and that's what we
23 want for every person that ever serves time, and if he has
24 his piece of paper, and other people don't have those
25 records, I just think that -- I don't want to get ahead of

1 the Board, but I'll say I've made my point, and I'll throw
2 this out to the Board then. What is their will on this
3 matter?

4 MR. WORLEY: Mr. Secretary, this is David Worley. I
5 agree with everything you've said and with Mr. Powell's
6 efforts to, you know, correctly bring this matter to our
7 attention, and I would move that we send this case back to
8 Ms. Watson's division for more investigation.

9 MR. RAFFENSPERGER: Okay. Do --

10 MS. SULLIVAN: Second.

11 MR. MASHBURN: With David's -- with David's
12 permission -- this is Matt Mashburn. I actually would
13 like to move that we dismiss the condition upon receiving
14 a copy of that letter, if that's okay?

15 MR. WORLEY: I would accept that amendment. Sure,
16 and I would second -- well, I'm assuming you're seconding
17 it so...

18 MR. RAFFENSPERGER: Yes. I understand the motion,
19 and I think the court reporter does as well. All those in
20 favor of accepting the motion as amended, please do so by
21 signifying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. POWELL: So -- where do I send it?

24 MR. RAFFENSPERGER: We'll get that to you, sir.

25 MR. POWELL: Thank you very much.

1 MR. RAFFENSPERGER: Okay.

2 MS. WATSON: Next case is 2017-050, City of
3 Dahlonga, Lumpkin County. On October 16, 2017, we opened
4 an investigation into two complaints received during the
5 November 7th, 2017 City of Dahlonga municipal election.
6 The first complaint alleged that University of North
7 Georgia fraternity Pi Kappa Phi had refused a person voter
8 registration during a campus voter registration drive. A
9 second complaint alleged that Dahlonga Rent, LLC, owned
10 by Roberta Green Garret had circulated a letter to
11 students and tenants threatening to increase rent if they,
12 the student tenants, did not vote for a particular
13 candidate, Rajpal Sagoo.

14 Investigation revealed candidate Sagoo and UNG
15 fraternity Pi Kappa Phi conducted a voter registration
16 drive -- drive at the HOHG student center. The
17 complainant requested a voter registration to make an
18 address change and stated on three requests he was denied
19 a voter registration form and told we know you are already
20 registered. There is also evidence to suggest that during
21 the voter registration drive, individuals were not
22 informed of the option to submit the voter registration
23 forms themselves. It was also found during the
24 investigation that Rajpal Sagoo did not timely submit the
25 voter registration applications. 89 were submitted late,

1 with 3 not being within the 10 days of receiving the
2 application and 86 not being transmitted within 72 hours,
3 as they were received 14 or fewer days prior to the
4 October 10th, 2017 voter registration deadline. It was
5 also found that Wesley Barron [ph.] submitted 24 voter
6 registration applications late and not within the 10 days
7 of receiving. Charlie Barrett [ph.] submitted 43 voter
8 registrations that were late and not within 10 days of
9 receiving.

10 As to the letter reported as a threat to increase
11 rent if the tenants did not vote for a particular
12 candidate, it was found that the letter referred to a
13 proposed tax, and the letter recommended to vote for
14 candidates that opposed the tax. There was no election
15 violation substantiated.

16 We recommend Mr. Sagoo be bound over to the AG's
17 Office for 21-2-224, registration deadlines, when an
18 individual or organization failed to transmit 3 voter
19 registration applications within 10 days of receiving the
20 application and 86 voter registration applications within
21 72 hours of the date of execution, as the applications
22 were received 14 or fewer days before the October 10th
23 voter registration deadline, and Pi Kappa Phi fraternity
24 president Andrew Gomez be bound over for violation of
25 Election Board rule 183-1-6-.02(6), when as a private

1 entity, the Pi Kappa Phi fraternity failed to advise each
2 applicant that such applicant has the option to return his
3 or her voter registration application personally to the
4 appropriate board of registrars or to the Secretary of
5 State or to permit the private entity to return it on the
6 applicant's behalf, and Board rule 183-1-6-.02(7)(c), when
7 as a private entity, they failed to accept and transmit a
8 properly completed and contemporaneously dated voter
9 registration application from any qualified individual,
10 and Wesley Barron be bound over for 21-2-224(c)(1), when
11 as an individual failed to transmit 24 voter registration
12 applications within 10 days after receiving such
13 applications, and Charlie Barrett be bound over for
14 violation of 21-2-224(c)(1), when as an individual or
15 organization failed to transmit 43 voter registration
16 applications within the 10 days after receiving such
17 applications or via close of registration.

18 MS. THOMAS: And Steven Leibel is here to speak on
19 behalf of the fraternity.

20 MS. WATSON: And I believe we have a gentle -- a
21 gentleman to speak on behalf of the fraternity.

22 MR. RAFFENSPERGER: Okay.

23 MR. LEIBEL: Well, let me -- thank you so much for
24 allowing us to speak today. The fact surrounding this
25 matter was that it was a nonpartisan election for the

1 Mayor of the City of Dahlonge, and the complainant was
2 the campaign manager for the now current Mayor of the City
3 of Dahlonge, Ms. Emerick [ph.]. Ms. Emerick -- I would
4 like to address the first allegation about the being
5 turned away for a voter -- for an address change,
6 basically, and actually, the evidence does show that Ms.
7 Emerick never changed her address, was a sophisticated
8 individual, knew how to change her address, never did, so
9 we don't believe that that is well-founded.

10 But what's really more important is that this is a
11 bunch of kids who go to the Board of Elections in
12 Dahlonge and say that they want to do a voter
13 registration drive. No training, all they received are
14 the forms, not even any forms that tell them how to do
15 these things, and they receive a special bag which stops
16 them from tampering with the registrations. There were no
17 allegations of fraud in this -- this matter, but what you
18 have is a campus voter registration drive with
19 unsophisticated individuals with no training. And no one
20 from the fraternity who was involved in the voter turnout
21 in this university town -- and by the way, this is the
22 first voter registration drive that the university was
23 ever a part of, and these are kids who come to school in
24 Dahlonge, and there was a mayoral race, and there was --
25 there was a big issue, and that was that at the time -- it

1 was to talk about having a bed tax in order to raise
2 revenue for the City of Dahlonega. That's what this is
3 all about.

4 But what's more, really, concerning to me is who is
5 the person who brought this in the first place and
6 utilizing this as a political tool against people who are
7 opposing them. I think that here there is no fraud.
8 Everyone who registered to vote was able to register to
9 vote, and I think that to make an example out of a
10 fraternity that's trying to include people in the voter
11 registration process and then send them to the Attorney
12 General's Office for further processing is a terrible
13 shame and a terrible way to set an example for people who
14 want to go ahead and do the right thing and have people
15 register to vote, especially young people.

16 Now, my understanding is that the fraternity -- this
17 is from four years ago, and no one has been engaged in any
18 further activity at all, so why would we want to send this
19 to -- for a technical violation -- and I know it's
20 important -- to the Attorney General's Office? I think,
21 really, the solution to this is to send a letter of
22 instruction to the fraternity saying this is how it's
23 done. Get the training from the Board of Elections and do
24 it the right way and do not set an example that to be
25 heavy-handed on a bunch of college kids, one, who for

1 example, Mr. Gomez, is now serving his country at Fort
2 Gordon. The other people are taxpayers, involved in their
3 communities, and doing the right things. You know, I --
4 I've listened to a number of the cases during this
5 morning. This case is different. This case is a bunch of
6 people who have not committed any fraud, have not been --
7 done any misrepresentation, and really did the right thing
8 by going out and getting kids to vote.

9 MR. RAFFENSPERGER: Thank you, sir. Board, do you
10 have any questions for the Respondents or for Ms. Watson?
11 What is the will of the Board?

12 MR. MASHBURN: This is -- this is Matt Mashburn. I
13 appreciate counsel's excellent argument, and I appreciate
14 his passion for his clients. I do want to take exception
15 to one -- one thing that he said in that nobody is making
16 an example out of these kids. In my view, it's up to the
17 Board to treat these kids the same as any other kids. So
18 this Board has had issues with regard to voter
19 registration drives before and has referred them to the AG
20 before, so I just want to make sure that you understand
21 that no one is making an example of your kids, but rather,
22 my motion is to treat them the same as others, and so I
23 move that this be referred to the Attorney General as
24 recommended.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. LE: This is Anh. I also want to add that when
2 we say kids, I'm assuming these are 18 and over adults who
3 are in college, and I commend them for wanting to do
4 registration drives and get active. However, the laws and
5 the rules are there to make sure -- not just from the
6 activists' perspective but also from the applicants, the
7 voter applicants' perspective as well, that these
8 timelines are in place specifically to ensure that their
9 rights are also protected, and the counties have
10 sufficient time to process their applications. So these
11 things were contemplated carefully and put into law, these
12 timelines are not just -- got you, you know, for purposes,
13 but specifically, to help the counties do their job and
14 also ensure that the voters get registered timely. So in
15 terms of the fraud, some of these are rules that were
16 violated, and there's no specific intent of fraud
17 required. They are in place, again, for the purposes of
18 ensuring rights of the voters and to help the counties do
19 their job. For that reason, I second this motion.

20 MR. RAFFENSPERGER: Okay.

21 MR. WORLEY: Secretary?

22 MR. RAFFENSPERGER: Yes, sir?

23 MR. WORLEY: It's David Worley. I just wanted to
24 make a comment before we vote. We have here, I mean, some
25 facts which are undisputed -- undisputed, but other facts

1 that are in dispute. Ms. Emerick says one thing. Mr.
2 Leibel says another thing on behalf of his clients. When
3 -- our standard is very simple. When there is a dispute
4 of facts like that, we generally refer it over to the
5 Attorney General's Office for further action. The
6 Respondents can resolve it with the Attorney General's
7 Office, or they can have a hearing and have an
8 administrative law judge determine which person is telling
9 the truth. So I think, given our practices on the Board,
10 and in cases like this, I don't think we really have any
11 other choice but then to refer it over to the Attorney
12 General's Office, and I'll vote to do that.

13 MR. RAFFENSPERGER: Any other comments? Hearing
14 none, all those in favor of the motion before us to send
15 this to the Attorney General's Office, case number 2017-
16 050, please do so by signifying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.
19 Next case?

20 MS. WATSON: Next case is 2017-051, City of
21 Fitzgerald in Ben Hill County. On October 16th, 2017, the
22 Elections Office in Ben Hill County suspended early voting
23 in the City of Fitzgerald due to a ballot error. They
24 self-reported the ballot error to the elections division.
25 During the investigation, it was learned the Elections

1 Office had logic and accuracy testing of the voting
2 equipment on October 11th, 2017, but they failed to
3 publish a notice in the legal organ for five days prior to
4 the commencement of such preparation and testing.

5 Investigation showed that it was confirmed that the
6 race for alderman, eastern district at large was printed
7 on the ballot when it should not have been. An elector on
8 the first day of early advance voting noticed the error on
9 October 16th, 2017, and voting was suspended until a new
10 database was obtained, and voting resumed on October 17th,
11 2017. On October 26th, 2017, a court order was signed,
12 approving an additional day for voting during early
13 advance voting. The additional day was Saturday, November
14 the 4th, 2017.

15 During the investigation, it was learned that L&A
16 testing was not published for five days in advance of the
17 testing for the election. We're recommending Ben Hill
18 County Board of Elections and Registration and Kiefer
19 Lewis [ph.], the Elections Supervisor, be referred to the
20 AG's Office for State Election Board rule 183-1-12.02(3),
21 when an election supervisor failed to accurately proofread
22 the western district ballot that she received from KSU to
23 proof for errors, and State Election rule 183-1-
24 12.02(b)(1), when an election supervisor failed to have
25 published announcement in a legal organ for five days

1 prior to the preparation and testing for the DRE units.

2 MS. THOMAS: There are five different people that
3 want to speak on this.

4 MR. RAFFENSPERGER: We have anyone here?

5 MS. WATSON: Yes. There are apparently five people
6 that wish to -- wish to speak.

7 MR. RAFFENSPERGER: Okay. Who's the first one?

8 MS. THOMAS: We'll start with Mr. -- Mr. Danny Young?

9 MR. RAFFENSPERGER: Mr. Young, go ahead.

10 MS. THOMAS: You all can unmute yourselves. I
11 believe you're under Ms. Dunlap's account. Well, next,
12 we'll go to Nicholas Kinsley.

13 MR. KINSLEY: Thank you. Can you hear me?

14 MS. THOMAS: Yes.

15 MR. KINSLEY: Well, I represent Ben Hill County, and
16 Ms. Dunlap and Dr. Green. They're available to answer any
17 questions you have. But essentially, as you proved
18 reading here, everything was done at that time that could
19 be done. They paused the early voting. They stopped it
20 until it was corrected, and at that time, they immediately
21 went to the judge, the local superior court, and filed a
22 petition for an extra day of early voting, which he
23 granted, and so that Saturday, they had early voting.

24 Immediately, the county manager, who was there a very
25 short time -- so this was a kind of a transition of

1 management time -- we hired somebody else to take over the
2 election, a consultant, who was then later hired as the
3 superintendent -- or the supervisor, excuse me, Cindy
4 Dunlap. So she ran the rest of the election smoothly.
5 You know, it's her rule of practice to proofread all
6 ballots. It's hard to do a checks and balances on that
7 issue, but I've spoken with her, and in my research, you
8 know, and she says that she does, in fact, proofread each
9 ballot.

10 So I think that, you know, the easier one to speak on
11 is the -- the publication issue. And again, that was the
12 former Elections Supervisor, who was eventually terminated
13 for -- at least partly because of this issue. Cindy
14 Dunlap is, again, the current Elections Supervisor and has
15 taken over this responsibility. So speaking with her, I
16 think, you know, one of the problems that we had in 2017
17 was a communication error. Well, that has been solved
18 because the new Elections Supervisor is in charge of all
19 communication to the legal organ, so any notices that have
20 to be published, she does that. Somebody in the office
21 with a lot of experience, Katherine Sherpsy [ph.], she
22 told me that she -- any radio announcements, she's in
23 charge of because she actually works in the radio industry
24 on the weekends.

25 So again, action is taken at the time in 2017.

1 Action is taken now to continue to prevent these problems
2 that have come to light. I think that we -- we have done
3 a great job. There is no systemic problem and no
4 intentional misconduct at that time, and the efforts that
5 they have in the recent election and the runoff, I think,
6 shows, you know, that this problem has been corrected, so
7 for that reason, we request that just a letter be issued.

8 MS. THOMAS: And I believe Mr. Young and Ms. Cindy
9 are available now.

10 MS. DUNLAP: Yes.

11 MS. THOMAS: We can hear you.

12 MS. DUNLAP: Can you still hear me?

13 MS. THOMAS: Yes.

14 MS. DUNLAP: Okay.

15 MS. THOMAS: You can go ahead.

16 MS. DUNLAP: Oh, you want to ask me a question?

17 MR. RAFFENSPERGER: Do you have anything you'd like
18 to add?

19 MS. DUNLAP: No. I don't want to add. No. That was
20 a -- I don't want to add anything. Thank you.

21 MR. RAFFENSPERGER: Okay. Anyone else?

22 MS. THOMAS: And we also -- we also have Ms. Keysa
23 Ashford on the phone. You may speak now.

24 MS. ASHFORD: Yes. I -- can you hear me?

25 MS. THOMAS: Yes.

1 MR. RAFFENSPERGER: Yes.

2 MS. ASHFORD: I feel like the mistakes were done, and
3 I think that I was put in a position under one county
4 manager that the first election was ran fine, and then
5 when the new county manager came in, my Board was against
6 me having the position, and everyone just started working
7 against me. My Board was against me, the employees in the
8 office was against me, so I was kind of put against the
9 wall of not knowing everything because I had not been
10 there long, and everything started going bad when they
11 wouldn't work with me, so I was put up against a wall with
12 making the mistakes, and I take the blame for them because
13 of my position at that time. I'm no longer with the
14 County anymore, and I was fired from that position, but in
15 defense of mine, when I was turned over, I tried to get
16 unemployment, and I beat my case of unemployment of them -
17 - the county manager not having enough information to say
18 that I was not doing my job because I was working it. I
19 just didn't know anything at the time because I was new.

20 MR. RAFFENSPERGER: Is there anyone else that wants
21 to speak?

22 MS. THOMAS: Is Ms. Thelma Graham available?

23 MS. GRAHAM: Yes.

24 MS. THOMAS: Would she like to speak?

25 MS. GRAHAM: No. I agree with the -- the attorney.

1 MR. RAFFENSPERGER: Thank you.

2 MS. THOMAS: Well, that's everyone.

3 MR. MASHBURN: This is -- this is Matt Mashburn.
4 Going back to the attorney, what -- at the very end, you
5 cut out a little bit from where I was listening, and I
6 didn't hear you. You said that you -- you would agree to
7 accept a letter of instruction? Or I thought I heard a
8 letter of remediation, so I would just ask you to restate.

9 MR. KINSLEY: Can you hear me?

10 MR. MASHBURN: Yes, sir.

11 MR. KINSLEY: We would request a letter of
12 instruction, and I'm speaking on behalf of Ben Hill
13 County.

14 MR. MASHBURN: On both -- on both counts?

15 MR. KINSLEY: Yes, sir.

16 MR. RAFFENSPERGER: Okay. Any other Board members?

17 MR. MASHBURN: Yes. This is -- this is Matt
18 Mashburn. I just -- I just don't see any benefit in
19 sending it over to the Attorney General to tell somebody
20 not to make the typo. Every -- you know, everybody has
21 got to be as careful as they can, but human error and
22 typos happen, so I'm inclined to -- to issue a letter of
23 instruction pursuant to the attorney's request.

24 MR. RAFFENSPERGER: Do we have a second?

25 MR. WORLEY: This is Mr. Worley. I'll second that.

1 MR. RAFFENSPERGER: Thank you. Any additional
2 comments? Hearing none, all those in favor of sending a
3 letter of instruction for case number 2017-051, please do
4 so by signifying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.
7 Next case?

8 MS. WATSON: Next case is 2017-055, Newton County,
9 voter registration. In October of 2017, Newton County
10 Elections Supervisor Angela Mantle submitted 10 voter
11 registration applications that appeared to have
12 irregularities. She advised some of the applicants that
13 were already registered maintained their previous
14 residence address which is a county address as their
15 mailing address, and they listed a new city residence
16 address as their residence. Angela Mantle received four
17 applicants that used 8133 Puckett Street as their
18 residential address. She also received two applications
19 that used 7174 Puckett Street as their residential
20 address.

21 Investigators contacted the listed individuals
22 associated with the changes to the voter registrations.
23 We found 8 electors that had their voter registration
24 cards changed to show a new residential address in
25 Municipal Ward 3, Covington. Two electors, Lassiter and

1 Holmes, stated they were told by Anthony Henderson they
2 could use a former address to register so they could vote
3 for candidates running in the municipal election Post 3
4 voting combo 408 in the November 7th, 2017 election. Two
5 electors, Jaquory Saxton and Larry Saxon, stated they were
6 instructed by a candidate named Anthony Henderson which
7 resi -- which residence to list on their voter
8 registration cards so they could vote in the municipal
9 election. One elector, Jamonte Smith, advised they were
10 not aware their voter registration was changed. Three
11 electors, Darty, Huff, and David, advised that candidate
12 Henderson assisted them with registering to vote, but they
13 did not know the residential address was going to be
14 changed to a false address.

15 Six of the electors voted in the municipal election
16 even though they knew that they did not reside in the
17 city. Mr. Henderson ori -- originally advised he would
18 meet with the investigator at his attorney's office but
19 would not return calls from the investigator. Jaquory --
20 we're recommending Jaquory Saxton, an elector, Larry
21 Saxton, Casetra Marks, Arthur Holmes, and Kabrea Lassiter
22 be bound over to the AG's Office for 21-2-562 and 21-2-
23 571, Anthony Henderson be bound over for 21-2-562, false
24 entries, 2 counts, and 21-2-604. I don't show anyone on
25 the line to speak to the case.

1 MR. RAFFENSPERGER: Okay. Board members, do you have
2 any questions? Hearing none, what is the will of the
3 Committee?

4 MR. MASHBURN: This is Matt Mashburn. I make a
5 motion that we refer it to the AG as recommended.

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. SULLIVAN: Second, Rebecca Sullivan.

8 MR. RAFFENSPERGER: Any additional comments? Hearing
9 none, all those in favor of the motion as presented,
10 please signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Any opposed? Motion carries.

13 MS. WATSON: Next case is 2017-056, City of Peachtree
14 Corners, districting. On October the 25th, 2017, the
15 Peachtree Corners City Clerk/Elections Superintendent
16 self-reported that they discovered advance, absentee, in
17 person, and absentee by mail electors had voted the wrong
18 ballot. Investigation found evidence to suggest the
19 Peachtree Corners City Clerk, Elections Superintendent Kym
20 Chereck, entered the wrong combo number in error when
21 setting up the EasyVote software for early voting in the
22 November 7th, 2017 municipal election. The error resulted
23 in 45 absentee electors having the option to vote in
24 District 2, where they did not live. We recommend City of
25 Peachtree Corners and Peachtree Corners Election

1 Superintendent Kym Chereck be referred to the AG's Office
2 for Board rule 183-1-12-.02(4)(b) and 21-2-381(b). And I
3 believe Mr. Riley is on the phone in reference to this
4 case.

5 MR. RAFFENSPERGER: Okay. Mr. Riley?

6 MR. RILEY: Thank you, Mr. Secretary and Vice Chair
7 Sullivan, Board member Worley, Board member Mashburn,
8 Board member Le. Thank you for allowing me to speak here
9 today. I want to thank you all for the thankless work you
10 do. I -- I know it is, having been on a local election
11 board before. Nobody -- nobody likes you, and it's hard
12 work, but I would like to say that I am glad that you have
13 the group that you have, Mr. Secretary, because you have
14 all stars. In reviewing the people -- the Board members
15 that you have here today, they are -- they are the legal
16 minds in this area, and I am glad of that because I am
17 hopeful that they will take a look at some of the -- the
18 issues that I propose.

19 As an older prosecutor and as a retired judge, when I
20 look at these potential violations, I start by breaking
21 down the statutes and the rules and seeing if every
22 element is met by the facts. In this case, does -- does
23 an event unrelated to the protocol of the procedures of
24 the voting sequence directives under election rule 183-1-
25 12-.02(4)(b) rise to the violations? When all the

1 procedures are properly followed, can you bootstrap up an
2 unrelated event to make that a violation? You know, I'll
3 be speaking on this further today. Let me first
4 absolutely acknowledge that during the input -- during the
5 combo input, our clerk fat-fingered a 9 when trying to
6 input an 8. I'll speak to this later in the terms of
7 intent if I may. And finally, I'd like to put a proposed
8 question about uncontested elections, and it may be an
9 unanswerable question. Is an uncontested election
10 actually a nullity if it's -- if it's on the ballot? That
11 may be a Gordian knot. After I finish that, I'd like to
12 give you some proposed resolutions, if you'll allow that
13 also.

14 If I can start with the OCGA violation, the OCGA
15 violation carries a willful contempt. Now, that is a --
16 that is a high standard, but that is a standard that is an
17 element of that violation, and you can find that under 21-
18 2-596. Now, you either have to willfully neglect or
19 willfully -- willfully refuse to perform a duty, okay?
20 You have to find intent of willfulness in doing it in
21 order to find there's a violation to refer. Okay. In our
22 instance, we -- we did determine the eligibility,
23 correctly determined according to the rules that were put
24 out under 20 -- of how we determine eligibility. We did
25 do that. And -- and the question is can you bootstrap up

1 an idea of something that happened weeks, months before or
2 weeks before, to show that that wasn't done correctly?

3 And that's a real question for that. I don't think you
4 can get there because you can't ever get past the willful
5 intent in an OCGA case. And secondly, it's a misdemeanor,
6 which is outside the statute of limitations, but I don't
7 think you reach that either because you can't meet the
8 intent.

9 So I'm just going to leave that if I may, and I want
10 to go to 183-1-12-.02(4)(b). The only potential violation
11 that I can see in that -- in that section of the rules is
12 the question of the appropriate voter access card -- card.
13 That is -- that's the only question about that, and in --
14 they used EasyVote machine to appropriately enter the
15 ballot request, and that EasyVote machine generated the
16 ballot style that was to be input, okay? There was --
17 183-1-12.02 contemplates the entire voting process. It is
18 what you do on that day and how you do it, and if there is
19 no allegation -- and we have researched this, and we can
20 find no instance where we did not act appropriately on
21 that day. We absolutely did it to the -- to the -- all
22 the knowledge of the people that were doing it and to
23 anybody's that would look otherwise, they -- they followed
24 every rule on the day that they were doing the activity.
25 So I don't know that that's really a violation, but that's

1 where we get to intent.

2 And that's what I really wanted to speak to you, and
3 I know that Board member Le used to be the Deputy Chamber
4 Counsel. I know Mr. Worley's many -- great understanding
5 of this, and -- and Ms. Sullivan's great understanding
6 too, and I certainly respect Mr. Mashburn's great career.
7 But fat-fingering doesn't infer intent to something that
8 happened weeks or months later. So here's the question.
9 Should the clerk anticipate that she would fat-finger a 9
10 instead of an 8? That's the question, okay?

11 MR. MASHBURN: Counselor, this is Matt Mashburn. If
12 I could -- I don't mean to -- I'm sorry to interrupt you,
13 but let me just ask a question that's on my mind.

14 MR. RILEY: Yes, sir.

15 MR. MASHBURN: No voter actually cast a vote in the
16 wrong district, correct? They were reported -- by this
17 mistake, they were afforded the opportunity, but nobody
18 actually voted in the wrong district, right?

19 MR. RILEY: I do not know -- we don't know that votes
20 were actually cast. We can't say that.

21 MR. MASHBURN: It was an unopposed -- it was an
22 unopposed race, so no -- no election outcome was affected?

23 MR. RILEY: Yes. That is exactly right, Mr.
24 Mashburn. That is exactly right.

25 MR. MASHBURN: You said -- you said you had a

1 recommendation for the Board?

2 MR. RILEY: Yes, sir. I do. I would recommend --
3 this is what I -- here's what we -- the problem I see for
4 the Board, and I used to be a judge, and I am a
5 prosecutor, and we see activities that we say we need to
6 do something about, okay? And I don't think that you --
7 me, if I don't have all the elements, I can't do them. I
8 just can't. You know, I don't think you all have that
9 strictness in there, but I'll leave that to you. My first
10 request would be find that this was simply, you know, this
11 was a brain-motor -- this was a brain-motor skill issue.
12 Every one of us fat-fingers every day, at least I do. I
13 would think everybody else does.

14 And nobody -- and I have reviewed everything in the
15 whole process, and we did everything right, and I could
16 find nothing in the process, neither in the training
17 manual for EasyVote nor in any training modules that there
18 had ever been that -- that had a failsafe for fat-
19 fingering a number. And once you fat-finger the number,
20 there's nothing that goes out afterwards that can realize
21 anything else, except we think that there might be some
22 software in the EasySafe program that could have some kind
23 of failsafe built into it when they were downloading --
24 downloading voter rolls. So I think that that would be a
25 possibility for something as a fix, a greater fix in the

1 future. It would be a great thing to ask them to look at.

2 In my case, I'd ask you to dismiss it because there's
3 no intent when you have a brain-motor skill malfunction,
4 and you certainly intended to hit the 8, and your finger
5 hits the 9, and there's no way for you to know it until
6 somebody has come and said how come that name was on my --
7 on my -- on my ballot? I'm not in his district. And that
8 was weeks and months later. So I would ask you to dismiss
9 it, first of all. And I'd ask you as part of the
10 dismissal, that you would allow us to provide the failsafe
11 that my clerk and superintendent has now ended up putting
12 into place for all of our EasyVotes and has made it right
13 for the last three years. And -- and we would -- and we
14 would be -- we would be glad to give it to any training
15 folks.

16 We're -- actually, good has come out of this that
17 you've done for us today because not only do we have this,
18 that we've had in place for over three years, but now, my
19 clerk is working for a second -- working on a potential
20 second failsafe after it comes back from the -- from the
21 logic program. The one we have now is pretty decent for
22 logic and accuracy. So I would ask you to dismiss and
23 allow us to provide that information for training. If you
24 feel that you have to do more because, you know, it was
25 fat-fingered, I'd ask you to give us a letter of

1 instruction and instruct us to do the very same thing that
2 we have volunteered to do anyway, and that is to give the
3 -- give our failsafe over to the trainers for their
4 review, and if they feel it's appropriate, to -- to
5 distribute that to all the superintendents who might be
6 using these programs.

7 MR. MASHBURN: And this is Matt Mashburn again. And
8 this was self- -- this was self-reported, correct?

9 MR. RILEY: The day we found out about it, and it was
10 corrected.

11 MR. MASHBURN: Okay. Well, I don't mean to interrupt
12 your -- your argument, Counselor, but I'm willing -- I'm
13 willing to go ahead and make a motion. Again, I agree
14 with your comment that it did happen, and voters did get
15 the wrong ballot. I agree that there was no effect of it
16 on the election, but I don't agree that it's no harm, no
17 foul, so I believe a letter of instruction is proper. I
18 don't believe that sending it to the Attorney General to
19 tell you not to hit 8 when you mean 9 or 9 when you mean 8
20 is going to -- is going to do any -- do any good, so I
21 agree that a letter of instruction is proper, and I move -
22 - I make that motion.

23 MR. RAFFENSPERGER: Do we have a second?

24 MR. WORLEY: David Worley, I'll second that.

25 MR. RAFFENSPERGER: Okay. Do we have any other

1 comments from the Board?

2 MS. LE: Yes. This is Anh. I would -- would agree
3 with the motion and the second. I just wanted to make a
4 comment for the record that, you know, with clerical
5 errors, I always struggle with those because you look at
6 the outcome, and you understand clerical errors can
7 happen. It happens to everyone, and I believe that the
8 best way to combat that -- and the counselor had mentioned
9 it -- is to improve training, so it's, you know, with
10 clerical errors because we know that it could happen, you
11 know, the thing to do is -- it's not a no harm, no foul
12 situation, as Mr. Mashburn said, so I always look for what
13 has been done, what can be done to avoid it, and usually,
14 it's training, and maybe redundancy or backup, manual,
15 double check systems, that kind of thing. And it looks
16 like they've put that in place, so I don't believe that
17 clerical errors are always no harm, no foul, as Mr.
18 Mashburn said, but in this case, I think that's
19 appropriate specifically because they've already put those
20 balances and checks in place to help minimize the errors.

21 In terms of intent, I think counselor referred to 21-
22 2-596, which deals with misdemeanor, intent as it applies
23 to misdemeanor. I don't think that's what we're looking
24 at with this particular code section, so I would still
25 second the motion, but I also disagree with that argument.

1 Thank you.

2 MR. RAFFENSPERGER: Well, we have a motion. We have
3 a second. Any other comments? Hearing none, all those in
4 favor of the motion?

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Okay. Motion
7 carries. Next case?

8 MS. WATSON: Next case is 2017-058, City of Blakely.
9 In October 2017, it was reported that a Travis Wimbush, a
10 candidate for city council in the City of Blakely, Georgia
11 election had posted on his Facebook page an offer for
12 voters in District 2 Post 1 to be entered into a drawing
13 for a \$25 gift card. The election was the November 7th,
14 2017 municipal election. Investigation revealed the
15 Facebook post was confirmed. Travis Wimbush was contacted
16 and had already taken the post off his Facebook page. He
17 stated it was the first time he had ran as a candidate and
18 did not know it was a violation. We recommend Mr. Wimbush
19 be bound over to the AG's Office for 21-2-570. No one is
20 on the line.

21 MR. RAFFENSPERGER: No one is on the line. Do we
22 have any questions from any Board members? What is the
23 will of the Board?

24 MR. MASHBURN: This is Matt Mashburn. I move that
25 this be bound over to the Attorney General as recommended.

1 MR. RAFFENSPERGER: Okay. Do we have a second?

2 MR. WORLEY: David Worley, I'll second.

3 MR. RAFFENSPERGER: Okay. Any other comments? All
4 those in favor of referring this case 2017-058 to the
5 Attorney General's Office, please do so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.

8 Next case?

9 MS. WATSON: Next case is 2017-059, Sumter County.
10 During the November 7, 2017 City of Americus general
11 election, we received the following complaints. Election
12 Supervisor at the time Robert Brady reported his office
13 received an application for an official absentee ballot
14 for Cassandra Watson Marberry [ph.], but she was not
15 eligible to vote because she was a convicted felon.
16 Reverend Mathis Wright reported when an elector named
17 Josephine Cooper [ph.] reviewed her vote selection, she
18 discovered one of the selections was incorrect. He states
19 Ms. Cooper attempted to correct her vote, but the voting
20 machine would not accept the correction. Mr. Wright
21 states Mrs. Cooper had to be issued a new voter access
22 card to correct the problem.

23 Reverend Mathis Wright reported an elector Antonio
24 Willis [ph.] when summarizing his vote selection, he
25 discovered he was voting in the wrong district. He states

1 Mr. Willis lived in District 5, but the District 5
2 candidates were not on the ballot. Mr. Wright states Mr.
3 Willis informed a poll worker about his problem, but they
4 were not able to assist him. He states Mr. Willis cast
5 his ballot in the wrong district. Dr. Shirley Reese
6 reported some Election Board members informed her the
7 voting machines had not been checked properly since former
8 Elections Supervisor Sharon Radcliffe [ph.] left office.

9 It was also reported when the voting machines were
10 tested for the November election, they were not tested
11 where members of the public could observe. It was
12 reported during early voting, she was -- the complainant
13 was informed the voting machines were not sealed at the
14 end of each day. It was also reported during the November
15 2017 election a candidate went to the elections office to
16 pick up some applications for official absentee ballot.
17 She advised Elections Supervisor at the time Robert Brady
18 gave her the same nasty attitude he had given her in the
19 past, and he only gave her six applications.

20 Dr. Shirley Reese reported council member Juanita
21 Wilson, County Commissioner Thomas Jordan, and council
22 member Daryl Dowdell were going out in the neighborhoods
23 trying to influence people to vote for her opponent Kelvin
24 Pless. She advised they did not have the right to tell
25 people how to vote. Dr. Shirley Reese reported she

1 believed Juanita Wilson assisted more than ten people to
2 vote during the November 2017 election. She reported
3 during the November election, there was a power outage at
4 the courthouse. She advised they only used two voting
5 machines when the power went down. She stated she had a
6 concern about who filled out Kelvin Pless' family members'
7 election documents when they voted in the election.

8 She reported she had a question about the 75 absentee
9 ballots that were mailed out all in one day on October
10 16th, 2017. Dr. Reese stated that she had a question
11 about the absentee ballots, that she would like to know
12 how many were accepted and how many were rejected. It
13 came to her attention that several absentee ballots were
14 dropped off at the post office without postage. She
15 reported the Elections Office would pick the absentee
16 ballots up, and there was no check and balance system in
17 place. She also reported that she heard City Clerk Paula
18 Martin had not attended the yearly required qualifying
19 certification class sponsored by the Secretary of State's
20 Office in 2017.

21 The investigation revealed after an extensive
22 investigation, there was only one allegation that was
23 substantiated. In allegation number six, it was verified
24 that the Elections Supervisor at the time, Robert Brady,
25 failed to secure the DRE units with a seal at the close of

1 business during early voting. Mr. Brady advised he
2 documented the counter on the daily recap sheets but did
3 not see a need to seal the DRE units as they were housed
4 in a secure suite in the courthouse. We recommend that
5 Sumter County Board of Elections and Registration and
6 former Elections Supervisor Robert Brady be referred to
7 the AG's Office for a violation of SEB rule 183-1-14-
8 .02(8). And I believe we have Mr. Brady on the line.

9 MR. RAFFENSPERGER: Okay. Mr. Brady?

10 MR. BRADY: Good afternoon now. Yes, sir. At that
11 time, the early voting was conducted in the elections
12 suite in the Sumter County courthouse, and that is the
13 most secure facility in the county. That's more secure
14 than the jail, in fact. With only three keys being issued
15 in and out of the building, even the fire department can't
16 get in there. When I looked at this knowing that I'm the
17 one that opens early voting and opens and checks the
18 machines and know that I closed them in the evening, I was
19 functioning under the intent at the time of believing that
20 -- that there was no more secure place, and what was
21 necessary was securing the machines and confirming that
22 they'd not been tampered with.

23 Since that time, circumstances have changed because
24 all of this happened a considerable time ago, and that's
25 no longer the way that I do this. I am also no longer in

1 Sumter County, and Sumter County has moved their early
2 voting to a less secure place requiring that everything be
3 sealed. While it is true that I did not seal the
4 machines, I did secure them, and that's, again, a set of
5 circumstances that existed in 2017. This is no longer the
6 case. For the infractions, I apologize. There was never
7 an intent to commit any kind of -- any kind of crime. It
8 just looked like to me that we were doing what was
9 necessary, and since circumstances have changed and
10 training and demands have changed, the policy has changed
11 also. Thank you.

12 MR. RAFFENSPERGER: Any Board members or anyone else
13 want to speak on this case? What is the will of the
14 Board?

15 MR. MASHBURN: This is -- this is Matt Mashburn. I
16 under -- I understand the reasoning that you had, but we
17 have rules, and -- and I think Anh Le was really right on
18 target when she made comments earlier that the General
19 Assembly and the previous Boards have come up with these
20 rules and regulations not just for their practical effect
21 but also that people trust -- trust the results, so we
22 just have to have a uniform system where everybody follows
23 the same rules rather than individuals deciding what rules
24 they're going to apply and which ones they're not, so I
25 would move that this be forwarded to the Attorney

1 General's Office for processing as recommended, and that
2 the other counts, other than six, be dismissed.

3 MR. RAFFENSPERGER: Do we have a second?

4 MR. WORLEY: I will second that.

5 MR. RAFFENSPERGER: Do we have any additional
6 comment? Hearing none, all those in favor of the motion
7 as presented, please do so by signifying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.
10 Members, if you don't object, it's 12:30, if we could take
11 a lunch break. I guess we have some debates here of 30
12 minutes or 45. Let's do 45 and be back at 1:15, if that
13 works for everyone. Is that fair enough?

14 MS. SULLIVAN: That's fine. Mr. Secretary, I have an
15 obligation at 1 o'clock. I expect it to last about an
16 hour. I will try to plan on rejoining by two o'clock.

17 MR. RAFFENSPERGER: Okay. Well, we'll have plenty on
18 our plates still then, so thank you, Ms. Sullivan.

19 (Meeting break)

20 (Meeting resumes)

21 MR. RAFFENSPERGER: Okay. Well, let's go ahead and
22 call the next case then.

23 MS. WATSON: Okay. 2017-060, City of Warm Springs,
24 vote buying: we did receive two complaints in this, one
25 from a Charles Lee and one from a Sheila Conley. When the

1 notices went out, both of the complainants contacted me
2 and requested that they would like to withdraw the
3 complaints. The complaints were that on Sunday, October
4 22nd, mayoral candidate Charles Lee complained incumbent
5 Mayor Robert "Bob" Prater mailed out gifts which were
6 personalized calendars to voters. We also received a
7 complaint from Sheila Conley, alleging the same --
8 complaint that he sent out tokens of appreciation in the
9 form of engraved personalized calendars. The enclosure
10 included read enclosed is a small token of my appreciation
11 for the opportunity of serving as Mayor for the last four
12 years and the anticipation of serving you in the next four
13 years.

14 The investigation revealed that the accusations were
15 verified as accurate. Incumbent Mayor George Robert
16 Prater advised he did sent out the calendars to express
17 his appreciation to serve not to coerce or influence the
18 voters. Our recommendation is to refer George Robert
19 Prater, former Mayor of Warm Springs, to the Attorney
20 General's Office for a violation of 21-2-570.

21 MR. RAFFENSPERGER: Okay. Is Mr. Prater on the phone
22 call?

23 MS. THOMAS: No.

24 MS. WATSON: No, sir. He is not. My understanding
25 is that he is spending a significant amount of time out of

1 the country.

2 MR. RAFFENSPERGER: Okay. Be that as it may, what is
3 the will of the Committee?

4 MR. WORLEY: Mr. Secretary, this is David Worley. I
5 had one question for Ms. Watson first. Ms. Watson, when
6 you say -- when you describe them as personalized
7 calendars, does that mean that they have the Mayor's name
8 on them?

9 MS. WATSON: I believe they were personalized to --
10 to the voter's name.

11 MR. WORLEY: Okay. All right. Well, be that as it
12 may, I just do not think that this is really a violation
13 to send someone what is essentially a piece of campaign
14 literature. You know, it's not different from putting
15 your name on a -- as people used to do -- on a nail file
16 or a comb or something like that and sending it to voters
17 or handing it out to voters. I just -- I just don't see
18 this as a violation, so that's basically my view. That's
19 all. Thank you, Mr. Secretary.

20 MR. RAFFENSPERGER: Thank you for your input. Any
21 members have any other questions or input?

22 MR. MASHBURN: Yeah, I -- this is Matt Mashburn. I
23 agree in that I don't see -- I don't see the receipt of
24 the calendar conditioned on anything. You get this if you
25 voted for me, or I'll give you this, please vote for me,

1 so I agree with David, and move that it be dismissed.

2 MR. RAFFENSPERGER: Okay. Do we have a second?

3 MR. WORLEY: I'll second that.

4 MR. RAFFENSPERGER: Any other comment? All those in
5 favor of the motion as presented, please do so by
6 signifying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Any opposed? Motion carries.

9 Next?

10 MS. WATSON: Next case is 2018-005, Coweta County.

11 It was reported that four electronic delivery ballots were
12 transmitted after the deadline for the May 22nd, 2018
13 election. Investigation revealed that Coweta County
14 Registrar Diane Prescott was interviewed and was very
15 apologetic and acknowledged the ballots had not been sent
16 before the deadline of April 6th. The ballots were
17 subsequently transmitted, and the County made contact with
18 three of the voters and advised them of the delivery of
19 the ballot. No contact could be made with the fourth.

20 Two of the voters returned the ballots for the election.

21 We recommend that Coweta County Board of Elections and
22 Registration and Diane Prescott, the Coweta County
23 Registrar, be referred to the AG's Office for a violation
24 of 21-2-384(a)(2), four counts, and to dismiss the case
25 against Jane Scoggins, the Election Supervisor. No one is

1 on the call to speak.

2 MR. RAFFENSPERGER: Okay. Members, do you have any
3 questions or need additional information?

4 MR. WORLEY: Mr. Secretary, I don't have any
5 additional questions, but I did just have a statement. I
6 -- in reading over the investigative report, it makes
7 clear that Coweta County made numerous follow-up efforts
8 to make sure that these various voters, all of whom were
9 outside the country, were gotten the information that they
10 needed, had the opportunity to vote if they chose to do
11 so, not every one of them did. I -- I just don't see what
12 more can be gained by sending them anything other than a
13 letter of instruction. They -- they did training after
14 this to -- to make sure that they handled it correctly in
15 the future, and I think they've done what they needed to
16 do to rectify this situation, so I would make a motion
17 that we send them a letter of instruction.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Matt Mashburn, second.

20 MR. RAFFENSPERGER: Any further comment? Hearing
21 none, all those in favor of sending a letter of
22 instruction for the motion for 2018-005, signify by saying
23 aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Next case?

2 MS. WATSON: The next case was listed as 2018-009,
3 DeKalb County. The attorney for Respondent Niles called
4 and requested this to be moved to the calendar and agenda
5 for the 24th meeting, and that request was granted.

6 MR. RAFFENSPERGER: Okay. Thank you.

7 MS. WATSON: Next case is 2018-010, Fulton County.
8 On May 16th, 2018, we opened an investigation into an
9 elector having been improperly turned away from voting in
10 the May 22nd, 2018 primary election. The allegation
11 submitted by the elector alleged the poll officer at the
12 OC polling place had not allowed the elector to vote
13 because the elector was wearing a Reagan/Bush 1984 t-
14 shirt. Investigation revealed on May 15th, 2018, Mr.
15 Timothy Kent [ph.] went to the OC polling location in
16 Fulton County to vote. The poll worker Mr. Reinhold [ph.]
17 advised him that he needed to turn his t-shirt that had
18 1984 Reagan/Bush on it inside out. Mr. Kent refused, and
19 Mr. Reinhold told the voter that he could not vote until
20 he removed the t-shirt. The voter left the polling
21 location without voting.

22 Mr. Kent was not able to return to vote, as he had to
23 leave town and did not return until after the polls
24 closed. The poll manager, Margaret Williams, and
25 assistant manager, Richard Reinhold, believed the t-shirt

1 was a violation of campaign material and thought the
2 candidates listed -- even though the candidates listed
3 were not on the current ballot. We recommend Fulton
4 County Board of Elections and Registration, poll manager
5 Margaret Williams, and assistant poll manager Richard
6 Reinhold be referred to the AG's Office for a violation of
7 21-2-596.

8 MR. RAFFENSPERGER: Okay. Are either one of the
9 Respondents here to speak for themselves?

10 MS. WATSON: I believe that there's several people on
11 the phone to speak. I believe Margaret Williams is on the
12 line.

13 MS. WILLIAMS: Yes, I am. Can you hear me?

14 MR. RAFFENSPERGER: Yes. We can, ma'am.

15 MS. WILLIAMS: Thank you. All of a sudden, the
16 volume is low, just one moment. Yes. Good afternoon, Mr.
17 Secretary. As stated, I am Margaret Williams, and I was
18 assigned to the OC Library, my first assignment as poll
19 manager, and I just want to say that as a poll manager, we
20 strive to adhere to the training that's provided, and in
21 executing our duties, we make sure that no eligible voter
22 is ever willfully denied an opportunity to vote. In this
23 case, the voter chose not to vote. He was not actually
24 turned away, but he chose not to vote because we were
25 under the understanding that any party affiliation was

1 also a form of campaigning. So we were wrong in thinking
2 that at that time, but the voter chose not to vote.

3 MR. RAFFENSPERGER: Okay.

4 MS. WATSON: I believe we also have Ralph Jones and
5 Fulton attorney David Lowman on the line.

6 MR. LOWMAN: Yes, Mr. Secretary, this is David Lowman
7 with the Fulton County attorney's office.

8 MR. RAFFENSPERGER: Okay.

9 MR. LOWMAN: I would like to point out that the poll
10 manager and assistant poll manager were attempting to
11 correctly enforce the rules against campaigning in this
12 case. I know that they've been charged with violating
13 OCGA 21-2-2(3.1)(a), which talks about a candidate whose
14 name appears on the ballot but if you go down two more
15 sections to (c), it says a political party or body which
16 has a nominee or nominees on the ballot in a primary
17 election, and although this not necessarily says, you
18 know, Republicans 199 -- 1984, it did reference the names
19 of Reagan and Bush, and I think everybody here has heard
20 the Republican party at times referred to as the party of
21 Reagan or Reaganomics, and I think that because the poll
22 manager and the assistant poll manager were attempting to
23 enforce the spirit and the letter of this rule and of this
24 law that binding them over would not serve the same
25 purpose as just administering a letter of instruction.

1 They did attempt to adhere to the training and the
2 law as it was given to them and as they understood it, and
3 as the poll manager pointed out, nobody was turned away
4 from voting other than asked to either cover or turn the
5 shirt inside out. So because we think that the -- the
6 people involved and Fulton County attempted to enforce the
7 letter of the rule and of the law to the best of their
8 ability during this election and allowed the voter the
9 opportunity to vote, we would ask that either the count be
10 dismissed or a letter of instruction be granted. Thank
11 you.

12 MR. RAFFENSPERGER: Okay. Members, do you have any
13 questions for anyone? What is the will of the Board?

14 MR. MASHBURN: This is Matt Mashburn. I'm -- as I
15 stated before, I'm very protective of the hundred and
16 fifty foot protective bubble, and so for me, this is a
17 close one, but I don't think it was a candidate on -- on
18 the ballot, so I don't think it was campaign paraphernalia
19 for that election, so I think just the poll manager was
20 wrong here, so I don't see that sending her to the
21 Attorney General is going to benefit anything, but I do
22 think a letter of instruction clarifying what's permitted
23 and what's not permitted is -- would be helpful, so I'll
24 make a motion that we issue a letter of instruction.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. LE: This is Anh. I'll second that.

2 MR. RAFFENSPERGER: Any further discussion? Hearing
3 none, all those in favor of sending a letter of
4 instruction to Fulton County on case number 2018-010,
5 please do so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.
8 Next case?

9 MS. WATSON: Next case is 2018-012, Sumter County.
10 On May 16th, 2018 during early advance absentee voting,
11 monitoring inspection at the Sumter County courthouse
12 polling and precinct Sumter County Election Supervisor at
13 the time Robert Brady stated that he has not been sealing
14 the machines on a daily basis. Investigation revealed
15 former Sumter County Elections Supervisor Robert Brady
16 told Investigator Monroe that he did not seal the voting
17 machines during early advance absentee voting during the
18 May 22nd, 2018 general primary election. His reasoning
19 was that he believed the voting machines were already
20 secured inside the elections office, which was secured
21 inside the courthouse and did not need to be sealed.
22 Inspection supervisor Pam Jones documented in her May
23 16th, 2018 polling place inspection report when she was
24 there that Mr. Brady told her he was not sealing the
25 voting machines simply because it was a waste of money to

1 purchase fifty seals. He also stated the polling location
2 and building was secure and has surveillance coverage. He
3 was the last one to leave the room daily and make sure the
4 room was secured.

5 There was a previous investigation in which he was
6 not sealing the voting machines during early advance
7 voting, which was 2017-059 that we presented earlier this
8 date. Our recommendation was to send Mr. -- former
9 Elections Supervisor Robert Brady and Sumter County Board
10 of Election and Registration to the AG's Office for
11 violation of Board rule 183-1-14-.02(8). And he is also
12 on the call.

13 MR. RAFFENSPERGER: Okay. Sir, would you like to
14 speak?

15 MR. BRADY: No, sir. Thank you.

16 MR. RAFFENSPERGER: Okay. Members of the Board, do
17 you have any questions for anyone or need additional
18 information?

19 MR. MASHBURN: Yeah, this is Matt Mashburn. If it
20 would be appropriate, I would just move to merge this in
21 with the other case that we -- that we handled previously,
22 and the two be handled together. That would be my motion.

23 MR. WORLEY: I'll second that.

24 MR. RAFFENSPERGER: Okay. Any further comments? All
25 those in favor of the motion, please do so by signifying

1 aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Hearing none,
4 motion carries. Next one?

5 MS. WATSON: Next case is 2018-091, Fulton County.

6 On November 6th, 2018, it was reported that the poll
7 manager at Liberty Baptist Church at 395 Chamberlain
8 Street, Atlanta had been refusing to accept as proper
9 identification student IDs from Georgia Tech and Georgia
10 State University. Investigation revealed on November 6th,
11 2018, it was reported that a poll worker at Liberty Street
12 Baptist Church was not accepting student IDs from Georgia
13 Tech and Georgia State University as proper
14 identification. Investigator Bagwell [ph.] responded to
15 the location and made contact with the poll manager, a Ms.
16 Franklin. Ms. Franklin was asked if she was accepting
17 student IDs, and she responded absolutely not and why do
18 people keep asking me that? Ms. Franklin referred to the
19 voter certificate and stated the student IDs would not be
20 acceptable for voting. Dwight Brower was contacted, and
21 he stated that Ms. Franklin advised him that she had not
22 denied any student from voting that had presented student
23 identification, which appeared to be contrary to the
24 complaints and statements made to the investigator. We
25 recommend Fulton County Board of Registration and

1 Elections, Fulton County Elections Supervisor Richard
2 Barron, Fulton County poll manager Ms. Franklin be issued
3 a letter of instruction, as there was no voter that came
4 forward and reported they were turned away. This was
5 reported third party through a news agency with no voter
6 contact information.

7 MR. RAFFENSPERGER: Okay. Does anyone want to speak
8 from Fulton County?

9 MR. LOWMAN: Yes. This David Lowman.

10 MR. RAFFENSPERGER: Yes, sir.

11 MR. LOWMAN: We will accept Ms. Watson's
12 recommendation for a letter of instruction in this case.

13 MR. RAFFENSPERGER: Okay. Board members, anyone have
14 any questions or require additional information? Hearing
15 none, what is the will of the Board?

16 MS. LE: I move to issue a letter of instruction
17 because there are no witnesses who came forward.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Second, Matt Mashburn.

20 MR. RAFFENSPERGER: Any further discussion? Hearing
21 none, all those in favor of the motion as presented,
22 signify by saying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.
25 Okay. Next case?

1 MS. WATSON: The next case -- the next case is 2018-
2 093, DeKalb County. The Respondent in this particular
3 case has requested a continuance to the February 24th,
4 2021 meeting which was granted.

5 MR. RAFFENSPERGER: Okay. Next case?

6 MS. WATSON: Next case is 2018-096, Fayette County.
7 On November 26, 2018, it was reported that Dexter Mitchell
8 [ph.] voted in both the State of Georgia and the State of
9 South Carolina during the general election of November
10 6th, 2018. Investigation revealed that the allegation was
11 verified, and Mr. Mitchell admits to the allegation but
12 maintains that he was told this was acceptable as he
13 maintains both residences. Mr. Mitchell advised that
14 Conway, South Carolina is his primary address, and his
15 family resides there as well. Absentee ballots confirm
16 that he voted in both states during the November 6th, 2018
17 general election. We recommend that Dexter Bernard
18 Mitchell be referred to the Attorney General's Office for
19 violation of 21-2-572. He is not on the line.

20 MR. RAFFENSPERGER: Okay. And Ms. Frances, has he
21 been charged in South Carolina?

22 MS. WATSON: Not to my knowledge. He has not.

23 MR. RAFFENSPERGER: And we have not sent -- have we
24 sent South Carolina inf -- any information about this
25 case?

1 MS. WATSON: We -- we did have contact with South
2 Carolina.

3 MR. RAFFENSPERGER: Okay. Does anyone have any
4 questions? Okay. Hearing none, what is the will of the
5 Board?

6 MR. WORLEY: I would -- David Worley. I would make a
7 motion that we refer this to the Attorney General.

8 MR. RAFFENSPERGER: Okay. Do we have a second?

9 MS. LE: This is Anh Le. I second.

10 MR. RAFFENSPERGER: Okay. Any further discussion?
11 All those in favor of referring this to the Attorney
12 General's Office, please signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Any opposed? Motion carries.
15 And Ms. Watson, can we also let the State of South
16 Carolina -- let them know what our position is on this, so
17 they're aware? If they aren't aware now, I think they
18 should be. Thank you.

19 MS. WATSON: Yes, sir, Mr. Secretary. The next case
20 is 2018-103, Bartow County. On December 4th, 2018, it was
21 reported that a person shoved or pushed a poll worker
22 during the December election at the Atco Baptist Church
23 polling location. Bartow County Elections Supervisor
24 Joseph Kirk reported that Glenda Fay Massey [ph.] and her
25 husband were discussing voting while at the voting

1 machines. The poll manager, Phoebe Martin [ph.],
2 requested that the voters not talk while voting. Both
3 refused after several requests and were asked to leave.
4 It was reported that Phoebe Martin [sic] pushed the poll
5 manager on two occasions before exiting the poll. Both
6 had completed their voting before being asked to leave.
7 The Cartersville Police Department responded and completed
8 a police report of the incident. The Cartersville police
9 made a charge against Mrs. Massey for 21-2-566. The case
10 was resolved through a plea of nolo and pretrial diversion
11 program. We recommend that the case be closed with no
12 further action as the Respondent has been charged and
13 prosecuted for the violation of 21-2-566.

14 MR. RAFFENSPERGER: Members, what is your will?

15 MR. MASHBURN: This is Matt Mashburn. I move that
16 the case -- that our case be dismissed, as it has already
17 been handled up in Bartow County.

18 MR. RAFFENSPERGER: Do we have a second?

19 MS. LE: Anh Le, second.

20 MR. RAFFENSPERGER: All those in favor?

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Motion carries.

23 Next?

24 MS. WATSON: Next case is 2018-107, Carroll County.

25 This was a self-reported incident. Carroll County

1 Executive Director of Elections and Registration Carolyn
2 Williams reports an elector named Ronald Larry Green [ph.]
3 voted in person on November 26, 2018, and Mr. Green also
4 voted December the 4th, 2018 on Election Day during the
5 runoff election. Ms. Williams states she believes due to
6 Mr. Green's age and health condition, it might have been
7 done by error and not intentionally done.

8 Investigation revealed that Mr. Green did vote during
9 early advance voting and then on Election Day. Mr. Green
10 did not realize that he was voting in the same election.
11 He was asked if he had voted absentee by mail, and he knew
12 -- he knew he had not done so. When the poll worker
13 called to verify, they checked absentee by mail but failed
14 to check in person voting during early advance voting.
15 Mr. Green was allowed to vote again. We recommend that
16 Carolyn Williams and Carroll County Elections and
17 Registration be referred to the AG's Office for a
18 violation of 21-2-431 and Ronald Green be referred to the
19 AG's Office for 21-2-572. And Carolyn Williams is on the
20 line.

21 MR. RAFFENSPERGER: Okay. Ms. Williams, would you
22 like to speak to the Board?

23 MS. THOMAS: Ms. Williams, you can unmute yourself if
24 you would like to speak.

25 MR. RAFFENSPERGER: Okay. Ms. Williams? Okay.

1 Members, do we have any questions about this case. No?
2 What is your will?

3 MS. THOMAS: She's trying to unmute, Mr. Secretary.
4 She's trying to unmute herself. She's trying to find the
5 speaker, she says in the chat. The option to unmute
6 yourself will be on your toolbar, Ms. Williams.

7 MS. WATSON: Hold on. I'm going to put you on
8 speaker phone. Okay. I have Ms. Williams on speaker
9 phone.

10 MR. RAFFENSPERGER: Great.

11 MS. WILLIAMS: Okay. Good morning. This is Carolyn
12 Williams, and I'm sorry I was unable to get on the
13 speaker. They couldn't hear me on the Zoom, but what I
14 wanted to say was this: I don't know how this happened. It
15 is because I know the rules for the voting here, and it
16 states that the poll manager call me [sic] and says that
17 he had a voter there that had voted absentee and usually,
18 when a voter votes absentee, we go into the system and it
19 -- my clerk be here and both of us be answering the phone
20 on Election Day, and if they call and say that it's marked
21 in the express polls that a voter had voted, I have been
22 training the poll workers that AB is absentee ballot and
23 AV is for advance voting, and it says that a manager said
24 he asked for an absentee ballot, and I went to the
25 absentee box because we only have just a few voters that

1 had voted. It was only 13 of them, and it was -- I got up
2 and went and looked, and there wasn't no ballot there
3 because if they voted absentee by mail, and the ballot had
4 returned, it would have been there with the absentee
5 ballots, and the clerk reviewed the -- the sheet and no,
6 his name wasn't on there.

7 And so that's why we was looking for a paper ballot
8 because he said absentee ballot, but normally, we go into
9 E-net, and it would tell us whether he voted absentee by
10 mail or absentee in person, and so the -- the voter -- we
11 told the poll manager to go ahead and let him sign the
12 absentee ballot affidavit because no paper ballot had
13 returned and allow him to vote on the touch screen. Then,
14 I was still mixed -- confused about that because it
15 wouldn't have been logged if the voter checked not voted
16 by absentee ballot or in person, and so I went to pull it
17 up on the screen, and by the time I pulled it up, I called
18 and asked the precinct and said wait. He did not vote
19 absentee ballot by mail. He voted in person. Do not let
20 him vote on the machine, and the manager told me well,
21 he's already cast his ballot, and I was disturbed by that
22 because I didn't know what -- what I could do but report
23 it because I try to do what I can to run clean elections,
24 and so we looked, and we found, and I called and reported
25 myself that this guy had voted twice.

1 And I talked with the manager, and I'm looking at the
2 books. It wasn't AB that was checked. It was AV, as in
3 vote, and that's absentee. But he was telling by absentee
4 ballot by mail, and Mr. Green actually did not vote
5 absentee by mail, and he has -- he seemed to be having
6 some type of health issues the last time I saw him, and I
7 honestly believe -- he is one of our regular voters, and I
8 believe he has gotten to the age where he just voted in
9 November, and when the December Election Day came around,
10 he thought it was time for him to vote again. And he -- I
11 just don't think he intentionally did that, and I tried to
12 correct this. It had happened, but I still reported it,
13 and I'm asking the Board members to -- if they would, to
14 take into consideration that both accounts be dismissed
15 and give us a letter of instruction and do not submit this
16 to the Attorney General because we tried both -- at all
17 times to make sure that we abide by all the rules and
18 regulations from the State.

19 MR. RAFFENSPERGER: Thank you, ma'am.

20 MS. WILLIAMS: Mmm-hmm.

21 MR. RAFFENSPERGER: Anyone else who would like to
22 speak or any Board members who have any questions?

23 MR. MASHBURN: This is Matt Mashburn. Ms. Williams,
24 can you hear me?

25 MS. WILLIAMS: Thank you.

1 MR. MASHBURN: Ms. Williams, -- she's gone. Okay.

2 MR. RAFFENSPERGER: Okay.

3 MS. WATSON: She's still online, though.

4 MR. MASHBURN: I was just going to ask what -- what
5 procedures or processes she thinks -- or have they
6 instituted to make sure that it doesn't happen again.

7 MR. RAFFENSPERGER: Okay.

8 MS. WATSON: I can get her back on the line. Yes,
9 hello. A Board member has a question for you.

10 MR. MASHBURN: Hey, Ms. Williams. This is Matt
11 Mashburn.

12 MS. WILLIAMS: Yes, sir.

13 MR. MASHBURN: I appreciate -- I appreciate you self-
14 reporting this, and I appreciate you calling the Board and
15 giving us your explanation. What I was wondering is what
16 procedures or what ideas do you have or have you had to
17 put in place to make sure this doesn't happen again?

18 MS. WILLIAMS: I actually asked those voters -- those
19 managers to call me on every voter that comes in, and I
20 extended training. Our trainings are broken down into
21 smaller -- we're from a small county here, and my training
22 -- where I have been calling in, like, two precincts at a
23 time. I called in one precinct, and I work with one
24 precinct at least two hours a day per day for four times,
25 and that's what we did for that 2020 election, and it did

1 not happen.

2 MR. MASHBURN: Thank you, Ms. Williams. I appreciate
3 it.

4 MS. WILLIAMS: Yes, sir.

5 MR. RAFFENSPERGER: Okay. Any other members have
6 questions? What is the will of the Board?

7 MR. MASHBURN: This is -- this is -- go ahead. This
8 is Matt Mashburn. As far as Ms. Williams, I'm inclined to
9 agree with her recommendation of a letter of instruction.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. MASHBURN: For Mr. -- for Mr. Green, I'm
12 persuaded by his advanced age that sending him to the
13 Attorney General is not going to be a good use of the
14 State's resources, but I don't know -- I don't know
15 exactly what to do about that one, so I'll just make a
16 motion right now that Ms. Williams be issued a letter of
17 instruction and wait for the other Board members.

18 MR. RAFFENSPERGER: Do we have a second on the first
19 motion?

20 MS. LE: This is Anh. I'll second that.

21 MR. RAFFENSPERGER: Do we have any further
22 discussion? All those in favor of a letter of instruction
23 for the Carroll Elections and Registration, do so by
24 signifying aye.

25 THE BOARD MEMBERS: Aye.

1 MR. RAFFENSPERGER: Any opposed? Motion carries.

2 Now to Mr. Green, what is the will of the Board?

3 MS. LE: This is Anh. Mr. Green is not on the -- Ms.
4 Williams seems to attest that she knows him as a repeat --
5 a regular voter in her area and also that he -- it's my
6 understanding, if I'm not mistaken, that she said he's not
7 done this before, but because of his advanced age, he's at
8 the point where this -- it sounds like the first time he
9 was doing this. Is that -- I don't know if she's still
10 on.

11 MR. RAFFENSPERGER: Yes. That's my understanding
12 also.

13 MS. LE: Right. I don't know if sending this to the
14 AG's Office will resolve the issue that we're trying to
15 do, which is to make sure that he doesn't do this again.
16 I suppose he could, if it's his advanced age and that's
17 something going to back to the first motion that the
18 training -- Ms. Williams will have to incorporate, not
19 just for Mr. Green's circumstance but similar
20 circumstances, so my motion would be to issue him a letter
21 of instruction.

22 MR. RAFFENSPERGER: Do we have a second?

23 MR. WORLEY: I'll second that.

24 MR. MASHBURN: Second.

25 MR. RAFFENSPERGER: Okay. Any further discussion?

1 Hearing none, all those in favor of sending Mr. Green a
2 letter of instruction, please signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Any opposed? Motion carries.

5 Next case?

6 MS. WATSON: Next case is 2018-109, Fulton County.

7 On November 6th, 2018, Nan Harmon [ph.] advised that while
8 voting at the Hopewell Baptist Church, she filled out the
9 initial form and her information was entered into the
10 computer. She was asked if she had also requested an
11 absentee ballot. She stated that she had not requested
12 one. The investigation revealed that Nan Harmon voted
13 advance in person at the Milton Library on October 15th,
14 2018. She then was allowed to vote again at the Hopewell
15 Baptist Church on November 6th, 2018 in the same election.
16 Nan Harmon advised that she did not remember voting the
17 first time. We recommend that Nan Caroline Harmon be
18 referred to the Attorney General's Office for a violation
19 of 21-2-572 and Fulton County Board of Elections and
20 Registration and Elections Superintendent Rick Barron,
21 Kenneth Sanford be referred to the Attorney General's
22 Office for violation of SEB rule 183-1-14.09(1)(a)(2),
23 when an absentee ballot which has been voted shall be
24 returned to and received by the Board, it shall be dete --
25 deemed to have been voted then and there and no other

1 ballot shall be issued to the same elector, and 21-2-590,
2 poll officer permitted unregistered or unqualified person
3 to vote.

4 MR. RAFFENSPERGER: Okay.

5 MS. THOMAS: And Mr. Sanford is on the phone.

6 MS. WATSON: I believe Mr. Sanford is on the line to
7 speak.

8 MR. RAFFENSPERGER: Okay. Mr. Sanford?

9 MS. THOMAS: Mr. Sanford, you're unmuted. You can
10 speak now.

11 MS. WATSON: I believe also David Lowman is on the --
12 on the call from Fulton County.

13 MR. RAFFENSPERGER: Okay. Mr. Lowman?

14 MR. LOWMAN: Yes. I would just ask for the sake of
15 consistency because this case is very similar to the case
16 right before this one, I would ask for a letter of
17 instruction in this case as well, and further for the sake
18 of consistency, I point the Board to a case -- I don't
19 know the exact number, but it was last week, and there was
20 a gentleman in Cobb County that voted twice on Election
21 Day. I think he said that his parents had been sick, and
22 he was traveling back and forth between here and Ohio and
23 cast two votes in the same election, and I believe that in
24 that case, Cobb County was not even named. So I would ask
25 for the same fair and equal treatment for Fulton County,

1 and at the most, I would ask that the County receive a
2 letter of instruction in this case. Thanks.

3 MR. RAFFENSPERGER: What is the will of the Board?

4 MR. MASHBURN: I read this -- did I read this
5 correctly? She reported herself but didn't remember
6 receiving or voting the original ballot. She said that
7 somebody voted her ballot for her, but it turned out that
8 she ultimately admitted that it was her, right?

9 MS. WATSON: That is correct.

10 MR. RAFFENSPERGER: What would the Board like to do?

11 MR. MASHBURN: Ms. Watson, did you -- have you spoke
12 to her? Your investigators spoke to her, and they -- they
13 didn't notice any cognitive -- advanced age, cognitive
14 disabilities, anything like that? Like in the -- like in
15 the first case that we had?

16 MR. RAFFENSPERGER: What would the Board like to do
17 with this one?

18 MS. WATSON: Mr. Secretary, if we could check one
19 more time with Mr. Sanford to see if he has -- is able to
20 speak now?

21 MR. RAFFENSPERGER: Okay.

22 MS. WATSON: Mr. Sanford?

23 MS. THOMAS: Mr. Sanford, you're unmuted. You can go
24 ahead and speak.

25 MS. WATSON: No.

1 MR. RAFFENSPERGER: Okay. Members, what is your
2 will?

3 MR. MASHBURN: I -- this is Matt Mashburn. I'm just
4 still really puzzled by this case and have been ever since
5 I first read it, so I'm going to make a motion to table,
6 and we'll bring it up again.

7 MR. RAFFENSPERGER: Okay. Motion to table.

8 MR. WORLEY: I'll second that.

9 MR. RAFFENSPERGER: Okay. We have to vote on that.
10 It's a motion to table, but I don't have my Robert's rules
11 here, but all those in favor of tabling this?

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Motion carries. Next case?

14 MS. WATSON: 2019-014, City of Atlanta, District 3
15 runoff. On April the 9th, 2019, the complainant reported
16 that notice had been posted in the Friendship Tower Senior
17 Center offering cash rewards and prizes to individuals who
18 voted. Investigation revealed Karen Ashley, the resident
19 services coordinator of Friendship Homes on Northside
20 Drive, posted fliers in the facility that offered rewards
21 for residents that voted in the runoff. Residents who
22 could show that they voted would have their names entered
23 into a drawing that yielded three separate prizes: \$150
24 prize to be paid towards the winner's rent for the month
25 of May, second prize of a \$25 Walmart card, and a third

1 prize of \$10 cash.

2 Karen advised she did post the flier to try and get
3 the residents to participate in the voting process. Once
4 she was notified, she removed the flier, and no prizes
5 were given out. We recommend Karen Ashley be referred to
6 the Attorney General's Office for a violation of 21-2-570.
7 And I believe that she is on the phone to speak.

8 MR. RAFFENSPERGER: Okay.

9 MS. ASHLEY: Yes. Good afternoon.

10 MR. RAFFENSPERGER: Good afternoon.

11 MS. ASHLEY: Are you -- okay. Hi, I'm Karen Ashley,
12 and I thank you for an opportunity to speak to the Board
13 regarding my case. Let me give you some background
14 information. I do not live in District 3. I don't have
15 the ability to vote. I did not know any of the candidates
16 that were running. I actually work as a resident services
17 coordinator in a senior community. It's a community for
18 independent living, and what I do is that I connect them
19 to resources and services to help them age in place
20 longer.

21 One of the things -- voting is not one of the things
22 that is a part of my job description. It's just a passion
23 of mine because I believe that voting is important, and
24 the demographics of the people that I serve are mostly
25 impoverished seniors ranging in age from 62 to 97. Many

1 have been formerly homeless or had some type of vice in
2 their younger years, and they don't have, really, a family
3 support system, and so I work from a place of empowering
4 them, and voting is one of those things that I think is an
5 equalizer for being -- teaching self-empowerment, so
6 whether or not it is voting or getting a vaccine for COVID
7 or getting tested for COVID, many of my residents have a
8 background in their life experiences -- they -- they don't
9 trust the system, or they don't believe themselves to be
10 trustworthy or anything of that nature, or that the system
11 doesn't matter. It's against them.

12 And what I seek to do with the voting is to say yes,
13 you do matter, and this is an opportunity for you to show
14 that the system works, and in this particular setting, as
15 again, I don't invite anyone into the building. If their
16 campaigns reach out to me, I will allow them to come in to
17 speak with the residents so that they themselves can be
18 educated voters. I -- in this particular incident, it was
19 a special election, and I think it was about nine
20 candidates that were running. Seven reached out over the
21 peri -- over the course of the election and asked if they
22 could come in and speak with the residents, which I
23 allowed all that called to do. They were able to come in,
24 and after the actual election, I noticed that out of
25 26,000 people who were eligible to vote in this district,

1 less than six percent did, only about a thousand. And so
2 I chose to use that as a teachable moment to my residents
3 to say your vote matters. It makes a difference and to go
4 back out to do the runoff, many of them -- and you would
5 be surprised. People don't understand the process. They
6 -- many -- I have seniors who are 65 and 70 who have never
7 voted, and so I was saying go back. There's a runoff --
8 trying to explain the process, and many of them were --
9 well, why should we go back? And I had the thought, and
10 it had nothing to do politically. It was just -- I just
11 believe that you are your brother's keeper.

12 And it was just -- I had the thought to -- okay,
13 well, that's an incentive if you go. I got with the
14 property manager because this is subsidized housing. None
15 of them would have gotten -- I wasn't giving out a hundred
16 and fifty dollars, but I did seek -- it was so important
17 to me that they participate in the process because it
18 didn't benefit me one way or the other if they voted or
19 not. Again, I don't know -- know any of the candidates,
20 and -- but when it was brought to my attention that this
21 is not something that you do, I in no way would jeopardize
22 myself or any of my residents because I understand what a
23 privilege it is to vote, and when it was brought to my
24 attention, I immediately took down the sign. It is not
25 open to the public. This is just a private senior

1 community of about a hundred people, and it was not
2 mandatory that they participate. It was voluntary --
3 voluntarily. When it was brought to my attention, I took
4 it down. We did not have the drawing. They were no
5 prizes, and this was not for any particular candidate, and
6 I was not aware that this was considering [sic] buying
7 votes, or I would have never thought to do anything like
8 this, never. I had never before, and I haven't since
9 then. I was just advocating for a group of people who
10 would otherwise not participate in the process, and I just
11 wanted them to -- to participate. And that -- that was my
12 --

13 MR. MASHBURN: Ms. Ashley?

14 MS. ASHLEY: Yes, sir.

15 MR. MASHBURN: Ms. Ash -- Ms. Ashley, this is Matt
16 Mashburn of the Board. I appreciate your enthusiasm, and
17 I apologize to interrupt you, but you raised a question in
18 my mind, and that is where -- where did the money come
19 from that was going to be the prize? Who provided that
20 money?

21 MS. ASHLEY: No one provided it. It was my own
22 personal -- that was going to be on me.

23 MR. MASHBURN: Okay. So no campaign or candidate or
24 cause offered to give you that money?

25 MS. ASHLEY: Oh, absolutely not. In fact, once it

1 was brought to my attention by the County as well as the
2 State, I not only took down what I had posted in the
3 general area, in our common area, I put up notices sharing
4 with them what I had learned when I was educated, and then
5 I had say hey, after I -- you know, if anyone comes in and
6 does it, don't do it. I even shared it with them because
7 I did not -- I didn't know. I didn't look at that as --
8 as buying votes because it was not for any particular
9 candidate, and I thank God that I was educated because
10 nothing happened. That did not happen.

11 MR. MASHBURN: Okay. Thank you. I thank you for
12 your answer, Ms. Ashley. Unfort -- well, not
13 unfortunately, but we -- the law is very clear on this
14 that you just can't offer anything of value for people's
15 votes, for people to vote, so I'm going to make a motion
16 that this be referred to the Attorney General.

17 MR. RAFFENSPERGER: Do we have a second?

18 MS. LE: This is Anh Le. I second.

19 MR. RAFFENSPERGER: Okay. Do we have any further
20 comments? Hearing none, all those in favor of referring
21 this to the Attorney General's Office, case number 2019-
22 014, please do so by signifying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.

25 Next case?

1 MS. SULLIVAN: Mr. Secretary, for the record, this is
2 Rebecca Sullivan, and I have rejoined the call.

3 MR. RAFFENSPERGER: Okay. Great. Thanks. Are we
4 ready for the next --

5 MS. WATSON: Next case is -- next case is 2019-015,
6 Fulton County. Fulton County self-reported that they
7 failed to publish notice for L&A testing for the March
8 runoff election and for the March 19th election. The
9 investigation revealed that the allegation was -- or the
10 self-report was verified. We're recommending that Fulton
11 County Board of Election and Registration and former
12 Superintendent Richard Barron be issued a letter of
13 instruction for SEB 183-1-12.02-3(b)(1) and also SEB rule
14 183-1-12.02-3(b).

15 MR. WORLEY: This is David Worley. I make a motion
16 that we accept the recommendation and send a letter of
17 instruction.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Second, Matt Mashburn.

20 MR. RAFFENSPERGER: Okay. Any further conversation?
21 Hearing none, all those in favor of sending a letter of
22 instruction for case number 2019-015, please do so by
23 signifying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Hearing none,

1 motion carries. Next?

2 MS. WATSON: Next case is 2019-016, City of Nahunta.

3 In May 2019, it was reported that the City of Nahunta

4 failed to publish the qualifying fees by the February 1st

5 deadline. The qualifying fees pertained to the November

6 2019 election. It was determined that the City of Nahunta

7 had the city clerk Brenda Lartz and a new mayor took

8 office. It is believed with the changes that the

9 publishing of the qualifying fees was overlooked. The new

10 clerk was made aware of the missed deadline and advised

11 that the previous clerk Brenda Lartz would have still been

12 in the position when this deadline for publishing the

13 qualifying fees occurred on February 1, 2019, as she

14 resigned without notice February 14, 2019. The notices

15 were published in a legal organ on May 1, 2019. Brenda

16 Lartz advised that she did not know the qualifying fees

17 had to be published in a legal organ and states she had no

18 real training. We're recommending the City of Nahunta and

19 former City Clerk Brenda Lartz be referred to the AG's

20 Office for 21-2-131(a)(1)(a), on the publishing of

21 qualifying fees. And we also have someone on the line

22 from the City to speak.

23 MR. KINSLEY: Thank you.

24 MR. RAFFENSPERGER: Go ahead.

25 MR. KINSLEY: So I'm speaking on behalf of the City

1 of Nahunta. This case is quite simple. I agree pretty
2 much with all the findings in the -- in the report. There
3 was some confusion as to whether Ms. Lartz said she was
4 trained or not, but I think it's clear that she was
5 trained, and in the investigator's findings, it states
6 that, you know, eventually, she admitted that she did
7 participate in online training. Since this time, the City
8 has had two clerks, so Ms. Monroe, who -- who did take
9 action as soon as she found out. She published the
10 qualifying fees, albeit late. But since then, they've had
11 another clerk, who has -- has taken that position, and
12 she, you know, will be trained on elections. The
13 management, you know, is -- is urging new -- better
14 organization throughout the entire City, not just the
15 Elections Department, but essentially, you know, that's --
16 that's kind of the best practice, I guess, to prevent this
17 from happening in the future.

18 Overall, you know, it was a simple miss in the
19 deadline. I don't think there's any intent, no ill will.
20 It was just an accident. It was corrected at the time,
21 and it -- and it's -- going forward, they're trying to
22 correct it and prevent it from happening as well. I spoke
23 with the current clerk, the mayor, and the city manager
24 about this issue, and they believe that it -- it is
25 resolved, and it will be resolved in the future. You

1 know, based on this and the former case, we request a
2 letter of instruction be given to -- to the City of
3 Nahunta.

4 MR. RAFFENSPERGER: And, sir, for the record, can I
5 get your name and your position?

6 MR. KINSLEY: Yes. I'm Nicholas Kinsley, and I'm an
7 attorney speaking on behalf of Nahunta.

8 MR. RAFFENSPEGER: Thank you. Members of the Board,
9 do you have any questions or any additional information?
10 What is your will?

11 MS. SULLIVAN: This is Rebecca Sullivan. I'll make a
12 motion that a letter of instruction be issued in this
13 case.

14 MR. RAFFENSPERGER: Do we have a second?

15 MR. WORLEY: David Worley, I'll second.

16 MR. RAFFENSPERGER: Any further comments? Hearing
17 none, all those in favor of sending a letter of
18 instruction for SEB 2019-016, signify by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Any opposed? Motion carries.
21 Next one, Wilkes County.

22 MS. WATSON: Next case is 2019-018. On June 25th,
23 2019, the complainant reported that the Wilkes County
24 Voter Registration Office had been closed during regular
25 business hours at different times over the previous few

1 months. In late 2018, the part-time clerk at the Wilkes
2 County Registrar's Office resigned. This left Registrar
3 Debbie Anderson alone to handle vote registration. Ms.
4 Anderson suffered health issues that required being absent
5 from the office frequently between January and April of
6 2019. Records indicate the Registrar's Office was closed
7 to the public 16 times during this period for a total
8 absent time of approximately 77 hours. In a Wilkes County
9 Board of Registrar's meeting on July 11th, 2019, the Board
10 appointed a clerk to assist in the duties in the
11 Registrar's Office and have since taken actions to correct
12 this issue, and is there anyone -- I believe there is
13 someone here to speak to the issue. Due to the actions
14 that they have -- have taken to correct the issue, I would
15 recommend a letter of instruction for violation of 21-2-
16 215(c).

17 MR. RAFFENSPERGER: Okay.

18 MS. WATSON: I believe that there's Thomas Charping
19 on the line to speak.

20 MR. CHARPING: Yes. Thank you. Good afternoon, Mr.
21 Secretary and Board members.

22 MR. RAFFENSPERGER: Yes, sir.

23 MR. CHARPING: I am the probate judge here in Wilkes
24 County, and one of my duties is being the Elections
25 Superintendent also. I took office on January the 1st of

1 2009. I was certified in election, I think, somewhere the
2 16th of 2009. I have had many problems with Ms. Debbie
3 Anderson, when she was appointed as the Chief Registrar
4 for Wilkes County in 2015. It mentioned in your findings
5 that the part-time clerk resigned, and Mrs. Anderson was
6 left alone, but that's not the case, and the Wilkes County
7 administrator has a file on Ms. Anderson that says
8 different. She told, at that time, the clerk, Ms. Tina
9 Jenkins [ph.], that she did not need her anymore. When
10 Ms. Jenkins resigned, it was during a major election.
11 Mrs. Anderson has caused many Board members to resign and
12 left her without help.

13 If you will please read the county attorney's
14 petition to the Chief Superior Court Judge to remove Mrs.
15 Anderson that I sent to Ms. Frances Watson on February the
16 16th of this year, it would give you some insight into
17 what we, Wilkes County, was dealing with. I would be glad
18 to furnish the Board with pictures of the office in
19 disarray and voter registration forms that were not
20 entered into E-net and just laying exposed with personal
21 information and also over 900 DDS applications that were
22 from August 13th of 2018 through July the 17th of 2019
23 that were never processed because she was the only one
24 that was allowed into E-net. At that time, we had
25 approximately 5800 voters. None of the Board members had

1 privileges to enter into E-net. She also removed me out
2 of E-net twice, and Mr. Chris Harvey and Mr. John Holman
3 [ph.] both are familiar with our problems here and those
4 problems with E-net.

5 Most of Mrs. Anderson's Board members were picked
6 from a list that she supplied to the grand jury. Little
7 did they know that they became her puppets. The grand
8 jury, after several years of problems with Ms. Anderson,
9 chose other names that were not on her list. That's when
10 the Board was able to take control and appoint someone
11 working in the courthouse to be the Deputy Chief
12 Registrar. It just so happened to be my chief clerk for
13 probate court, and my office is open from 8 to 5, Monday
14 through Friday, except holidays, so now, the Registrar's
15 Office is closed -- is not closed for any other reason
16 other than holidays here, and the door is always open.
17 The phone -- the phonenumber is forwarded to our phone.
18 When that office is closed, there's a note on that door
19 that states come to room 422 on the fourth floor. This
20 was all done, again, against Ms. Anderson -- Ms.
21 Anderson's wishes.

22 The day before our Chief Superior Court Judge was to
23 hear our case, Ms. Anderson resigned, and a new Chief
24 Registrar was appointed, and we've had no problems since.
25 All Board members have been given a code book by me, and

1 all Board members have access now to E-net. At this time,
2 we have a Board of Registrars that Wilkes County can be
3 proud of. I do have a Board member that resigned with me
4 today, and she was reappointed after Ms. Anderson
5 resigned. Her name is Lois Strong, and if you have any
6 questions for her or myself, we are prepared at this time.

7 MR. RAFFENSPERGER: Okay. Thank you, sir. Okay.
8 Members, do you have any questions?

9 MR. MASHBURN: This is Matt Mash -- this is Matt
10 Mashburn, and I have question for the judge. Thank you
11 for attending today, Judge. I appreciate your
12 presentation. Did -- the Elections Registrar serves at
13 the pleasure of the Board of Commissioners, or how do
14 y'all work down there?

15 MR. CHARPING: No, sir. They all -- there's a list
16 that the grand jury supplies to the Chief Judge. That's
17 usually done in February, always done in July -- excuse
18 me, August, based upon a list for any vacancies, any
19 openings there would be in the Board of Registrars. The
20 Commission has no part, no say-so in the Board of
21 Registrars.

22 MR. MASHBURN: Okay. So she's -- she's appointed and
23 accountable to the Grand Jury?

24 MR. CHARPING: She's appointable -- or she's
25 appointed by the Chief Superior Judge and accountable only

1 to them.

2 MR. MASHBURN: Okay.

3 MR. RAFFENSPERGER: Any other questions?

4 MR. WORLEY: I had a question, Mr. Secretary, for Ms.
5 Watson. Are -- are any of the items that Judge Charping
6 mentions regarding the failure to process the DDS
7 applications -- are any of those included in the report,
8 or have they been the subject of an investigation?

9 MS. WATSON: I would have to -- have to check on any
10 of the other investigations that we've had. As he stated,
11 that was just sent yesterday, so it may be that we -- we
12 have to open up a separate investigation into those
13 allegations.

14 MR. CHARPING: I do have picture that are reserved
15 that shows the date and time and pictures on E-net to
16 where it started and where it ended, the long list. When
17 I contacted Mr. Harmon about that, I asked him do you see
18 anything on the dashboard, Mr. Harmon? And he said yes, I
19 do, and I said what do you see? And he says a long list
20 of DDS applications that hadn't been processed right here,
21 and I said yes, sir. That's exactly what I'm talking
22 about right here, right now, and with only about
23 approximately 5800 registered voters at the time, that was
24 a big, big portion. We had voters that actually, in my
25 opinion, was [sic] not allowed to vote in elections at

1 that timeframe. If you look back at the timeframe, and
2 I'll be glad -- I've got many pictures I'll be glad to
3 send you that I took.

4 MR. RAFFENSPERGER: Members?

5 MR. WORLEY: Mr. Secretary, David Worley. I would
6 make a motion that we table this action today until such
7 time as Ms. Watson has had an opportunity to do some
8 investigation into the matters that were presented to her
9 yesterday. I'd rather just deal with all of this at once
10 than piecemeal it out.

11 MR. RAFFENSPERGER: Do we have a second?

12 MR. MASHBURN: Second, Matt Mashburn.

13 MR. RAFFENSPERGER: Okay. All those in favor of
14 tabling?

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Motion is tabled. Next one?

17 MS. WATSON: Next case is 2019-019, Webster County.

18 On June 26th, 2019, Mildred Russell [ph.] reported she was
19 denied the right to vote in person three times. Mrs.
20 Russell stated each time she was told she had to return an
21 absentee ballot before she would be allowed to vote.

22 Investigation shows Mildred Russell did go to vote on two
23 separate occasions and was told that she could not vote if
24 she did not have her absentee ballot to surrender and was
25 turned away. Both the Election Supervisor and the Deputy

1 Registrar advised at the time of the incident they were
2 unaware of the proper procedure to cancel an absentee
3 ballot. They both believed that the voter had to
4 surrender the absentee ballot before they could vote in
5 person. They both advised they are aware of the procedure
6 and have a copy of the affidavit form at this time.

7 The election resulted in a tie with each candidate
8 for a special election for Clerk of Superior Court to fill
9 the remainder of the term, receiving 29 votes. A court
10 challenge was filed and a consent agreement to void the
11 election results and hold a second election. This was due
12 to the one -- one voter that was erroneously turned away
13 for not having her absentee ballot with her to surrender
14 when she presented to vote at the polls. We recommend
15 Webster County Board of Election and Registration,
16 Patricia Burks, the Election Supervisor, and Bonnie Witt,
17 Deputy Registrar, be referred to the AG's Office for the
18 violation of 21-2-388(2), cancellation of absentee
19 ballots.

20 MS. THOMAS: Ms. Bonnie Witt is on the phone and
21 Frederick Over -- Overby.

22 MS. WATSON: I believe we have two people on the line
23 to speak: Bonnie Witt and Frederick Overby.

24 MR. RAFFENSPERGER: Okay. Which one is first?

25 MR. OVERBY: This is Fred Overby. Can y'all hear me?

1 MR. RAFFENSPERGER: Yes, sir. Loud and clear.

2 MR. OVERBY: I'm the county attorney for Webster
3 County and represent the Board of Elections. It should be
4 noted that also this was a very close, contested special
5 election to fill the vacancy of the Superior Court clerk's
6 office due to a retirement, and there was a second
7 complaint also about a ballot that was checked but not
8 blackened out so that the optical scanner would not count
9 it, and upon learning of that issue and conferring with me
10 and Mr. Harvey from the Secretary of State's Election
11 Division, they properly counted that ballot, which
12 resulted in the tie.

13 The issue with Ms. Russell was a second issue in that
14 election, and as stated, both Ms. Burks, the Supervisor,
15 and the Deputy Registrar, Ms. Witt, simply made an error.
16 When the contest was filed by Mrs. Crimes [ph.], that
17 error was admitted. There was no effort to skirt it or
18 deny it or anything like that, and the Board considered
19 and agreed that a new election ultimately had to be
20 required, and that election took place, and Mrs. Crimes,
21 the complainant, did prevail in that election.

22 The point we would like to make and urge to the Board
23 is that this was not a -- not a mistake of willfulness or
24 intent. It was a mistake of negligence and simply not
25 knowing the proper procedure. They do know the proper

1 procedure now. They do have the affidavit on file, and
2 they, you know, know how to handle this situation in the
3 future, and we would just encourage the Board to look upon
4 this as a situation where there was an error made. It was
5 acknowledged, and they've received some additional
6 training, and it won't happen again. Thank you very much.
7 I do have Ms. Witt, I believe, and Ms. Burks also is on
8 the line if y'all have any questions for them.

9 MR. RAFFENSPERGER: Thank you. Board? Do you have
10 any questions? What is your will?

11 MR. MASHBURN: This is -- this is Matt Mashburn. I
12 appreciate the attorney's excellent presentation, but
13 unfortunately, here, he's got the nightmare scenario in
14 that he's got a voter turned away, and it actually
15 impacted the outcome of the election, so you couldn't have
16 -- you couldn't certify the election, so they had to have
17 a new election. So this -- you know, this compounds the
18 worst thing you can do, send the voter away wrongfully,
19 with have it set aside an election, so this is just -- in
20 my opinion, this has to go to the AG's Office and make a
21 motion -- I make a motion that it be referred to the AG's
22 Office.

23 MR. RAFFENSPERGER: Okay. Do we have a second?

24 MS. SULLIVAN: This is Rebecca Sullivan. I would
25 agree and second the motion.

1 MR. WORLEY: This is -- this is Mr. Worley. I'm
2 going to oppose this motion because yes, this is the worst
3 circumstance possible, but if -- if you read the rep --
4 what I found from reading the report was that they moved
5 to correct it. They did correct it. They were very open
6 about everything, unlike some Boards that we see. They
7 have done everything that they can at this point to
8 correct the situation. The -- the candidate of Ms.
9 Russell's choice was eventually elected, and I'm -- I'm
10 just not sure what the Attorney General's Office can do
11 further on this matter. They can enter into a consent
12 order with the Respondent saying they won't do it again,
13 and they've done training, and they're aware of what's
14 going on now, but they've already done that.

15 The other option would be to add a fine to, you know,
16 to the file and fine Webster County for this. Webster
17 County is one of the smallest and poorest counties in the
18 State. As you can tell, only 60 people voted in the
19 election that was in question, and I -- I just don't think
20 we're achieving anything by sending it to the Attorney
21 General's Office that wouldn't be achieved by sending a
22 letter of instruction to -- to Webster County, so that --
23 that would be my preference, and so I'll oppose the
24 motion.

25 MR. RAFFENSPERGER: Okay. Any further discussion?

1 All those in favor of sending this to the Attorney
2 General's Office, please do so by signifying aye.

3 THE BOARD MEMBERS (except Mr. Worley): Aye.

4 MR. RAFFENSPERGER: Those opposed?

5 MR. WORLEY: No.

6 MR. RAFFENSPERGER: Motion carries. Next case?

7 MS. WATSON: Next case is 2019-029. On October the
8 3rd, 2019, Catoosa County Elections Director Tonya Moore
9 reported that Ringgold mayoral candidate Paul Lee had
10 offered free gifts in exchange for voting. Mayoral
11 candidate Paul Lee posted on Facebook on October 1st, 2019
12 in notice to all voters in the City of Ringgold. The post
13 states that if he is elected Mayor of Ringgold, he will
14 pick two restaurants and buy everyone that shows their "I
15 voted" sticker a free meal. Once notified of the
16 violation, he removed the post and issued a statement
17 formally withdrawing the offer. We recommend that Paul
18 Lee, mayoral candidate, be referred to the AG's Office for
19 violation of 21-2-570. There is no one on the line.

20 MR. RAFFENSPERGER: Okay. What is the will of the
21 Board?

22 MR. MASHBURN: This is Matt Mashburn. I move that
23 this be referred to the Attorney General's Office.

24 MR. WORLEY: I'll second that.

25 MR. RAFFENSPERGER: Any further discussion? Hearing

1 none, all those in favor of referring this to the Attorney
2 General's Office, case number 2019-029, signify by saying
3 aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.

6 Next one?

7 MS. WATSON: The next case is 2019-033, City of
8 Forest Park. Between October 16th, 2019 to December 12th,
9 2019, we received multiple complaints regarding the City
10 of Forest Park November 5th, 2019 election. These
11 complaints of election fraud and illegal campaigning were
12 mainly against the City of Forest Park Election
13 Superintendent Lois Wright and City of Forest Park Ward 4
14 Councilmember Latresa Akins-Wells. Out of the fourteen
15 complaints submitted, five were substantiated.

16 Latresa Akins-Wells was the incumbent Ward 4 City
17 Councilmember and a candidate on the ballot for the
18 November 5th, 2019 City of Forest Park election. Forest
19 Park City Hall was the early voting polling location.
20 Between October 14th, 2019 to October 18th, 2019, it's
21 alleged Akins-Wells was inside the polling location
22 speaking and interacting with voters during the early
23 voting session, and this was substantiated.

24 Lois Wright was the City of Forest Park Election
25 Superintendent. She has conducted herself in an

1 unprofessional manner while working in the official
2 capacity of an election superintendent. Allegation three,
3 Lois Wright maintained a personal relationship with
4 Latresa Akins-Wells. As a result of their friendship,
5 Wright has received gifts from Akins-Wells in return for
6 political support.

7 Latresa Akins-Wells has campaigned for reelection of
8 City of Forest Park-funded community events, such as
9 functions held at community parks and public schools. Her
10 campaigning activities consisted of wearing campaign
11 attire, handing out campaign materials, and photo
12 opportunities with voters and political figures. This was
13 not substantiated.

14 The Office of the Secretary of State voter
15 registration data for the City of Forest Park is
16 inaccurate. Allegation was not substantiated. Someone
17 fraudulently submitted an absentee ballot application on
18 behalf of City of Forest Park resident Brenda Walton
19 [ph.]. The allegation was not substantiated, but
20 procedural errors were discovered that constituted
21 election code violation. Lois Wright entered the date on
22 the absentee ballot application for Brenda Walton as she
23 thought that was the date it came in. When Brenda Walton
24 came to vote in person, she denied completing the absentee
25 ballot application until she was shown the application.

1 Brenda Walton stated that she did not write the date on
2 the application and was told by Lois Wright that the date
3 was an error on her part and covered the date with Wite-
4 Out.

5 Allegation seven, some fraudulently submitted --
6 someone fraudulently submitted an absentee ballot
7 application on behalf of Jeanette Hand [ph.] who was
8 determined to be deceased on the date of the application.
9 This was a result that contracts with candidates to go out
10 into the community and collect absentee ballot
11 applications well in advance of the election. It appears
12 that some of these applications have not had the election
13 date entered at the time of collecting the application and
14 were then submitted without recontacting the voter,
15 resulting in voters stating they did not request the
16 absentee ballot, and in the case of Jeanette Hand, passing
17 away prior to the application being submitted but after
18 her death. This leads to confusion for the voters,
19 problems for the election staff, and general distrust in
20 the process.

21 Latresa Akins-Wells campaigned during the early
22 voting session within a hundred and fifty feet of the City
23 of Forest Park polling location. Allegation nine, the
24 City of Forest Park Election Office miscounted the votes
25 for the Ward 3 City Council seat and failed to read out

1 all of the yes/no referendum questions for the absentee
2 ballots on the night of the November the 5th, 2019
3 election. This was substantiated. Several voters did not
4 receive ballots with complete candidate information, and
5 one voter was not allowed to vote on Election Day.

6 Allegation eleven, there is video footage of Latresa
7 Akins-Wells and Lois Wright handling absentee ballots
8 inside City Hall. There was no violation substantiated.
9 Latresa Akins-Wells received a disproportionate amount of
10 absentee ballot votes compared to other candidates on the
11 ballot. Absentee ballot procedural errors were found with
12 no ballot number or issue date listed for 168 absentee
13 ballot applications.

14 Allegation thirteen, Latresa Akins-Wells was in
15 possession of forged absentee ballot applications in
16 December of 2015. This was not substantiated. Isabelle
17 Martinez [ph.] is the mother of Ward 4 Councilmember
18 challenge Yasmin Julio Martinez [ph.], is not a resident
19 of Georgia, and she assisted in Julio's campaign. She has
20 also illegally campaigned outside of Forest Park City Hall
21 during the early voting session. That was not
22 substantiated.

23 Our -- our findings are that all of the allegations
24 except for allegation one, six, nine, ten, and twelve were
25 unsubstantiated. Our recommendation is for Latresa Akins-

1 Wells, Ward 4 City Councilwoman, be referred to the AG's
2 Office for violation of 21-2-414(d), restrictions on
3 campaign activities when she was present inside the
4 polling location after she cast her own ballot. She also
5 admitted to escorting voters inside the polling location
6 to cast their ballot. The City of Forest Park, Lois
7 Wright, Elections Superintendent -- or former Elections
8 Superintendent be referred to the AG's Office for a
9 violation of 21-2-562(a)(1), fraudulent entries when she
10 inserted a date on another person's absentee ballot
11 application, then concealed that date with Wite-Out, and
12 21-2-384(a)(5), mailing of ballots, when Wright failed to
13 require a voter, Brenda Walton, to complete an affidavit
14 after allowing that voter to vote in person while their
15 absentee ballot was already in the mail, and City of
16 Forest Park, Lois Wright, Elections Superintendent,
17 former, Celia Jones, the Election Office absentee ballot
18 clerk be bound over to the AG's Office for SEB rule 183-1-
19 12-.02(4)(b), when she wrote an incorrect voter
20 combination code on the voter certificate which resulted
21 in the voter receiving the incorrect ballot, 1 count, and
22 21-2-384(a)(3), mailing of ballots, when Wright failed to
23 document absentee ballot information, i.e., ballot number
24 and issue date on at least 168 absentee ballot
25 applications. And then we have two people waiting to

1 speak: the city attorney, Mike Williams, and a
2 complainant, Trudy -- Trudy Smith.

3 MR. RAFFENSPERGER: Okay. I guess let's go with the
4 city attorney first.

5 MR. WILLIAMS: Good afternoon. This is Michael
6 Williams. Can you hear me?

7 MR. RAFFENSPERGER: Yes, sir.

8 MR. WILLIAMS: I just wanted to speak to the five
9 violations. With respect to the first violation involving
10 Councilwoman Latresa Akins-Wells, obviously, the City
11 cannot take a position on what action the Board may wish
12 to take, but just for informational purposes, as outlined
13 in the report, the use of City Hall is -- is the issue
14 because of the small size and the layout of City Hall, and
15 our concern is this is a problem that is capable of
16 potential repetition in the future with future candidates
17 or incumbents inadvertently and unintentionally violating
18 this by being at City Hill on official, non-election-
19 related business, so as a result, the City intends to
20 cease using City Hall as a polling location for future
21 advance voting or other election-related matters, and so
22 we have addressed that to the extent it involves the City.

23 The next three procedural violations, I think the
24 facts speak for themselves, and the City acknowledges that
25 those mistakes were made. Again, for informational

1 purposes, Ms. Wright, as well as Ms. Jones who was
2 involved as the absentee ballot clerk, will not be serving
3 in those capacities for future elections, and the City is
4 utilizing the City Clerk's office to perform the Election
5 Superintendent role, and they are in the process of being
6 trained. The City intends to make sure that we have a
7 fully trained and capable staff so that those types don't
8 occur again.

9 And finally, with respect to the last count involving
10 the documentation for the absentee ballot applications, et
11 cetera, there's a dispute as to the facts on this. We do
12 believe that there was a wrong record, but, you know, we
13 certainly acknowledge the concern about that, and one of
14 the things we -- we intend to explore is the use of
15 software to, you know, the ballot track-type software that
16 the State of Georgia is utilizing, as well as Clayton
17 County, so that we can automate that and have a better
18 system for managing absentee ballots going forward, and so
19 that -- that is part of the plan and a step that the City
20 is exploring, how we can utilize those services going
21 forward. And then again, as to that point, Ms. Wright
22 would not be part of that process.

23 And so as relates to the last four alleged violations
24 because the City is already taking steps to address those,
25 I believe a letter of instruction would be suitable for

1 those, again, because those individuals won't be part of
2 the elections going forward. And that's -- that's all I
3 have.

4 MR. RAFFENSPERGER: Ms. Folami -- Folami is on.
5 Could she -- she wanted to speak, one of the complainants?

6 MS. WATSON: I believe it's Trudy -- Trudy Smith.

7 MR. RAFFENSPERGER: Oh, it's Trudy Smith? Okay. Go
8 ahead, ma'am.

9 MS. SMITH: Yes. They have my written statement that
10 I asked them to read because I have a trach, and it's hard
11 for me to speak and to be understood.

12 MR. RAFFENSPERGER: Okay.

13 MS. THOMAS: Yes, we have it here. We'll read it for
14 you. So on behalf of Ms. Trudy Smith, this is her
15 statement. Even though the mayor vetoed allowing Lois
16 Wright to be the Election Superintendent in 2021, three
17 councilmembers brought her back up to have her serve
18 again. They were unable to get the fourth vote, so it did
19 not happen, so clearly, certain members of the council
20 have condoned Ms. Wright's actions.

21 MR. RAFFENSPERGER: And was there anyone else to
22 speak from this?

23 MS. THOMAS: Lawanda Folami is raising her hand, so
24 let me --

25 MS. FOLAMI: Good afternoon, everybody, Mr.

1 Secretary, everybody. I am a constituent of Clayton
2 County, Forest Park, and I'm here on this call today
3 because it's very important to the community. In our last
4 election, we had a host of complaints until I just decided
5 to get the citizens together and call into the State so
6 they could come in and investigate.

7 There was numerous things that went on. We had at
8 least 12 people -- there was 119 different cases of
9 previous elected officials inside the polling place. We
10 also have a pending case coming up the next week that will
11 actually illustrate why this issue should go over to the
12 AG for further investigation. Our Superintendent Elect is
13 a very trained, well-known of the law of the land of
14 voting, and at one point in time was a very -- person that
15 you could really trust. However, there is questions here
16 now from the citizens who actually pays for them to look
17 at our votes and also the attorney who the citizen pays to
18 represent the municipality. But however, the city
19 constituents would like to see this bound over to the AG
20 so that in future, that because -- the citizen will not
21 have trust problems in casting their ballot. I yield back
22 my time.

23 MR. RAFFENSPERGER: Okay. Thank you. Okay. Anyone
24 else to speak on this, or if not, Board, do you have any
25 questions? What's your disposition?

1 MR. MASHBURN: This is Matt Mashburn. I move that
2 the City of Forest Park on the -- I lost my place. I'm
3 sorry. I move that the City of Forest Park be issued a
4 letter of instruction and the remainder of the case, City
5 of Forest Park, Lois Wright, Election Superintendent, and
6 Latresa Akins-Wells be referred to the AG.

7 MR. RAFFENSPERGER: Okay.

8 MR. MASHBURN: I would also add to the motion to --
9 to get the other members of the Board, but I also would
10 move that this file be sent to the public integrity
11 section of the GBI to have them look at it as well as the
12 AG.

13 MR. RAFFENSPERGER: Okay. Do we have a second?

14 MR. WORLEY: I just had a question of our legal
15 counsel, if Ms. McGowan is on the call, as to whether we
16 have the authority to send it to the GBI, or is that
17 something that the Attorney General is going to do anyway?
18 I don't recall a case -- and I'm not saying there has not
19 been one, but I don't recall a case where we've
20 specifically referred a matter to the GBI, and I'm not
21 saying I'm opposed to that, I'm just questioning whether
22 we can do that.

23 MS. MCGOWAN: Mr. Worley, this is Charlene. I'm not
24 aware of a specific example of our office doing that
25 either, but it's certainly something that I can look into.

1 MR. WORLEY: Okay.

2 MR. RAFFENSPERGER: Does that mean that we hold that
3 second half of the motion in abeyance until we get an
4 answer, or we can do that while there is authority to do
5 that? Does that make sense?

6 MR. WORLEY: I would go ahead with Mr. Mashburn's
7 motion.

8 MR. RAFFENSPERGER: Okay. We have a second. Any
9 other questions, comments?

10 MS. LE: I think -- this is Anh Le. I think 21-2-
11 31(5) might be of some insight because I think 5 states
12 that the Board can authorize Secretary of State's Office
13 to investigate or to send to the Attorney General or
14 district attorney. I don't send a mention under that code
15 section for GBI, but I'll yield that to Ms. McGowan's
16 expertise.

17 MR. RAFFENSPERGER: Okay.

18 MS. MCGOWAN: I mean, the GBI, obviously, isn't
19 authorized to -- under legal action in a matter like our
20 office is or a district attorney's office is. They would
21 maybe be able to assist on the investigative side.

22 MR. RAFFENSPERGER: We have a motion. It's been
23 seconded. Is there -- do we need to amend anything, or do
24 we go ahead and put it to a vote? All those in favor of
25 the motion as presented, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.
3 Another City of Forest Park.

4 MS. WATSON: 2019-042: on November 5th, 2019, we
5 received a complaint alleging a young man was distributing
6 pamphlets inside the polling location at 803 Forest
7 Parkway, Forest Park, Georgia. The pamphlet contained
8 information regarding a ballot question. Investigation
9 showed a City of Forest Park poll worker, Edwin Martinez
10 [ph.], advised he was instructed to distribute the
11 pamphlet regarding the referendum question on the ballot
12 to each voter as they entered the poll. Lois Wright, the
13 Election Supervisor, acknowledged she authorized the
14 distribution of the pamphlet. The pamphlet was titled
15 Forest Park Report Referendum. The pamphlet provided the
16 answers to the following questions. What is free port?
17 Why free port? Why -- what should voters do? We -- the
18 recommendation is for City of Forest Park, former
19 Elections Superintendent Lois Wright, and Edwin Martinez,
20 poll worker, be referred to the AG's Office for 21-2-
21 414(a), restriction on campaign activities.

22 MR. RAFFENSPERGER: Okay. Does the city attorney --

23 MS. WATSON: Yes. I believe there's three people to
24 speak, Mike Williams and two others.

25 MR. RAFFENSPERGER: Okay. Who's first?

1 MS. WATSON: Mr. Williams? Mr. Williams?

2 MR. WILLIAMS: I'm sorry. I was muted. Again, this
3 is Mike Williams. I think the facts in this case speak
4 for themselves. We -- once this came to the City's
5 attention at the time, instructions were given to
6 immediately desist. This was an informational document
7 that was prepared to inform residents as to what was --
8 what the ballot question was about. It wasn't an advocacy
9 piece. It was never intended for this to be anywhere near
10 the polling location, and so, it was immediately put to an
11 end, and again, for the same reasons as the prior case, to
12 the extent action is required for the City, a letter of
13 instruction should be sufficient since those individuals
14 will no longer be part of elections going forward.

15 MR. RAFFENSPERGER: Okay. Does anyone else want to
16 speak? Members, do you have any questions?

17 MS. WATSON: Angela Redding? I believe we have
18 Angela Redding on the line in reference to this case. Ms.
19 Redding?

20 MS. REDDING: Good afternoon. How are you today?

21 MR. RAFFENSPERGER: Good.

22 MS. REDDING: The city attorney covered the -- I'm
23 sorry. The city attorney covered the information that I
24 wanted to mention regarding this case. However, I just
25 wanted to make it known because it states in the findings

1 that I, as the former city manager, authorized the
2 pamphlet to be distributed, and that is inaccurate.

3 MR. WILLIAMS: Mr. Secretary, this is Mike Williams
4 again. I would confirm that. There -- at no point did
5 any city officials authorize this.

6 MR. RAFFENSPERGER: Okay. Okay. Members, any
7 questions? What is your will?

8 MS. THOMAS: Oh, and we have one more person that
9 would like to speak on this case, and it's Robin Kemp.

10 MR. RAFFENSPERGER: Okay. Ms. Kemp?

11 MS. KEMP: Yes, sir. Can you hear me?

12 MR. RAFFENSPERGER: Yes. Go ahead.

13 MS. KEMP: Good afternoon, Mr. Raffensperger and
14 Board. My name is Robin Kemp. I am here in my capacity
15 as a resident and voter in Forest Park. It is also the
16 case that at the time I was a reporter for Blake News
17 Daily covering the City of Forest Park. I just want to
18 put that all on the table.

19 MR. RAFFENSPERGER: Okay.

20 MS. KEMP: I walked into the polling place at the
21 recreation center, gym, whatever, the address you guys
22 have, and I was handed this flier by the young man whose
23 name I -- I don't know but you found. I asked him are you
24 supposed to be giving these out in here because I don't
25 think this is legal? And he said he didn't know. He was

1 just told to give them to everybody. There was another
2 flier up, like, taped up on the wall to the left as you
3 enter, and then as you walk straight in, you're supposed
4 to go and sign in so they can process and check your ID.
5 When I finished voting, I contacted the Secretary of
6 State's Office to inquire as to whether or not this was
7 legal, and I thought it was not, and hence, we're here
8 today. I also did cover this somewhat extensively for the
9 News Daily. I have links to those stories, excerpts, and
10 if you would like them -- you may have them in whatever
11 packet or information you have already, I don't know.

12 But I just wanted to make it very clear that this
13 flier had also been presented the night before at City
14 Council, and while the language does not exactly come
15 right out and say you should vote for this, the
16 implication is pretty clear. My problem with this is that
17 it does not also inform residents and voters of what the
18 negative or downside would be of voting for a free port
19 exemption. Now, I know that there is an article in the
20 Barney [ph.], which although it's a UK publication, it
21 does basically explain free ports can defer to the point
22 where taxes are paid but the tax break is going to mean a
23 loss of revenue for, in this case, the City, and that free
24 ports can risk -- can risk facilitating money laundering
25 and tax evasions as those are not easily subject to checks

1 that are standard [sic] held there. And you know, that
2 information was not provided to voters in this information
3 pamphlet, and it seemed that the City was distributing a
4 very one-sided piece inside the polling place.

5 MR. RAFFENSPERGER: Okay. Thank you. Members, do
6 you have any questions? What is your will?

7 MR. MASHBURN: This is Matt Mashburn. I move that
8 this case be referred to the Attorney General.

9 MR. RAFFENSPERGER: Do we have a second?

10 MS. SULLIVAN: Second. Rebecca Sullivan.

11 MR. RAFFENSPERGER: Any further comments? All those
12 in favor of the motion as presented for 2019-042, signify
13 by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MR. RAFFENSPERGER: Any opposed? Motion carries.
16 Can we do one more case before we take a break? We can do
17 the last of the 2019's. So next case.

18 MS. WATSON: Yes. The 2019-043 case was continued.

19 MR. RAFFENSPERGER: Oh, that's right. Okay. Can we
20 take a -- come back at 3:00, a ten minute break.

21 (Meeting break)

22 (Meeting resumes)

23 MR. RAFFENSPERGER: Okay. Next case?

24 MS. WATSON: The next -- next case is 2020-002, Floyd
25 County. On February 5th, 2020, we received a complaint

1 regarding the late publication of qualifying fees in Floyd
2 County. This was a self-reported violation. Former
3 Elections Supervisor Robert Brady reported the violation.
4 Due to a communication error, the qualification fees were
5 not posted prior to the February 1st, 2020 deadline. The
6 publication was published on February the 5th of 2020. We
7 recommend that the following be issued a letter of
8 instruction for 21-2-131(a)(1): Floyd County Board of
9 Commissioners, Floyd County Board of Elections and
10 Registration, and Former Chief Clerk of Elections Robert
11 Brady, and the violation of 21-2-273 be dismissed.

12 MR. RAFFENSPERGER: Okay. Does anyone from Floyd
13 County want to speak on this matter?

14 MS. THOMAS: Mr. Brady is on the line.

15 MS. WATSON: I believe Mr. -- I believe Mr. Brady is
16 on the line if he wishes to speak.

17 MR. RAFFENSPERGER: Mr. Brady?

18 MR. BRADY: Good afternoon again. No, sir. I don't
19 have anything to add to this. Thank you for your time.

20 MR. RAFFENSPERGER: Thank you. Members?

21 MS. THOMAS: One more person. Virginia Harman is on
22 the line as well. Ms. Harman?

23 MS. HARMAN: Yes, thank you. This is Virginia
24 Harman. I'm a Floyd County attorney. I also represent
25 the Floyd County BOER. Thank you for your time. I was

1 ready to present arguments, but if the recommendation is a
2 letter of instruction, I think we're -- we're perfectly
3 happy with that. We feel like we -- this was a one-off.
4 We have not ever had this happen before. Mr. Brady was
5 new to the job at that time, and it was just a
6 miscommunication and was fixed quickly, and we've taken
7 all necessary steps to make sure it doesn't happen again.
8 So thank you very much.

9 MR. RAFFENSPERGER: Thank you. Members, what would
10 you like to do with this?

11 MR. MASHBURN: This is Matt Mashburn. I move that we
12 issue a letter of intent on the first one --

13 MR. RAFFENSPERGER: Instruction?

14 MR. MASHBURN: -- a letter of instruction on the
15 first count and dismiss the second.

16 MR. RAFFENSPERGER: Do we have a second ?

17 MR. WORLEY: I'll second that.

18 MR. RAFFENSPERGER: Any further discussion? All
19 those in favor of the motion, please do so by signifying
20 aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Motion carries.
23 Next case?

24 MS. WATSON: 2020-008, City of Milan, city council
25 vacancies. The complainant Jerry Lowery [ph.] alleged the

1 City of Milan is not following the city charter and state
2 law concerning the filling of two vacancies on city
3 council. The investigation shows the city charter states
4 provided that if any vacancy shall occur within six months
5 next proceeding the regular election, no special election
6 shall be called to fill said vacancy. Councilman Bruce
7 Hanson [ph.] resigned on May 6th, 2019, and he still had
8 more than six months remaining on city council.

9 Councilman Keith Holtz [ph.] passed away on February 9th,
10 2020, and he still had more than six months remaining on
11 city council. However, no election was held. Our
12 recommendation is for City of Milan Mayor Jimmy Kirkland
13 [ph.] and City of Milan City Council be referred to the
14 AG's Office for two counts of violation of 21-2-504(a) and
15 21-2-540(d). No one is on the phone to speak.

16 MR. RAFFENSPERGER: Okay. Members, what is your depo
17 -- disposition towards this case?

18 MR. MASHBURN: This is Matt Mashburn. I move that we
19 accept the recommendation, and we forward it to the
20 Attorney General's Office.

21 MR. RAFFENSPERGER: Do we have a second?

22 MS. SULLIVAN: Second.

23 MR. RAFFENSPERGER: Any further discussion? Hearing
24 none, all those in favor of the motion as presented for
25 2020-008, please do so by signifying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.

3 Next case?

4 MS. WATSON: Next case is 2020-015, Stephens County,
5 absentee ballot box rules violation. Stephens County has
6 an absentee ballot box that does not have the signage
7 posted as outlined in the SEB rules. During an inspection
8 of absentee ballot drop box, it was found that the drop
9 box did not have the required signage posted. It was also
10 found that the location of the drop box had not been
11 posted to the website per the SEB rules. Our
12 recommendation is for Stephens County Board of Elections
13 and Registration and former Stephens County Chief
14 Registrar Eureka Gober be issued a letter of instruction
15 for the violation of SEB rule 183-1-14-0.6-.14(3)(9).

16 MR. RAFFENSPERGER: Are there any of the Respondents
17 on the call that would like to speak?

18 MS. WATSON: A Rebeckah Bennett is on the line.

19 MS. BENNETT: Yes, there are.

20 MR. RAFFENSPERGER: Ms. Bennett?

21 MS. BENNETT: Can you hear me?

22 MR. RAFFENSPERGER: Yes. Go ahead.

23 MS. BENNETT: Can you hear -- so in this particular
24 case, it was -- hello?

25 MR. RAFFENSPERGER: Yeah. Go ahead.

1 MS. BENNETT: In this particular case, it was noted
2 on multiple occasions that that particular box was outside
3 of the guidelines where the SEB rule (sound cuts out)
4 seemed concerned to make any of those corrections even
5 after it had been duly noted where the complaint (sound
6 cuts out)

7 MR. RAFFENSPERGER: Okay? Members.

8 MS. BENNETT: -- is finally (sound cuts out) the
9 works in this particular case because it wasn't just the
10 Registrar that was aware and outside of that compliance,
11 and it needs to be further noted that that office is still
12 outside of compliance to OCGA and SEB rules.

13 MR. RAFFENSPERGER: Okay. Members, what is your
14 disposition towards this case?

15 MS. BENNETT: You're breaking up. I'm sorry. I
16 missed some of that.

17 MR. MASHBURN: This is Matt Mashburn. I move that we
18 issue a letter of instruction.

19 MR. RAFFENSPERGER: Okay. Do we have a second?

20 MR. WORLEY: I'll second that.

21 MR. RAFFENSPERGER: Okay. David Worley. Any further
22 comments?

23 MS. SULLIVAN: This is -- this is Rebecca Sullivan.
24 Ms. Watson, do we know whether or not Stephens County has
25 brought that box into compliance with the SEB rules at

1 this point?

2 MS. WATSON: We would have to do another inspection
3 to verify.

4 MS. BENNETT: Can I ask a point of clarity?

5 MR. RAFFENSPERGER: Yes.

6 MS. BENNETT: Exactly who are you sending a letter
7 to?

8 MR. RAFFENSPERGER: To Stephens County Board of
9 Elections and Registration and the former Registrar Eureka
10 Gober. I know she's no longer there, but we would send a
11 letter to her as well.

12 MS. BENNETT: So essentially, it's okay for them to
13 function outside of code after being told again and again
14 and again? I mean, I guess that's my thing. You're
15 basically telling them something they've been told
16 multiple times and chose not to adhere to.

17 MR. MASHBURN: This is -- this is Matt Mashburn. The
18 intent of my motion is that we're going to -- we're going
19 to -- we're going to tell them this time, and that's a
20 letter of instruction.

21 MR. RAFFENSPERGER: All those in favor of the motion
22 as presented, signify by saying aye.

23 MR. WORLEY: Mr. Secretary?

24 MR. RAFFENSPERGER: Yes?

25 MR. WORLEY: David Worley here. I'd like to withdraw

1 my second of that motion.

2 MR. RAFFENSPERGER: Okay. Okay. We do not have a
3 second. Is there a second?

4 MS. LE: This is Anh Le. Ms. Watson, given that
5 there is an allegation that this is a continuing
6 violation, would there -- how quick would it be for you to
7 verify that they're in compliance or not?

8 MS. WATSON: We can have someone there tomorrow.

9 MS. LE: So by -- maybe can we table this to week, if
10 that would work for your timeline? I mean, excuse me,
11 next Wednesday's meeting. Okay. I move to table this to
12 next Wednesday's hearing, if that's okay?

13 MR. RAFFENSPERGER: Yeah. Tables trump motions, so
14 motion to table. Do we have a second?

15 MR. WORLEY: I'll second that.

16 MR. RAFFENSPERGER: All those in favor of tabling
17 until next week, signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: We'll pull it off the table until
20 next week. Motion carries. Next?

21 MS. WATSON: Next case is 2020-018, Hancock County,
22 absentee ballot drop box. On Wednesday, May 20th,
23 Investigator Monroe conducted an absentee ballot drop box
24 inspection at the Hancock County Board of Elections Office
25 for the upcoming June 9th, 2020 general primary election.

1 The only problem was that the drop box was a cardboard
2 file box that wasn't taped or locked shut and was sitting
3 unsecured on a table in the lobby. Hancock County
4 Elections Supervisor Gerald McCown told the investigator
5 that the box would be replaced with a metal drop box that
6 was locked as soon as possible. Recommendation is for
7 Hancock County Board of Elections and Registration and
8 Gerald McCown, Hancock County Elections Supervisor, be
9 referred to the AG's Office for violation of State
10 Election Board rule 183-1-14-0.6-.14(6)(7). I believe
11 there's two people on the phone to speak, Andrea Grant,
12 the attorney, and Nancy Stephens.

13 MR. RAFFENSPERGER: Okay. Who wants to go first?

14 MS. GRANT: This is Andrea Grant. I'll go ahead. I
15 had hoped to have the Supervisor on line, and I was
16 wondering do you all have a copy of his statement form
17 that he provided to the investigator in your -- in your
18 packets?

19 MS. WATSON: They have a report of that, not the
20 exhibits.

21 MS. GRANT: I'm sorry?

22 MS. WATSON: They have the report but not the
23 individual exhibits.

24 MS. GRANT: The statement form that he signed? Are
25 you calling that the exhibit?

1 MS. WATSON: Yes, ma'am.

2 MS. GRANT: I'm sorry. I don't -- I'm just trying --
3 I know it's really hard for us to do this like that. A
4 couple things that I would like to say on behalf of the --
5 the Board of Elections and Registration. As -- as you all
6 know that there's constant turnover in the staff and we've
7 had several Board members die in the past year or so, plus
8 the real difficulty was the emerg -- this was actually an
9 emergency room -- rule that was being implemented kind of
10 at the eleventh hour, and I understand completely why the
11 need for it, but I think all those things in combination
12 is what culminated in he -- Mr. McCown does not dispute
13 that he was not in compliance for a time period. I don't
14 have the exact time period that he was not in compliance,
15 and I -- I did ask him some questions so if you have any
16 questions for me about the compliance for the drop box in
17 the lobby, I'll be glad to answer it.

18 There are two things in the investigative report that
19 are not really crucial but kind of crucial. One thing it
20 says is that Gerald McCown Reed completed her [sic]
21 election certification training on 4/9/2010, and I know
22 that -- bless their hearts, the investigators have been
23 going nuts trying to get all this, and it's probably a cut
24 and paste, but Gerald McCown has not completed his
25 certification. And then I noticed under the potential

1 violations, and I apologize -- under the violations, it
2 says that they violated 183-1-14-0.6-.14, and I'm
3 wondering if it should be 183-1-14-.08-.14. Do we care?
4 I don't know. I'm assuming -- I mean, there's only one
5 drop box rule, so I have no -- no dispute about that, but
6 it just may be an incorrectly stated rule. And I'll be
7 happy to answer any questions, especially after the other
8 speaker speaks.

9 MR. RAFFENSPERGER: Okay. We have another --

10 MS. WATSON: Ms. Stephens? Ms. Stephens?

11 MS. STEPHENS: Yes. Can you hear me all right?

12 MS. WATSON: Yes, ma'am.

13 MS. STEPHENS: I have been a member of the Hancock
14 County Board of Elections and Registration since it was
15 created on July 1st, 2011. It has been extremely
16 difficult to try to bring Hancock County into compliance
17 with everything we should be doing. I feel that some of
18 our Board members have the opinion that laws are only a
19 suggestion and that you aren't breaking the law if you
20 don't get caught.

21 This case is about an absentee ballot box that was
22 placed in our office in May of 2020. It was an empty copy
23 paper box with a slit cut in the top and ballot box
24 written on the box. When I went into our office and saw
25 the box, I asked our Elections Supervisor, Gerald McCown,

1 if he had read the SEB rule and if that box met the
2 requirements. He said of course he had read it, and I
3 needed to stop asking him things like that. I went home,
4 read the requirements, and immediately called our
5 supervisor back and told him the box needed to be removed,
6 and he needed to read the SEB rule. I also texted our
7 Board Chair and sent an email to all the Board members
8 about the box.

9 The box remained there for several days. I went by
10 the office a day or so later. The box was still there. I
11 again said that it needed to be removed and emailed Board
12 members. A few days later, the box was gone, and I was
13 told by our supervisor that he had removed the box before
14 the Secretary of State investigator had come into the
15 office. He had not. In a sworn statement form from our
16 supervisor dated July 15th, 2020, our supervisor states
17 the cardboard box was there for a day and a half. This is
18 not true. The supervisor also states that there had
19 previously been a metal box in place, but it had gotten
20 full, and he had put the cardboard box there temporarily.
21 This is not true. The first ballot box used in the office
22 was the cardboard box.

23 I tried to get our Board members to call a meeting to
24 discuss this situation along with several other items
25 where we were not in compliance. They would not. This

1 was not discussed in a meeting until around July or
2 August, when our Elections Supervisor gave us a copy of
3 the sworn statement form. I questioned the information
4 that our super had -- supervisor had provided to
5 Investigator Monroe. I told the Board that our supervisor
6 -- what he had said was not true and that he had stated
7 this in a sworn statement to the Secretary of State
8 investigator. They did not care. There was no action
9 taken. I also informed Investigator Monroe about the
10 incorrect statements on the sworn statement form.

11 In the past, Hancock County has been fined by the
12 State Election Board. These fines are then paid by the
13 County, so it really has no effect on the Board of
14 Elections and Registration or the employees. I would like
15 to suggest that the SEB -- to the SEB that perhaps fines
16 could be issued against the individual, especially in this
17 instance, when false information was provided to the
18 investigator. Hancock County has a good many cases that
19 have been transferred to the Attorney General's Office,
20 some as old as 2011 that are still unresolved. Until we
21 make the individuals accountable, I do not know that we
22 will be able to improve elections and compliance in
23 Hancock County. Thank you for your time.

24 MR. RAFFENSPERGER: Okay. Any members have any
25 questions for any of the Respondents or for our

1 investigator? What is the will of the Board?

2 MS. WORLEY: This is David Worley. I make a motion
3 that we refer this matter to the Attorney General.

4 MR. RAFFENSPERGER: Okay. Do we have a second?

5 MR. MASHBURN: Matt Mashburn, second.

6 MR. RAFFENSPERGER: Any further comment? All those
7 in favor of the motion as presented for 2020-018, signify
8 by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.
11 Next case?

12 MS. WATSON: Next case is 2020-024, Glynn County,
13 deceased voter. Election Supervisor Christopher Channell
14 reported they received an absentee ballot that was
15 postmarked a day or two before the voter Richard Graham
16 McKenna, Senior passed [ph.] away. Mr. Channell stated
17 the signature for Richard Graham McKenna, Senior did not
18 match his voter registration card. Mr. Channell advised
19 the signature was a close match to the voter's son's
20 signature on the oath envelope. Richard Graham McKenna,
21 Junior signed the oath that he assisted his father to vote
22 his absentee ballot. Investigation revealed Mr. McKenna
23 advised he thought it was okay for him to sign his
24 father's name as his father was not able to sign himself.
25 Mr. McKenna did sign as assisting on the oath envelope.

1 Mr. McKenna states his father told him who he wanted to
2 vote for, and he marked the ballot, as his father was in
3 pain and unable to do so himself. We recommend Richard
4 Graham McKenna, Junior be bound over to the AG's Office
5 for 21-2-562.

6 MR. RAFFENSPERGER: Is Mr. Mc -- is Mr. McKenna or
7 his attorney --

8 MS. WATSON: No. He is not.

9 MR. RAFFENSPERGER: What is the will of the
10 Committee?

11 MR. WORLEY: Mr. Secretary, this is David Worley. I
12 just had a question for Ms. Watson. So the issue here is
13 that rather than letting his father make an x and signing
14 that he had assisted, he signed both his father's name and
15 his name as assisting? Is that it?

16 MS. WATSON: Correct.

17 MR. WORLEY: I -- I don't see this as a violation,
18 and I would make a motion that we dismiss it.

19 MR. RAFFENSPERGER: Do we have a second?

20 MR. MASHBURN: Matt Mashburn, I second.

21 MR. RAFFENSPERGER: Okay. Any further comment? All
22 those in favor of dismissing the case as presented by the
23 motion, please do so by voting aye for 2020-024.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Okay. Next case?

2 MS. WATSON: Next case is 2020-076, Gwinnett County.
3 On August 11th, 2020, James Shay [ph.] observed a vehicle
4 parked in the parking lot of the Gwinnett County poll
5 location at Winters Chapel United Methodist Church,
6 located at 5105 Winters Chapel Road. He advised the
7 vehicle had a Turn Georgia Blue 2018 sign posted in the
8 rear driver's side window.

9 Investigation showed the car was determined to belong
10 to a poll worker at the precinct. The car was found to be
11 approximately 83 feet from the edge of the building. The
12 poll manager advised the sticker was an old sticker and
13 did not have a candidate's name on it and believed it was
14 further than a hundred and fifty feet. The poll worker,
15 Betsy Shaver [ph.] was interviewed and advised the car was
16 outside a hundred and fifty feet, and she had the sign
17 since 2018, and it was not campaigning. We recommend
18 Gwinnett County Board of Registration and Election,
19 Elections Supervisor Kristi Royston, poll manager Kimberly
20 Rowland [ph.], and Betsy Shaver be referred to the AG's
21 Office for 21-2-414(a)(1)(a).

22 MR. RAFFENSPERGER: Okay. And there's someone on the
23 call from --

24 MS. WILSON: Good afternoon -- good afternoon,
25 Chairman Raffensperger and members of the Board. My name

1 is Melanie Wilson. I'm the senior assistant county
2 attorney with the Gwinnett County Law Department,
3 representing the Board of Registration and Elections and
4 Ms. Royston, the Elections Supervisor, who I believe is on
5 the call. And so certainly, there has to be -- it has to
6 be acknowledged that the -- the old elections -- the old
7 campaign sign on a vehicle belonging to a poll manager is
8 certainly conduct attributable to that poll manager, and
9 it would have been better, most definitely, if when the
10 issue was brought to their attention, the vehicle had
11 simply been moved to a location beyond the hundred and
12 fifty square feet, the area within which campaigning is
13 restricted.

14 The response given to the investigator by the poll
15 workers who were questioned indicates a need for training,
16 and I can assure you -- and if you want to hear from Ms.
17 Royston, she will say the same thing -- but the subject
18 matter of what's permissible conduct in terms of
19 campaigning, that is the subject of training for all
20 Gwinnett County poll workers. It will continue to be the
21 subject matter for training for Gwinnett County poll
22 workers. And so this -- this incident kind of presents a
23 good example of the kind of matter that poll workers have
24 to be aware of. Yes, it was a 2018 sticker. Yes, it was
25 not specific to a particular candidate or a particular

1 party, but the color was associated with one political
2 party, and that was the message in the sticker, and that
3 was clearly the message that the person, the complainant,
4 understood.

5 This was a runoff election held back on August 20th.
6 There was -- there was one partisan race on the ballot,
7 but there were six -- there was one nonpartisan race on
8 the ballot, I beg your pardon, but there were six partisan
9 races, and so there's not going to be an assertion by the
10 Board of Registration and Elections that this -- that this
11 sticker was not problematic or that perhaps it wasn't a
12 close violation of the rule, but having said all of that,
13 I want to restate again that this -- to attribute this
14 failure by a poll worker who may or may not have been
15 aware that she still had the sticker on her car -- to
16 attribute that failure to the Board of Registration and
17 Elections, I -- I'd ask the Board not to do so and
18 certainly ask the Board not to attribute this failure to
19 the Elections Supervisor. So that would be my first
20 request that at a minimum, both the Board of Registration
21 and Elections and Ms. Royston be -- be dismissed, but in
22 the alternative, members of the Board, as an alternative
23 to a referral to the Attorney General, I would request
24 that the Board consider issuing a letter of instruction to
25 the Board, to Ms. Royston, and to the -- and to the two

1 poll workers, the owner of the vehicle, Ms. Betsy Shaver,
2 and also the poll manager, Ms. Kimberly Rowland.

3 I do think that the training that we provide doesn't
4 skirt this issue, doesn't ignore this issue. It
5 emphasizes the importance of this issue. I think this
6 recent example is a good example for us to include in our
7 training material that, you know, whether it's someone
8 wearing an old t-shirt, something that we heard earlier
9 today of coming out of Fulton County, or a vehicle with an
10 old sticker as is the case with the pending matter, these
11 issues are ones that can be adequately and fully addressed
12 in training, and I would like to offer the Board our
13 assurance on behalf of the Board of Registration and
14 Elections that this is the kind of thing that we can -- we
15 can do a better job of. We will do a better job of. We
16 will take -- continue to take steps to ensure that our
17 training makes it crystal clear that a matter like this
18 needs to be appro -- approached seriously. And so with
19 that, I would ask once again that the Board issue a letter
20 of instruction and not refer this matter to the Attorney
21 General.

22 MR. WORLEY: Mr. Secretary, this is David Worley. I
23 just had a point to make which is that usually, when we
24 hold county election officials responsible for something
25 that a poll worker or poll manager has done, it's because

1 they were -- they, the poll manager or worker, were
2 carrying out some official duties and acting in an
3 official capacity in some way. In this case, I don't -- I
4 don't see that happening because at least as to Ms.
5 Shaver's -- I mean, that was -- she wasn't doing anything
6 to administer the election. She was just parking her
7 vehicle too close to the poll, so I don't -- I don't see
8 any liability for Gwinnett County here.

9 MR. RAFFENSPERGER: Okay. So what is the will of the
10 Board then?

11 MR. MASHBURN: This is Matt Mashburn. I agree that
12 the County's liability is tenuous on this at best. I move
13 to dismiss the County and issue a letter of instruction to
14 Betsy Shaver.

15 MR. RAFFENSPERGER: Okay.

16 MR. WORLEY: I would second that.

17 MR. RAFFENSPERGER: Okay. Any further discussion?
18 Hearing none, all those in favor of the motion, signify by
19 saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those opposed? Motion carries.
22 Next?

23 MS. WATSON: Next case is 2020-081, DeKalb County.
24 In August 2020, we received three complaints regarding the
25 issuance of absentee ballots during the DeKalb County 2020

1 primary runoff election and one complaint regarding voter
2 fraud over several years in DeKalb County. Mark Clorack
3 [ph.] advised he requested his absentee ballot for the
4 2020 primary runoff election and did not receive the
5 absentee ballot. It was confirmed that the ballot was
6 processed on 7/6/2020. Journey Taylor [ph.] submitted an
7 absentee ballot request, and it was processed on August
8 the 5th, 2020. Taylor's application could not be located
9 by DeKalb County, so the date received could not be
10 confirmed.

11 There were numerous complaints regarding Brittany
12 Bohn, B-o-h-n, posting on social media that she was voting
13 in Georgia when she was living and working in New York.
14 Records indicate she has been living at various addresses
15 in New York since 2013, and she is registered to vote in
16 New York but has not voted in New York. Brittany advised
17 she did fill out a voter registration in New York but did
18 not receive anything to confirm she was registered and was
19 unaware that she was registered. The address listed for
20 her Georgia registration is a property owned by her
21 parents at 2733 Brake Wood Road, Atlanta, Georgia.
22 Brittany maintains a Georgia driver's license. The
23 neighbors claim Brittany moved several years ago but
24 visits from time to time.

25 Brittany confirmed that she leased an apartment and

1 lived in New York from September 2018 through October of
2 2020. Brittany advised she decided to return to Georgia
3 in October of 2020 because the theater industry in New
4 York was shut down. She is now back in New York. It was
5 confirmed that she voted in the DeKalb County 2018 general
6 election, and she attempted to vote absentee by requesting
7 absentee ballot during the DeKalb County 2020 presidential
8 preference primary election. Brittany and her father
9 contacted me after notices were -- were sent out for this
10 meeting to reiterate that Brittany is in the theater
11 industry, and her location of residence is fluid.
12 Brittany states she considers Georgia her residence.
13 Brittany stated she did contact the Georgia Secretary of
14 State's Office and stated she was wanting to vote and was
15 told as long as her voter registration was active, and she
16 had a Georgia driver's license that she could vote.

17 Based on the information provided by Brittany and her
18 father, I recommend voter Brittany Bohn be issued a letter
19 of instruction for 21-2-573 and DeKalb County Board of
20 Voter Registration and Elections Office be issued a letter
21 of instruction for violation of 21-2-273, when the DeKalb
22 County was unable to find a 2020 primary runoff
23 application for absentee ballot for a particular voter,
24 and I believe Ms. Bohn is on the line.

25 MS. BOHN: Yes, hi. I think you covered that well,

1 and thank you for adding the extra information. I just
2 want to write -- or read what I wrote, and it may
3 reiterate, but it's something that's important to me that
4 I wanted to make sure was stated, and thank you for
5 allowing me to speak on my behalf. Like was said,
6 allegation four is stating that I am not a legal resident
7 of Georgia, but to my understanding, I have always been a
8 legal resident of Georgia and therefore still have my
9 Georgia ID, and I've never voted anywhere else. Like
10 stated, I'm a traveling performing artist. I tour around
11 the country due to my work, and it's made most sense for
12 me to maintain my Georgia home as my permanent address.
13 Like said, just recently, I felt stable enough to get an
14 apartment in New York and looked into registering to vote
15 there. Then, the pandemic happened, which shut down my
16 entire arts industry until further notice. Therefore, I
17 decided to go home to Georgia for a while until I figured
18 out my next move.

19 For this past election, I went out of my way to call
20 the Georgia Secretary of State as stated to make sure that
21 I could vote in Georgia legally. I spoke to a woman about
22 my situation that I looked into, but never heard -- oh,
23 that I looked into registering in New York but never heard
24 anything back from them, no paperwork, emails,
25 confirmation that they had received my registration. They

1 said correct. My Georgia voting status was in good
2 standing, and as long as I had my ID from Georgia, I
3 wouldn't have any issues. I appreciate all the work
4 that's gone into this. If it's no longer the case that
5 I'm eligible to vote in Georgia, I completely understand,
6 and ultimately, I just wanted my voice to be heard in this
7 important election, and that's what I was told legally
8 that I could do. So thank you.

9 MR. RAFFENSPERGER: Thank you, Ms. Bohn. Do we have
10 someone from DeKalb County?

11 MS. WATSON: No, sir.

12 MR. RAFFENSPERGER: Members?

13 MS. LE: Mr. Secre -- Mr. Secretary, this is Anh Le.
14 I will recuse from this case.

15 MR. RAFFENSPERGER: Okay. Fair enough. And members,
16 now would be the appropriate time to make a motion if
17 you're so inclined.

18 MR. WORLEY: Mr. Secretary, David Worley here. Given
19 that Ms. Bohn did inquire of the Secretary of State's
20 Office and was told that it would be all right for her to
21 vote in Georgia because she hadn't heard whether her
22 registration -- attempted registration in New York was
23 valid, I would make a motion to dismiss the charge against
24 her and to send a letter of instruction to DeKalb County.

25 MR. RAFFENSPERGER: Okay. Do we have a second?

1 MR. MASHBURN: This is -- this is Matt Mashburn. I
2 will second it. Simply, the thing that persuades me on
3 that is that I understand from reading the file that she's
4 never voted in New York, not a single time. Correct?

5 MS. WATSON: That is correct.

6 MR. MASHBURN: Yeah. Then I second it.

7 MR. RAFFENSPERGER: Any further discussion? All
8 those in favor of the motion, please signify by saying
9 aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Next case?

13 MS. WATSON: Next case is 2020-094. A Christina
14 Peterson [ph.] reported to the Georgia Secretary of State
15 that Crystal Moore [ph.] was using a post office box as
16 her voter registration address. The investigator was able
17 to determine by speaking with Crystal Moore that she is
18 using 570 Piedmont Avenue NE, Unit 55012 as her voter
19 registration residence and mailing address. That address
20 is a US Post Office. Ms. Moore advised her voter
21 registration address -- with her current circumstances,
22 she does not have a permanent address. She advised she
23 looked up the rules before she did it to see if it was
24 acceptable, and she advised she does not have any other
25 address to live. The investigator was not able to

1 determine if Ms. Moore was living outside of her voting
2 district when she voted in the June 6th, 2020 and August
3 11, 2020 elections. Our recommendation is for Crystal
4 Moore to receive a letter of instruction regarding 21-2-
5 217(a)(1). Is she on the line? Ms. Moore was on the
6 line, but she had to leave at approximately 1 o'clock for
7 another engagement.

8 MR. RAFFENSPERGER: Members, do you have any
9 questions? What is your disposition on this case?

10 MS. LE: I move that we accept the recommendation of
11 issuing a letter of instruction.

12 MR. RAFFENSPERGER: Do we have a second?

13 MS. SULLIVAN: Second.

14 MR. MASHBURN: Second, Matt Mashburn.

15 MR. RAFFENSPERGER: Any further discussion? All those
16 in favor of the motion, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Those opposed? Motion carries.

19 Next?

20 MS. WATSON: The next case is 2020-096. On September
21 the 14th, 2020, Shauna Dozier with Clayton County
22 Elections notified our office that a resident in the City
23 of Riverdale at 403 Valley Hill Road may have a ballot box
24 and provided photos of the box. It was determined that
25 Doris Woods [ph.], the resident at 403 Valley Hill Road

1 Southwest, Unit 403, did have a box or container labeled
2 ballots set on a table outside of her door. It was
3 determined from speaking from Ms. Woods that she was
4 trying to get her neighbors engaged in the voting process
5 and was handing out absentee ballot applications that
6 could be completed and placed in the container to be
7 picked up and delivered to the Elections Office. Once Ms.
8 Woods was contacted, she removed the box. We're
9 recommending Doris Ann Woods be issued a letter of
10 instruction regarding SEB rule 183-1-14-0.6-14.

11 MR. RAFFENSPERGER: Is Ms. Woods on the phone?

12 MS. WATSON: She is not.

13 MR. RAFFENSPERGER: Okay. What is the Board's
14 position on this?

15 MR. WORLEY: Mr. Secretary, David Worley here. I'm
16 somewhat at a loss as to how to handle this case because
17 the -- the rule that we passed relates to drop boxes, and
18 I -- I don't know that there's any part of it that applies
19 to an individual. Essentially, we allow counties to do
20 this. I don't think there's a prohibition anywhere in the
21 statute about somebody putting together a piece of
22 cardboard and, you know, soliciting voter registration
23 applications that they can then turn into the county. So
24 I -- I'm not saying that what she did was right or that it
25 should be encouraged or anything like that. I'm just

1 saying we need some specific statutory or regulatory
2 authorization to do something about it, and I -- I'm
3 having trouble finding where that would be. I would ask
4 Ms. McGowan if that -- you know, if she could direct us to
5 something.

6 MR. RAFFENSPERGER: Can I ask a question also to that
7 point? It says ballots here. Were ballots -- were
8 absentee ballot applications put into this box, or were
9 actual absentee ballots -- because then it's ballot
10 harvesting and that's covered in House Bill 316, which is
11 illegal.

12 MS. WATSON: There is no information pertaining to
13 any ballots that were put into the box. She was handing
14 out absentee ballot applications for people to complete
15 and leave in the box, for her neighbors.

16 MR. RAFFENSPERGER: So to the Attorney General's
17 Office?

18 MS. MCGOWAN: Mr. Secretary, without the opportunity
19 to review the file further, I don't think I can provide a
20 legal opinion in this case. It's up to the Board to look
21 at the facts presented and the violations alleged and
22 determine whether or not there's probably cause.

23 MR. MASHBURN: This is -- this is Matt Mashburn. I -
24 - I would like Ms. Watson to go back and find out from Ms.
25 Woods if she ever -- what exactly -- if anything she ever

1 collected in the box and if so were any ballots ever in
2 that box.

3 MS. WATSON: Yes. She only collected absentee ballot
4 applications in it.

5 MR. MASHBURN: And what did she -- what did she do
6 with them?

7 MS. WATSON: A candidate came by and picked them up
8 to take them to turn them in.

9 MR. RAFFENSPERGER: I believe that's currently
10 lawful, and I think there will be discussions in the
11 General Assembly this session, but where she was at that
12 point -- and Mr. Germany, I believe, is still tied up in a
13 meeting, correct, so --

14 MS. SULLIVAN: This is Rebecca Sullivan. If the
15 Board would agree, I do see Mr. Worley's point regarding
16 the specific rule violation alleged here today, but I
17 think we need to explore a little bit better if there is
18 another rule that may have been violated in this case, so
19 I would make a motion to table it until next week until we
20 can look at that a little bit closer.

21 MR. WORLEY: This is Mr. Worley. I would second
22 that.

23 MR. RAFFENSPERGER: Okay. Any further discussion?

24 MS. LE: And this is Anh Le. Ms. McGowan, would you
25 be able to give us some insight on -- you said you didn't

1 have a chance to look at this. Would next week be okay,
2 next Wednesday's meeting?

3 MS. MCGOWAN: I can take a look at it between now and
4 next week's meeting.

5 MS. LE: Okay. Thank you.

6 MR. RAFFENSPERGER: All those in favor of tabling
7 this, signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: It's tabled. Next case?

10 MS. WATSON: Next case is 2020-112, Henry County. On
11 October 14th, 2020, the Investigations Division opened an
12 investigation concerning a complaint that a candidate in
13 Henry County was supplying voters in line at a polling
14 location with snacks and water. The candidate was
15 identified as Kelly Rose Alsiver [ph.], a candidate for
16 State Senate District 17. On October 14th, 2020, it was
17 reported by a witness that Kelly Rose Alsiver came to the
18 front of the line of voters with a wagon full of bottles
19 of water, oranges, and urged people to help themselves.
20 She introduced herself to voters in line as Kelly Rose
21 running for Senate. Kelly Rose states that she went to
22 the poll on two occasions to pass out water and snacks to
23 those in line. She states she was not wearing any
24 campaign clothing. On social media, she states that
25 everyone knows her by her hair. Kelly -- our

1 recommendation is for Kelly Rose Alsiver, candidate for
2 Georgia State Senate District 17, be referred to the AG's
3 Office for violation of 21-2-414(a)(3) and 21-2-570. And
4 I believe that she's represented by a Gary Spencer.

5 MR. SPENCER: It's not a Gary Spencer. It's just
6 Gary Spencer. So we have -- we'd like to ask you all to
7 consider tabling this for the following reasons. If you
8 look at the complaint and the findings, there's a couple
9 of things that are missing that -- that appear to be
10 inculpatory to Ms. Rose that are just not true. For
11 example, there is a video which she allegedly
12 livestreamed. We have that video that I think it would be
13 helpful for you all to see that in fact, she does not
14 appear to be at the location where the impression is
15 created that as though she is doing something wrong.

16 As it relates to the violations, if we go to 5720
17 first, the investigator says there is evidence to suggest
18 that Ms. Rose offered gifts in the form of water and --
19 while waiting in line. Well, that allegation does not
20 even meet the statutory requirement in that it doesn't say
21 she did it for voting. But even though, we have
22 affidavits from people who were present and said it didn't
23 happen. So instead of sending this to the AG because we
24 have evidence -- and this is not a question of law. We
25 have evidence that she did not do what she's accused of.

1 We'd ask you all to allow us to present this evidence to
2 the investigator. She, my client, just received the
3 certified letter on the 7th and so we'd like -- we'd like
4 to be able to present this evidence to the investigator
5 because this is not a case where there's an interpretation
6 of the law. This is a case where she did not do anything
7 wrong, and so we'd like to present that evidence before
8 having it go to the Attorney -- the Attorney General.

9 MR. MASHBURN: This is Matt Mashburn. Just so I
10 understand you correctly, counselor, you're going to --
11 you're going to disprove that she was within a hundred and
12 fifty feet of the polling place?

13 MR. SPENCER: I'm going to disprove that she was not
14 campaigning while she was within a hundred and fifty feet
15 of the polling place. That's what I'm saying. Yes.

16 MR. MASHBURN: What was she doing within a hundred
17 and fifty feet of the polling place?

18 MR. SPENCER: She was giving out water because
19 several people had passed out already that day because of
20 the long lines and the heat.

21 MR. WORLEY: (very distorted sound) Mr. Secretary,
22 David Worley. I make a motion that we table this until
23 the next meeting.

24 MR. SPENCER: I'm sorry. I couldn't hear you, Mr.
25 Worley.

1 MR. RAFFENSPERGER: You're breaking up, Mr. Worley,
2 but I think you said you would make a motion to table this
3 until the next meeting?

4 MR. WORLEY: (very distorted sound) Yes. I would
5 like to table this because had Ms. Spencer asked for a
6 continuance --

7 MR. RAFFENSPERGER: Your connection has -- is that --
8 is that the gist of what I heard to table until next week?

9 MR. WORLEY: (very distorted sound) Yes, sir.

10 MR. RAFFENSPERGER: Okay. Great. Do we have a
11 second to table until next week?

12 MR. MASHBURN: Matt Mashburn, second.

13 MR. RAFFENSPERGER: Okay. All those in favor,
14 signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Motion carries. Okay. Next
17 case?

18 MS. WATSON: Next case is 2020-138, Pickens County.
19 We've received three complaints that alleged Pickens
20 County advance voting site did not have the basic
21 accessibility features needed for persons with
22 disabilities and that the advance voting site was not
23 equipped with poll workers who were trained to assist the
24 disabled. Poll workers were interrogating voters to
25 determine the nature of their disability.

1 MR. SPENCER: Okay. So I'm going to log out.

2 MS. WATSON: Investigation revealed the location was
3 visited and evaluated as to the space requirements for
4 those with handicapped access. It was found that areas
5 within the location were not in compliance with the space
6 needed and required by the Americans with Disabilities Act
7 space allowance and reach range standards. It was noted
8 that there were electrical cords that could hamper the
9 ability of a person in a wheelchair or that may have sight
10 issues. Our recommendation is for Pickens County Board of
11 Registration and Elections and Pickens County Election
12 Supervisor Julianne Roberts be referred to the AG's Office
13 for a violation of 21-2-265(b).

14 MR. RAFFENSPERGER: Okay. Is anyone here from
15 Pickens County?

16 MS. WATSON: No, sir.

17 MR. RAFFENSPERGER: Okay. What is the will of the
18 Board?

19 MS. LE: I move -- this is Anh Le. I move to accept
20 the recommendation and send this to the AG's Office.

21 MR. RAFFENSPERGER: Do we have a second?

22 MR. MASHBURN: Matt Mashburn, second.

23 MR. RAFFENSPERGER: Any further discussion? All
24 those in favor of sending this to the Attorney General's
25 Office for case 2020-138, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.

3 Thank you. Next case?

4 MS. WATSON: Next case is 2020-161, Banks County. On
5 November 3rd, 2020, an investigator with our office
6 observed campaigning while conducting a site inspection on
7 Banks County polling precinct during the 2020 general
8 election. The investigator observed a campaign hat
9 bearing the name of a candidate on the ballot resting on
10 the dashboard of a vehicle parked near the entrance of the
11 polling precinct. The hat was in plain view to voters
12 entering the polling precinct.

13 Investigation revealed that the investigator observed
14 a vehicle parked in the handicapped space with a hat
15 displaying Trump 2020 displayed on the dash. The vehicle
16 was within approximately 15 feet of the edge of the
17 building. The person identified as associated with the
18 hat was a Patrick Cayson [ph.]. Mr. Cayson left the hat
19 in the car and was not aware that he was in violation of
20 the no campaigning law. Recommendation is to issue a
21 letter of instruction to Patrick Cayson. Mr. Cayson did
22 call and reports that this did occur, and he was unaware
23 of the violation but is now aware of the violation and
24 will be careful in the future as to where he leaves any
25 material with campaign literature on it at a polling

1 location. There is no one on the call.

2 MR. RAFFENSPERGER: Okay.

3 MR. MASHBURN: This is Matt Mashburn. I agree a
4 letter of instruction is proper, and so I move that we
5 issue a letter of instruction.

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. LE: Anh Le, I'll second that.

8 MR. RAFFENSPERGER: Any further discussion? All
9 those in favor, please signify by saying aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.

12 Next case?

13 MS. WATSON: Next case is 2020-212, Douglas County.

14 The Secretary of State's Office opened this investigation
15 following an allegation that the Douglas County Board of
16 Elections and Registration failed to ensure and verify
17 that all votes on memory cards were uploaded into the
18 elections management tabulation system. Investigations
19 revealed Douglas County Director Milton Kidd reported to
20 our office that he had identified a memory card containing
21 votes that had not been included in the initial
22 certification as the memory card was not uploaded. This
23 was discovered as a result of the state-wide audit when
24 Douglas County realized they had more ballots on hand than
25 the count submitted for certifications.

1 A Tiana Harvey [ph.] with the Dominion Voting System
2 advised she may not have checked all the tabulation --
3 tabulators, resulting in missing this memory card. She
4 also stated that at the time, she was not aware there was
5 a process to verify the data had successfully uploaded.
6 The number of votes on the memory card was 293. The
7 results were corrected and recertified on November 17th,
8 2020. We recommend that Milton Kidd, the Douglas County
9 Elections Director, be bound over to the AG's Office for
10 State Election Board rule 183-1-12-.12(b), consolidation
11 of results.

12 MR. RAFFENSPERGER: Okay. Anyone here from Douglas
13 County?

14 MS. WATSON: Yes, I believe Milton Kidd.

15 MR. LINKOUS: Yes, and Bill Linkous on behalf of
16 Douglas County Board of Election is here. Can you hear
17 me?

18 MR. RAFFENSPERGER: Yes. Go ahead.

19 MR. LINKOUS: Okay. Thank you, and good afternoon,
20 Mr. Secretary and Board members. My name is Bill Linkous.
21 I'm here representing the Douglas County Board of
22 Elections and Milton Kidd, the Director, who I believe is
23 also on the call. We are going to be asking and
24 requesting of the Board either dismissal or a letter of
25 instruction as to this issue, and the reason is that the

1 facts here are pretty simple. They show a simple, self-
2 reported computer issue that really was no one's fault.
3 It was immediately corrected and which has not occurred
4 since.

5 The November 2020 election was only the second time
6 that Douglas County had used the current election system
7 from an IT standpoint. Although they had requested
8 additional training earlier in the year, the training
9 received by Douglas County as to this issue amounted only
10 to a general overview of the new system. They were told
11 to lean heavily on the Dominion county technician that was
12 provided, and they did so. The problem occurred when the
13 technician, who was mentioned in the report, was loading
14 the memory cards into the system. There was no intent to
15 do anything wrong here. It was all something that was
16 according to the process, but what happened was the
17 technician was handling the uploading of the memory cards
18 and as to one card, she believed that the card had
19 uploaded, but it did not upload. No one is sure why the
20 memory card did not upload, but all of the other memory
21 cards uploaded correctly in the -- during the process.

22 So the problem with the memory card was discovered
23 during the risk-limiting audits/hand recount process.
24 When the technician discovered during the recount that the
25 CF card did not upload successfully, Douglas County

1 immediately reported it to the State. The technician also
2 immediately called both her regional manager and the
3 Dominion trainer to prevent this CF card issue from
4 happened in the future. The regional manager had not been
5 trained on how to double check CF card upload. The
6 Dominion trainer knew how to do it and tried to walk the
7 technician through the process of double-checking CF card
8 upload, but it was not a simple task that could be easily
9 explained over the phone. The bottom line is that neither
10 the technician nor her regional manager had the training
11 to respond to this IT issue through the CF card result
12 verification process.

13 However, they were able to correct the issue, and
14 Douglas County recertified the election without any
15 problems. It has since instituted full correctives
16 measures and conducted the January 2021 runoff election
17 with no issues or problems either of this sort or any
18 other. There was never a problem with an envelope or a
19 container being misplaced or improperly opened or even
20 overlooked as the report indicates. To the extent that
21 the report indicates that, it's simply not correct.
22 Therefore, we would contend that there is no violation of
23 the OCGA section or the State Board regulations that are
24 cited. Simply, the process was going on and simply a card
25 just didn't take as the process was going on properly and

1 according to the law. So because there was no violation
2 of any law or rule and because this is a technical issue
3 over which Douglas County's election system had basically
4 no control, we would respectfully request that the Board
5 either dismiss the case or issue a letter of instruction
6 instructing the folks at the County to continue to use the
7 current corrective reconciliation methods that they have
8 put in place since this issue was discovered.

9 And in summary, we believe that there wouldn't really
10 be any purpose in sending this issue to the AG's Office
11 because it essentially was something we could not have
12 spotted beforehand and was done -- everything possible was
13 done to correct it the second that it was discovered nor
14 was there any intent to break any rules or regulations.
15 And so we would respectfully -- respectfully again request
16 that it either be dismissed or a letter of instruction be
17 issued. Thank you.

18 MR. RAFFENSPERGER: Thank you. Anyone else want to
19 speak on this case? Members of the Board, what is your
20 position towards this case?

21 MR. WORLEY: (very distorted sound) Mr. Secretary,
22 David Worley. I find the lawyer's argument very
23 persuasive, and I move to --

24 MR. MASHBURN: David Worley, we couldn't hear you.

25 MR. RAFFENSPERGER: Yeah, you're all breaking up.

1 You sound like you're -- we can't understand you.

2 MR. MASHBURN: I have a question while David is
3 working on his technical difficulties to the attorney.
4 How did it -- how did it come to be that in the original
5 count in the initial election certification results it
6 didn't show up that there were 293 more voters than votes?

7 MR. LINKOUS: I can't answer with specifics on that
8 except to say that because the process was changed, they -
9 - they were unfamiliar with the process to request the
10 voter list, and the new process that was put in place took
11 longer, and it was never laid out fully in training. So
12 that -- that's the best that I can determine for why it
13 didn't turn up. Obviously, that issue, if there is one,
14 has definitely been corrected. They have fully instructed
15 themselves on how to double check the vote process during
16 the initial certification process.

17 MR. MASHBURN: Thank you.

18 MR. RAFFENSPERGER: Okay. What is the will of the
19 Committee?

20 MS. LE: This is Anh Le. I'm sorry, David Worley, if
21 I don't know your motion, and I don't -- if it's to send
22 to the AG, I would second that. If it's not, I would move
23 -- well, is there a motion? Sorry. Is there a motion
24 from David Worley?

25 MR. RAFFENSPERGER: Couldn't hear it, so Ms. Le, you

1 can make the motion.

2 MS. LE: Okay. Thank you. I would make the motion
3 to send this case to the Attorney General's Office.

4 MR. RAFFENSPERGER: Do we have a second?

5 MR. MASHBURN: Matt Mashburn, second.

6 MR. RAFFENSPERGER: Okay. Any further comment? All
7 those in favor of sending this to the Attorney General's
8 Office, signify by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Hearing none,
11 motion carries. Last case.

12 MS. WATSON: Last case is 2020-235, Paulding County.
13 The Secretary of State's Office opened this investigation
14 following a complaint alleging that a William Bell Price
15 an attorney from Panama City, Florida publicly shared his
16 brother's Georgia address while giving a speech at the
17 local Republican Party headquarters on November 7th, 2020
18 and encouraged fellow GOP supporters to use his brother's
19 address to illegally vote in Georgia's upcoming election,
20 which was determined to be the January 5th, 2021 general
21 election runoff and the January 5th, 2021 special election
22 runoff, a potential violation of Georgia election code.

23 The preliminary investigation by the Secretary of
24 State's Office uncovered that the Respondent knowingly and
25 intentionally completed an online application to register

1 to vote in Georgia using his brother's address in Paulding
2 County, Georgia. Investigation revealed William Price did
3 submit a voter registration application online on November
4 8th, 2020 through the online voter registration portal.
5 He was placed in a pending status until additional
6 documentation was provided. The voter registration number
7 issued was 2199454. The address used was his brother's
8 address in Paulding County. The IP address that submitted
9 the voter registration returns to Panama City, Florida.

10 The video that was posted online shows Mr. Price
11 telling his audience that he is moving to his brother's
12 house in Hiram, Georgia to register to vote and invited 2
13 million Floridians to join him in using his brother's
14 address to vote in Georgia and detailed his plan on how he
15 was going to execute his plan to vote in January 2021. He
16 went on to describe how he arranged mail and configured
17 the set-up for utility bills to vote in Georgia. Mr.
18 Price's brother, Frederick Price [ph.] was contacted and
19 stated he knew nothing of his brother's plan or scheme.
20 In an article, Mr. William Price denied registering to
21 vote in Georgia and then acknowledged that he submitted
22 the registration to expose the Democrats he alleged were
23 trying to vote illegally. We recommend William Bell
24 Bandon Price be referred to the Attorney General's Office
25 for 21-2-561, 21-2-562, and 21-2-571, and 21-2-603.

1 MR. RAFFENSPERGER: Okay. Is there anyone?

2 MS. WATSON: There is not.

3 MR. RAFFENSPERGER: Okay. Board?

4 MR. MASHBURN: Matt Mashburn. I agree with the
5 recommendation and move that we accept it.

6 MR. RAFFENSPERGER: Okay. Do we have a second?

7 MR. WORLEY: I second it.

8 MR. RAFFENSPERGER: Okay. All those in favor of --
9 any comments, conversation? Hearing none, all those in
10 favor of the motion for case 2020-235, signify by saying
11 yes, aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed? Motion carries.
14 Okay. Well, members, I'm very grateful. We had a lot of
15 cases today. Plus, we had nearly an hour with Carter
16 Jones about his observation as our Fulton County monitor
17 during the election. I understand that next week will be
18 a busy week also. Plus, we'll have cases that we've
19 tabled. We'll have additional information for your
20 consideration at that time. If anyone does have any
21 comments that they would like to add, I would entertain a
22 motion for adjournment right now.

23 MR. WORLEY: So moved.

24 MR. MASHBURN: Matt Mashburn, I move to adjourn.

25 MR. RAFFENSPERGER: Okay. Second?

1 MS. SULLIVAN: Second.

2 MR. RAFFENSPERGER: All those in favor?

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Meeting is adjourned. Thank you
5 very much.

6 (Meeting adjourned 4PM)

CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 232 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 15th day of March, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

February 24, 2021

Steven Ray Green Court Reporting, LLC
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THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

February 24th, 2021
9:00 A.M.

PRESIDING OFFICER: BRAD RAFFENSPERGER
SECRETARY OF STATE

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Secretary of State Brad Raffensperger, chair

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

John Poulos

Ryan Germany

Frances Watson

Chris Harvey

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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P R O C E E D I N G S

1
2 MR. RAFFENSPERGER: Well, good morning, everyone.
3 I'd like to call this meeting to order of the State
4 Election Board for February 24th, 2021. Since this is a
5 remote meeting with Zoom, I would like to have -- call out
6 attendance so we can record that for the recording. Ms.
7 Rebecca Sullivan?

8 MS. SULLIVAN: Present.

9 MR. RAFFENSPERGER: Mr. David Worley?

10 MR. WORLEY: Present.

11 MR. RAFFENSPERGER: Ms. Anh Le?

12 MS. LE: Present.

13 MR. RAFFENSPERGER: Mr. Matt Mashburn?

14 MR. MASHBURN: Present.

15 MR. RAFFENSPERGER: Okay. We have a full contingent.
16 I would like to first off, before we get started with the
17 invocation and the pledge, I would like to give a very
18 strong and positive shout out to our investigators and Ms.
19 Frances Watson. Today, we have on the docket about 75
20 cases. The week before, we had 65, in that range, and the
21 week before, we also had 65. We -- about nine months ago
22 or so, we ended up with a full contingent of State
23 Election Board members when Mr. Mashburn joined us, and we
24 also though came to a very busy election cycle, and our
25 investigators have been working on current investigations,

1 so the first two State Election Board meetings, we were
2 cleaning up some of the backlog that predated most of us
3 even being on the State Election Board, and they've been
4 working hard, our investigators, to get us up to speed.
5 So today, we'll be looking at 2018, '19, and 2020 cases.
6 I just want to really let you know how much we appreciate
7 that. Also, Jasmine, Bre, and our team, everyone else
8 that's involved that helps put this together, thank you
9 very much, and thank you, Board members.

10 We've had three busy meetings. Today is going to be
11 a long schedule also, so in anticipation of that or -- I
12 want to thank you up front. Thank you for volunteering
13 for this and your diligence. You're bringing a lot of
14 wisdom, careful consideration, for the people of Georgia.
15 So thank you very much. With that, I'd like to open up
16 with an invocation.

17 (Invocation)

18 (Pledge of Allegiance)

19 MR. RAFFENSPERGER: This morning, we requested
20 Dominion voting systems to come in and speak to us. That
21 would be John Poulos, the CEO. I don't know if he's on
22 yet. Are we ready? Jasmine?

23 MS. SHANNON: Yes, he's here.

24 MR. POULOS: Yes. Can you hear -- can you hear me,
25 Secretary? This is John, John Poulos from Dominion.

1 MR. RAFFENSPERGER: Great. Well, Mr. Poulos, thank
2 you for joining us today. Obviously, the folks on our
3 side, on the Secretary of State's side, we're very
4 familiar with Dominion Voting Systems. We went through a
5 very rigorous process of selecting your firm. We went
6 through an im -- implementation which was the fastest and
7 the largest state-wide implementation we've ever had
8 before. The last time that something of this size has
9 been done was in 2002 with Secretary of State Cathy Cox.
10 We had to have ours ready for the presidential primary,
11 and then two weeks into that, COVID hit and required us to
12 take a lot of applications in a pandemic environment. But
13 many of the people in Georgia wouldn't have the detailed
14 knowledge that we do, and we thought it would be best if
15 we could have you come in and share that with folks, and
16 then also our State Election Board members, I'm sure, have
17 questions that they would like to ask you. So thank you
18 for agreeing to participate today, and the floor is yours,
19 sir.

20 MR. POULOS: Well, thank you very much, Mr.
21 Secretary. What I thought I'd do is I'd start with a
22 little bit of background on Dominion Voting. I've
23 certainly been asked a lot of questions over the last four
24 months, and I have a good idea of what your Committee
25 might be interested in hearing and then allow enough time

1 for any questions that I could answer for the Committee.

2 So first off, Dominion Voting Systems started in
3 2003, roughly 18 years ago, really with just a very simple
4 mandate of helping blind people vote on paper privately
5 and independently and with dignity. That mission quickly
6 expanded to include helping election officials count paper
7 ballots accurately and transparently, and since then, our
8 mission has largely remained unchanged. That's what we
9 do. Our success really ties back to our commitment to
10 paper ballots, and our first very large implementation was
11 in the year 2008 across the State of New York, where we
12 partnered with 52 election officials across that state in
13 implementing a -- a certified paper-based voting system in
14 time for the 2008 presidential election.

15 Since then, we have expanded across the United States
16 and currently serve in jurisdictions represented in 28
17 states with several separate jurisdictions within those 28
18 states. Our contract, as you very well know, with the
19 State of Georgia was awarded in the summer of 2019.

20 Pretty much immediately, we began implementing a very
21 large-scale rollout of paper-based systems in time for the
22 first pilot elections of that fall -- I believe it was
23 November and December timeframe of 2019 -- and working
24 actively with the 159 counties whose accountability, of
25 course, it is to run the elections in time for the March

1 primary. As we now know, the March primary was delayed
2 due to the effects of COVID into the summer, into June and
3 worked together with the 159 counties in deploying the
4 full system for the November 2020 general election.

5 I find it important these days to specifically talk
6 about what we do as a company and what we don't do as a
7 company. So first off, we help -- we provide technology
8 that helps election officials run and count, accurately
9 count, paper ballots. We don't run elections. We don't
10 have the authority. We don't have the accountability.
11 It's -- in the State of Georgia, it is the 159 counties
12 that have that accountability and authority to run
13 elections. Our job is limited to our founding mission,
14 which is helping voters create paper ballots privately and
15 independently and helping election officials through our
16 technology, allowing them to accurately count those paper
17 ballots. As we now know, the -- the roughly 5 million
18 ballots from the November 2020 election were counted three
19 times in the State of Georgia. Each time reaffirmed the
20 results, as well as a robust audit from the runoff in
21 January for the -- for the Senate races.

22 In terms of some of the disinformation that has been
23 spread regarding our company and the election in general -
24 - certainly, it has affected the State of Georgia as we
25 all know -- our systems are certified, meaning a number of

1 things. We submit complete systems, including source
2 code, to federal accredited test labs who spend an
3 inordinate amount of time and proper diligence going
4 through each line of code and testing for a range of
5 parameters that is very carefully detailed in the VBSG
6 standards at the EAC level. In addition to that, many
7 states require additional certification at the state
8 level, where this process is not only repeated
9 independently, but in many cases greatly expanded upon to
10 include penetration testing. Above and beyond that, we as
11 a company also submit our systems to penetration testing
12 to independent test labs, and we -- in conjunction with
13 our customers, we also submit our source code to
14 independent testers, when it makes sense for our
15 customers. The first -- the first such time that we did
16 that was in the State of New York, along with the New York
17 State Board of Elections, in the year 2008.

18 So I think I'll leave it at that and certainly ask
19 any -- answer any questions regarding our -- our company
20 and the election process is general, what we do, what we
21 don't do, and with that, I'll -- I'll open the floor.

22 MR. RAFFENSPERGER: Thank you, Mr. Poulos. Board
23 members, I guess, do you have any questions for Mr.
24 Poulos? If so, Ms. Sullivan as Vice Chair, you can go
25 first if you'd like that honor?

1 MS. SULLIVAN: I do not. Thank you.

2 MR. RAFFENSPERGER: Mr. Worley?

3 MR. WORLEY: Yes, Mr. Secretary. I do have a
4 question or two for Mr. Poulos, and Mr. Poulos, thank you
5 for appearing today and thank you for what I think can
6 only be described as a very competent rollout of Georgia's
7 new election system in 2019 and 2020. I think the results
8 speak for themselves in terms of how well the system works
9 statewide. You mentioned that just there's a lot of
10 disinformation out about Dominion, and that disinformation
11 has affected the State of Georgia. I know that Dominion
12 has recently filed defamation lawsuits against Rudy
13 Giuliani, against Sidney Powell, against Mike Lindell for
14 statements that they have made about Dominion.

15 Unfortunately, the disinformation campaign is pretty
16 widespread, and it has had an impact here in the State of
17 Georgia in that members of the General Assembly are taking
18 that disinformation and using it as their reason to engage
19 in what is -- what really can only be described as a
20 systematic effort to suppress voters now that the results
21 of the last election are known, and they didn't like the
22 results of the election. Under these circumstances, has
23 anyone from any of the legislative committees of the
24 Georgia General Assembly that are con -- considering
25 election changes contacted you or anyone from Dominion and

1 ask them to appear and testify about this disinformation?

2 MR. POULOS: Well, thank you for the question, Mr.
3 Worley. I am aware that we have had various conversations
4 with members of the Assembly, not just in the State of
5 Georgia but in other states as well, and unfortunately, I
6 don't have the specifics. I have not personally had the
7 conversations with anyone.

8 Our view, in terms of participating in these
9 hearings, is -- is as follows. First off, it's important
10 for everybody to understand what our accountability is,
11 what -- what we do and what we don't do, which I
12 referenced at the beginning. The fact that we do not run
13 elections is very clear. Your counties run elections, and
14 it has -- it is the election officials who have the
15 authority to make decisions and to actually execute and
16 run the business of elections. They are the ones
17 accountable and best suited to be able to answer questions
18 specifically regarding that process however, in any, you
19 know, in any -- any manner of the election.

20 To say that there is an abundance of evidence
21 supporting the fact that there is a -- there was an
22 accurate tally of ballots is an understatement. The fact
23 that the State of Georgia has counted 5 million ballots
24 three times -- one of those three times was done by hand,
25 distributed across 159 counties, with thousands of people

1 involved in that process, is -- is -- frankly, you don't
2 need to go much further than that to understand that the
3 ballots were counted properly. Some of the actors that --
4 some of the actors that are promoting the disinformation
5 have certainly made allegations that the hand count did
6 not, in fact, happen, but I know that this -- this
7 Committee obviously knows that's not -- that is not true.
8 So there are references to -- there are so many different
9 examples of research that has been done to -- against the
10 allegations that have been made by -- by unreliable
11 sources that refuse to provide any evidence.

12 We find that these people are quick to say that they
13 have evidence, quick to say that they have hundred percent
14 proof, but yet they don't provide any of their evidence.
15 If you look at the most recent release from the -- the
16 MITRE report that was released the other day that took a
17 deep look into the statistical release of the results
18 across various states including Georgia, you can see that
19 this group that actually does do research for national-
20 level governments has released all of its findings
21 including their assumptions and all of their underlying
22 data to the public to look at. In the case of Maricopa
23 County in Arizona, they actually hired two EAC accredited
24 independent test labs to run audits. But of course, as
25 this Committee knows, this was also done in the State of

1 Georgia as well.

2 MR. WORLEY: Well, I appreciate your answer, Mr.
3 Poulos, and I certainly agree with you that there's an
4 abundance of evidence that elections here in Georgia were
5 conducted properly. I seem to take from your answer that
6 you have not been officially contacted by any of the
7 committees that are considering legislation on Georgia
8 voting this year, and I think that's a shame because I
9 think that you do have important information that should
10 be presented to those committees as they consider this
11 legislation. I think, unfortunately, they probably don't
12 want to hear from you. But I would encourage you to take
13 every opportunity to make your views known to those
14 committees. Thank you.

15 MR. POULOS: We certainly will. Thank you.

16 MR. RAFFENSPERGER: Ms. Anh Le or Mr. Mashburn, do
17 either one of you have any questions for Mr. Poulos?

18 MS. LE: This is Anh. I want to thank Mr. Poulos for
19 being here today and joining us for this meeting. I don't
20 have any major questions. I guess the only question I
21 would like to ask is from this past experience with
22 Georgia elections, this being our first election on the
23 Dominion machines, did you observe any, I guess, notes or
24 lessons learned, if you will, for improvements with fut --
25 future iterations of this machine, or did you see anything

1 that you could suggest or observe that could be
2 implemented in future elections?

3 MR. POULOS: Well, in terms of the actual system
4 itself, we've, frankly, been having a very active dialogue
5 with the Secretary of State's Office as well as various
6 counties, and we really bifurcate that into two different
7 ways. One is on the election process itself, which is the
8 account -- accountability of election officials in each of
9 the 159 counties and how they might take the data that
10 they obtain through the 2020 election cycle and how they
11 might be able to more effectively deploy the technology to
12 reduce everything from line-ups to voter flow. And in
13 regards to the actual ballot tabulation system itself, we
14 have been having an active dialogue with the Secretary of
15 State's Office, letting them know the various initiatives
16 that are being undertaken around the county on how better
17 to -- on how to increase transparency and educate
18 constituents on how the election actually works and the
19 facts of how paper ballots are actually created and how
20 they are counted and allowing that awareness campaign to
21 effectively disseminate across the entire state in the
22 hopes to avoid some of the -- the disinformation that has
23 been propagated.

24 MS. LE: Thank you. Thank you for that answer, and
25 again, thank you for being here today.

1 MR. RAFFENSPERGER: Mr. Mashburn, do you have any
2 questions for Mr. Poulos?

3 MR. MASHBURN: Yes. Thank you for the opportunity.
4 Thank you for appearing today, and thank you for the
5 opportunity to ask questions, Mr. Secretary. The
6 questions that I have are questions that I've heard from
7 people over and over, so I'm just going to go straight --
8 straight into it. Is Dominion an American company or not?

9 MR. POULOS: We are, sir. We started off -- I
10 started the company in Canada as a Canadian company, and
11 in 2018, we sold the company, so there is a lot of
12 information that is incorrect on -- online and in various
13 places about us not being an American company, so let me
14 be very -- very clear. Our owners are a private equity
15 company with US investors based in New York, and that is
16 the parent company. We don't have an Amer -- American
17 subsidiary. It's -- the company is American and American-
18 owned. We have roughly 300 employees, most of whom are
19 distributed across the United States. Our head office is
20 in Denver, Colorado. We have smaller regional offices in
21 the states of New York and California, now in Georgia as
22 well, in Texas, and in Florida. And really, our employees
23 are distributed close to where our customers are.

24 I -- I feel obliged to also clarify we are not
25 Venezuelan. We have never run elections in Venezuela, and

1 we understand that there are two US companies that have
2 run elections in Venezuela in the past. I can tell you
3 with certainty that Dominion is not one of them, and with
4 specific regards to allegations made that we, along with
5 every other voting system vendor in the United States,
6 uses software created by Smartmatic. That is not true.
7 Smartmatic is a separate company. We are competitors.
8 They do their own thing. We compete vigorously with them.
9 It's my understanding that they service Los Angeles County
10 in the United States. But we have -- we are in no way
11 using their source code or are tied to their ownership or
12 their board structure or any of -- any of that.

13 MR. MASHBURN: Thank you for -- thank you for that
14 detailed explanation. That raises the next question. Is
15 -- I think you said you were in business since 2003. Has
16 anybody anywhere in any case in any court or any contest
17 or any recount ever shown that a Dominion machine, even a
18 single one, has ever flipped a vote from one candidate to
19 another in a lawful election?

20 MR. POULOS: No, sir. No, sir. And I'll expand on
21 that one, if you'll allow me. The -- let me be very clear
22 on the source of the disinformation. On November 19th,
23 Sidney Powell and Rudy Giuliani took to a national stage
24 at the RNC offices in Washington in front of the national
25 press corps and alleged a number of different things.

1 They alleged an old conspiracy theory that, really, from
2 what we see started in other elections in other states
3 with companies that had nothing to do with Dominion, and
4 that old conspiracy theory had several components to it.
5 One was that we were founded in Venezuela which is a
6 hundred percent false. It also alleged that we were tied
7 to a Venezuelan group which is a hundred percent false.

8 And then, that theory expands to include a version of
9 an elections system which is -- which could not be more
10 false. The theory contends that your counties have very
11 little to do with your election, that somehow their
12 official databases and their -- their secure stores of
13 paper ballots are not somehow the official record of the
14 election and the official ballot count, but somehow, some
15 national level database, which is -- which is -- which
16 sits in Frankfurt, Germany on Amazon web services'
17 servers, controlled by a company called Sydell with source
18 code from Smartmatic. This is a hundred percent false,
19 and this is exactly the core of the disinformation and the
20 root of it.

21 And so specifically, there are som -- there are a lot
22 of different companies that provide vote tabulation
23 services, and Dominion is one of those companies in the
24 United States. Our key competitors, as well as us, all
25 undergo a very strict and rigorous federal certification

1 process and state certification process. To the claim
2 that we all use the same source code, it is ridiculous.
3 It's one hundred percent false, and any of the authorities
4 at the federal or state levels or any of the labs that all
5 have our source code through our voluntary -- our
6 voluntary penetration testing can attest to that.

7 Moreover, our critics and the actors in this
8 disinformation campaign, while they take to national media
9 and they so -- they so confidently assert that they have,
10 quote, evidence, no one -- no one talks about the fact
11 that there are paper ballots, and when asked about it,
12 they -- they really brush it to the side. They don't
13 reference the fact that there are five million ballots in
14 the State of Georgia, paper ballots, that are in the
15 secure possession of 159 counties with -- with all of
16 their staff. We -- there are no private companies that
17 have access to it, nor should they. So the idea going
18 back to this theory that somehow results get fed out from
19 the county level to the state level and then to some
20 national level server that is housed in Frankfurt where
21 bad actors from different countries can somehow change the
22 vote is ludicrous and does not explain that you have one
23 paper ballot for every eligible voter, for every valid
24 voter that has voted in your election.

25 And that is what you hand counted. You did a hand

1 recount, a hundred percent recount -- sorry, a hundred
2 percent hand audit plus an additional one hundred percent
3 machine recount. Sorry for the long answer, but I felt
4 compelled to clarify that.

5 MR. MASHBURN: No. That was helpful. And I just
6 have one last question, and I've heard -- I've heard --
7 people have come up to me and said that it's possible to
8 remotely hack into the machines and make updates or that -
9 - or that Dominion actually itself goes into the machines
10 remotely and makes updates. Is that possible or not
11 possible?

12 MR. POULOS: No. That is not possible, but you
13 shouldn't take my word for it. You should ask your
14 election officials, who actually have possession of those
15 machines. Those machines haven't been in our possession
16 since we delivered them to the state and to the county
17 when possession changed hands as part of that
18 implementation process. There has been some reports in
19 the media that are a hundred percent false.

20 Unfortunately, one of them still is on the -- on the web,
21 and the story refers to a remote update on the election
22 system, which has been proven not to have happened. It's
23 impossible, and it's -- it's basically the same as -- I
24 won't even make an analogy because it's so ridiculous.

25 The machines are in the possession of the county, not

1 of any private company, and they are not -- they are
2 designed to be air gapped, and in the State of Georgia,
3 the tabulators in the polling locations do not have
4 modems, and the systems -- and the back-end systems are
5 air gapped with the results -- the official results
6 database are air gapped from the system that each county
7 uses to upload their results to the public. But again,
8 that is a process that is best described and verified by
9 the people have accountability to run the elections and
10 who have the physical custody of all of this system, which
11 is your poll officials, your election officials.

12 MR. MASHBURN: Thank you for that. I said I only
13 have one more, but I've got one more. And that is
14 something real quick. It can even be yes or no, but y'all
15 just -- your company only deals with counting the votes.
16 It has absolutely nothing to do with registration or -- or
17 poll pads or anything like that. It's just straight
18 counting, right?

19 MR. POULOS: That's correct. Our systems do two
20 things. We help people with disabilities vote privately
21 and independently on a paper ballot, and we help election
22 officials count those paper ballots. What we don't do: we
23 do not do any voter registration systems. We do not do
24 any electronic poll books. We do not get involved in vote
25 by mail services. We do not print ballots. We do not

1 mail ballots. We do not determine who is eligible to
2 receive a ballot. All of that is done separately and
3 coordinated through your election officials.

4 MR. MASHBURN: And just -- and you can expand on this
5 if you want to, but I just wanted to kind of emphasize for
6 the record that when we in Georgia recounted the paper
7 ballots by hand, that was humans reading human readable
8 text and not humans trying to read QR codes, but that was
9 humans looking at human readable text, and just if you
10 have anything to add to that, please feel free.

11 MR. POULOS: Yeah, I sure do. So as -- as -- the
12 ballot-marking device is meant to help voters ca -- create
13 a paper ballot. The ballot-marking device does not
14 tabulate or count any paper ballots. That is done by a
15 separate machine whose sole function is to scan and
16 tabulate paper ballots. We -- our system is capable of
17 running -- of printing those paper ballots in a variety of
18 formats, and one of them which has been used in the State
19 of Georgia has a one sheet -- one 8 and a half by 11 sheet
20 of paper, and it has human readable text. There is also a
21 QR code. The advantage of the QR code is that it allows
22 for a single 8 and a half by 11 sheet of paper to -- to
23 have all of the selections that a voter makes.

24 There -- there are critics of this type of a system,
25 and whether the critics have pointed to the fact that the

1 2D barcode is not readily human readable, which is a --
2 again, from the standpoint of my company, we take -- we
3 are very agnostic when it comes to this. Our system is
4 capable of doing, frankly, anything that your law allows
5 for, and the critics argue that is what is looked at on
6 the screen of the ballot-marking device may or may not be
7 the same as what is printed on that ballot.

8 Now, the flip side to that argument is that a voter
9 has an opportunity when they are holding their printed
10 piece of paper, that is their ballot. They have not cast
11 that ballot yet, but they are looking at that ballot, and
12 they can review their choices, which makes for a, quote,
13 voter-verified paper ballot. If -- if you contend that
14 voters will not look at that text, then obviously, that's
15 -- that's a discussion that's up for the people that have
16 accountability to decide how elections should be run in
17 any given jurisdiction.

18 Our system has the ability to do anything, frankly,
19 that you need it to do. So what was unique about the one
20 hundred percent hand audit is that what that definitely
21 showed was that the text that the voters verified was the
22 same as the QR code. Now, whether or not that is
23 something that can be done on an economic basis for every
24 future election, whether that's something that is done
25 randomly through audits of risk-limiting audits -- that is

1 now quickly becoming the norm across the country, and it
2 is a very good thing in everyone's opinion as it increases
3 transparency and confidence -- that is -- that went to
4 definitely show that your -- that the text on every ballot
5 of the 5 million ballots was, in fact, accurate and the
6 same as what the machines reported.

7 MR. MASHBURN: Thank you very much, and thank you for
8 your appearance today, and thank you to the Secretary for
9 letting me take a lot of time asking questions, but these
10 are all questions that I have been asked, so since we have
11 access to you today, I figured I'd go ahead and do all the
12 ones that I've heard.

13 MR. POULOS: Well, thank you, sir.

14 MR. RAFFENSPERGER: Well, if there are no more
15 questions from any of our Board members, Mr. Poulos, thank
16 you for your time. I know you're a busy man, and we are
17 today, also. We have about 75 cases to go, to plunge
18 through, so with that, I'll let you go, and we'll get onto
19 some other business of this Board. Thank you so much.

20 MR. POULOS: Thank you for the opportunity. Have a
21 great day.

22 MR. RAFFENSPERGER: Thank you. So the next item on
23 our agenda are the investigation reports. We have a group
24 of consent cases from tab 1 to 12. What is the will of
25 the Board? Do you want to pull any of those out, or would

1 you like to make a motion all -- for all consent cases?

2 MR. WORLEY: Mr. Secretary, this is David Worley.
3 First of all, I just wanted to note for the record that I
4 have to leave at 11 o'clock or shortly before 11 o'clock
5 to appear in a hearing in Fulton Superior Court.

6 MR. RAFFENSPERGER: Thank you.

7 MR. WORLEY: I should be able to return in about a
8 half an hour after that. I would like to pull out and
9 discuss three of the consent cases, case number 2020-176,
10 case number 2020-227, and case number 2020-229.

11 MR. RAFFENSPERGER: Okay.

12 MS. LE: Mr. Secretary, this is Anh Le.

13 MR. RAFFENSPERGER: Yes?

14 MS. LE: I need to recuse from case number 2018-115
15 and 2020-252, please.

16 MR. RAFFENSPERGER: I understand. Okay. Are there
17 any other cases any members would like to pull out, or
18 need to recuse themselves?

19 MS. WATSON: Mr. Secretary, this is Frances Watson,
20 and we did receive a call from a complainant in 2020-113
21 that wished it to be presented and the ability to speak to
22 that case.

23 MR. RAFFENSPERGER: Okay. We'll do that also. So
24 that leaves us 2018-028, 2018-072, 2018-105, 2019 --
25 excuse me -- 036, 2020-038, 2020-079. I believe that's

1 it. Those ones, I believe, if we wanted to make a motion,
2 we could make a motion in batch, and then we could make
3 the ones where Ms. Le has to recuse herself, we could do
4 those for all the other members also in the next motion.
5 So --

6 MR. WORLEY: Mr. Secretary, I would make a motion
7 that we consent to the cases on the consent calendar other
8 than the ones that have been identified by Ms. Le and the
9 other members of the Board and move to dismiss those
10 cases.

11 MR. RAFFENSPERGER: Okay. Do we have a second?

12 MS. SULLIVAN: Rebecca Sullivan, second.

13 MR. RAFFENSPERGER: Do we have any further
14 discussion? All those in favor, please do so by
15 signifying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Any opposed? Motion carries.

18 MR. WORLEY: Okay. Mr. Secretary, I would then make
19 a motion that we dismiss the two cases, the DeKalb County
20 cases on the consent cases list, case numbers 2018-115 and
21 2020-252.

22 MR. RAFFENSPERGER: Okay. And Ms. Anh Le's recusal
23 is noted. All those -- do we have a second? Great.

24 MS. SULLIVAN: Second, Rebecca Sullivan.

25 MR. RAFFENSPERGER: Any discussion? Hearing none,

1 all those in favor of the motion as presented, aye?

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 Okay. I guess the next one -- we'll start at the top of
5 the order, 2020-113, Fulton County, disability issue.

6 They're here to discuss that, so Ms. Watson, if you want
7 to present that for us, that would be wonderful, and the
8 floor is yours.

9 MS. WATSON: Yes, sir. Thank you. A complainant
10 reported that he is visually impaired and after not
11 receiving an absentee ballot, he chose to vote early in
12 person at the Buckhead Library. He alleges that he was
13 not provided with a device that would read a printed copy
14 to him and had to use a poll worker to read it to him.
15 The investigation revealed it was verified that Fulton
16 County did process and mail the requested absentee ballot.
17 There was no code or rule which governed a state or county
18 to provide the device that a visually impaired voter can
19 use to read their printed ballot back to them for
20 verification that we could find. There is also no rule or
21 code that prevents a visually impaired voter from using
22 their own such device at the polls, and our recommendation
23 was to dismiss the case with no violation noted.

24 MR. RAFFENSPERGER: Okay. Is there someone here to -
25 - from the --

1 MS. WATSON: Yes. Yes. There -- there -- I believe
2 that we have someone that is on the line, and she is going
3 to be responding via captioning that will be -- her
4 response will be read by Ms. Thomas.

5 MR. RAFFENSPERGER: Okay. Thank you. Please
6 proceed.

7 MS. KEGLEY: Good morning. Can you hear me?

8 MR. RAFFENSPERGER: Yes.

9 MS. KEGLEY: Hi. My name is Julie Kegley. I'm with
10 the Georgia Advocacy Office. I am looking for the
11 captioning at the bottom, and I think I've gotten it, so
12 thank you for that. I appreciate Secretary Raffensperger
13 allowing me to speak on this case. At the Georgia
14 Advocacy Office, we protect and advocate on behalf of
15 people with disability, and one of the ways that we do
16 that is making sure that people with disabilities have the
17 right to cast an independent and a private ballot
18 anticipated by federal law.

19 And the complainant in this case was a person with
20 visual impairment, and he was not able to cast his ballot
21 independently. The poll machine did not allow him to
22 progress through the selection independently. He had to
23 get a poll worker to come help him, which meant that the
24 poll worker knew how he was voting. Then, when the paper
25 ballot came out, he could not independently read the paper

1 ballot in order to verify his selection. So again, that
2 meant that he was not able to cast an independent, private
3 ballot. So to the extent that this happened in Fulton
4 County, to the extent that the Fulton County Board of
5 Elections and the Secretary of State's Office can
6 implement measures to make sure that this doesn't happen
7 again to anybody else, it would be most appreciated.
8 Thank you for your time.

9 MR. RAFFENSPERGER: Thank you. Is there anyone else
10 that wants to speak on this case? Board members, do you
11 have any comments?

12 MR. WORLEY: Mr. Secretary, David Worley. I had a
13 question for Ms. Kegley if I might. Does she have any
14 suggestions of measures that Fulton County or the
15 Secretary of State's Office or the General Assembly could
16 implement to ensure that voters who are disabled have the
17 opportunity to vote independently so that this particular
18 situation might not arise again?

19 MS. WATSON: Do we need to send her that in writing?
20 One second, we need to type that question to her so she --
21 she can have it.

22 MS. KEGLEY: Hi, this is Julie Kegley. I am not sure
23 if you were speaking to me because the closed captioning
24 is not working. If there is a way for you to contact me
25 best via email, that would be great, but I apologize. The

1 captioning is just not working.

2 MR. RAFFENSPERGER: Okay.

3 MR. WORLEY: Okay. Thank you.

4 MR. RAFFENSPERGER: What I would suggest if we could
5 have our office contact Ms. Kegley and then ask for her
6 recommendations, and then we'll transmit that to the
7 General Assembly. They're currently in session. We also
8 can look at is there something we can do from the
9 standpoint of the equipment that we have right now. What
10 does that look like? But give input, particularly if
11 there is a budget, a dollar cost associated with that, so
12 that the General Assembly could consider that. I believe
13 that would be the appropriate action. Do you -- do you
14 concur, Mr. Worley?

15 MR. WORLEY: Yes. I appreciate the Secretary's doing
16 that.

17 MR. RAFFENSPERGER: Okay. Is there any other comment
18 that any Board members have on this case then? If not, I
19 think now would be the appropriate time for a motion.

20 MS. LE: Mr. Secretary, --

21 MR. WORLEY: I -- I'm sorry. Go ahead. I --

22 MS. LE: Sorry. Please. I was just -- sorry. I was
23 just going to make a motion to accept the consent order.
24 This is Anh.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. THOMAS: Ms. Kegley just wrote in the chat a
2 response to your question, Mr. Worley. She says that yes,
3 to make sure that the voting machine audio is correctly
4 working so that a person with a visual impairment can put
5 on headphones and have the audio guide them through the
6 process.

7 MR. RAFFENSPERGER: Okay. That will be something
8 that we can discuss and get that information out. We'll
9 discuss that internally with the Elections Division and
10 then get that information out to our counties. Do we have
11 a second then?

12 MR. WORLEY: I would second the motion.

13 MR. RAFFENSPERGER: Okay. Is there any further
14 discussion? Hearing none, all those in favor of the
15 motion as presented, signify by saying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Any opposed? Motion carries.
18 Next case we pulled out, 2020-176, 227, and 229, so we'll
19 start with 176, tab 9.

20 MS. WATSON: Yes. The complainant Jean Schuman [ph.]
21 reported her daughter, who is not a registered voter in
22 Georgia and lives out of state, received seven absentee
23 ballots from Henry County and two absentee ballots from
24 Lamar County that were sent to the mother's address in
25 Georgia. Our investigation revealed that this were

1 actually absentee ballot requests, and they were not
2 actual ballots, and we're recommending that the case be
3 dismissed.

4 MR. RAFFENSPERGER: Do any of the members of the
5 Board have questions?

6 MR. WORLEY: I did have a question, Mr. Secretary.
7 Ms. Watson, I just wanted to be absolutely clear about
8 this because there have been a lot of allegations after
9 the election that absentee ballots were mailed out to
10 people who were not registered to vote. The evidence that
11 you found was that, if I'm correct, was that these were
12 absentee ballot applications that were sent out and not
13 actual absentee ballots; is that correct?

14 MS. WATSON: That is correct. We received many, many
15 complaints of this nature, and I would ask each -- each of
16 these to send me a copy or photo of the envelope that they
17 received in order to verify if it was an application or a
18 ballot. There -- there were a lot of individuals that
19 mistook the en -- what they received in the mail as
20 official ballots because it was -- the envelope would say
21 official ballot request, and so they were reporting that
22 they received multiple ballots, and when we would check,
23 it would actually be the applications. There were a
24 couple -- you know, there were some that actually received
25 two -- two ballots in the mail, which when we would track

1 those down, it would be a time when the county was
2 switching over from the state sending the ballot and then
3 the county picking up. There's maybe a little crossover
4 where some of those did actually get two, but there were
5 very few of those also.

6 MR. WORLEY: Thank you. Mr. Secretary, I would make
7 a motion that we accept the recommendation to dismiss this
8 case.

9 MR. RAFFENSPERGER: Do we have a second?

10 MR. MASHBURN: Matt Mashburn, second.

11 MR. RAFFENSPERGER: Any further -- any further --

12 MR. MASHBURN: Yeah, Matt Mashburn. I would like to
13 add my personal experience on this as well in that I've
14 had well over 50 -- 50 calls from people alleging multiple
15 -- that they had received multiple ballots, and it
16 involved, you know, in the hundreds of ballots being
17 alleged, and all of them, every single one of them, I
18 tracked down the person and asked them to send me what
19 they got, and every single time it was an absentee ballot
20 application. So this is, you know, something that has
21 been widely alleged, but just every time I tracked it down
22 involving hundreds of allegations of ballots, none of them
23 panned out.

24 MR. RAFFENSPERGER: Okay. Do we have a second -- or
25 any further comments? Hearing none, all those in favor of

1 the motion to dismiss, signify by saying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 Next case?

5 MS. WATSON: Next case is 2020-227, Cobb County,
6 absentee ballot application process. The complainant
7 alleged that during the May 11th presidential preference
8 primary election, she was working in a group processing
9 absentee ballot applications. She advised that when she
10 brought one or more unclear applications with signature
11 mismatches, she was advised by the male supervisor to
12 process them anyway. Investigation revealed the
13 procedures were reviewed in Cobb County. The supervisor
14 in question was interviewed, and he -- he's provided a
15 sworn notarized statement, and he advised that he did not
16 approve or instruct anyone to process a signature
17 mismatch. He stated that he then explained his
18 instructions, the process that he followed. He also
19 advised that it is possible that he advised someone that
20 the voter's signature will be checked again when the
21 ballot is returned.

22 An audit of the process was conducted in Cobb County,
23 which also substantiated that Cobb County was following
24 the correct procedures in conducting the signature
25 verification process. We did observe the individuals that

1 were -- were conducting this process and the stacks that
2 they would put them in for further review, and we're
3 recommending that the case be closed as unfounded.

4 MR. RAFFENSPERGER: Okay. Board members?

5 MR. WORLEY: Mr. Secretary, I had a question for Ms.
6 Watson. So am I correct, Ms. Watson, that this allegation
7 which the supervisor indicated was not correct was the
8 basis for the audit of some 15,000 signatures in Cobb
9 County to verify that they were, in fact, correct?

10 MS. WATSON: I believe that due to this complaint
11 that they -- that Cobb County was the county that was
12 chosen for the audit to be conducted at.

13 MR. WORLEY: Okay. And can -- could you just tell us
14 again what the results of that audit were? And this was
15 an audit by the GBI, correct?

16 MS. WATSON: It was conducted jointly between -- with
17 our office and the GBI and in -- out of the, as you said,
18 15,000 plus that we conducted there were a few that had to
19 be individually contacted, and out of all of the ones that
20 we conducted, we found absolutely no indications of fraud.
21 There was one individual that signed her husband's name.

22 MR. WORLEY: Okay.

23 MR. RAFFENSPERGER: Any other questions from the
24 members or comments? Hearing none, do we have a motion?

25 MR. WORLEY: Mr. Secretary, David Worley here. I

1 would make a motion that we dismiss this case.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. SULLIVAN: Rebecca Sullivan, second.

4 MR. MASHBURN: Matt Mash --

5 MR. RAFFENSPERGER: Okay. Any further comment?

6 Hearing none, all those in favor of the motion, signify by
7 saying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.

10 Next case?

11 MS. WATSON: Next case, 2020-229: in November of
12 2020, we received two complaints with accompanying
13 affidavits on behalf of Alice O'Lenick and Anthony
14 O'Lenick. The affidavit by Alice O'Lenick alleged she
15 observed there were more absentee ballots than envelopes,
16 indicating the ballots that were counted were not properly
17 verified as a potential violation of Georgia election
18 code. The affidavit by Anthony O'Lenick alleged that the
19 Gwinnett Elections Office experienced clogged computers
20 that slowed the tabulation process down, but what was
21 concerning to him was the elections staff, to include the
22 Election Supervisor, was asked to leave election central,
23 which was the secure room designated to store and scan
24 ballots, while an unknown individual believed to be a
25 technician from Dominion Voting Systems remained in the

1 room who was acting frantic and appeared to be freaking
2 out, a potential violation of election code. Anthony
3 O'Lenick also reported based on questionable guidance
4 received from Gwinnett County's attorney Melanie Wilson
5 the ballot review panel erred on the side of striking
6 ballots down depending on which candidate could get more.

7 The investigation revealed the complaint submitted by
8 Alice O'Lenick was retracted. She advised that she under
9 -- understood that there were -- was two paper ballots in
10 Gwinnett County that would make the stack of papers be
11 larger than the envelopes and retracted that complaint.
12 The complaint alleged by Mr. O'Lenick was not
13 substantiated, as there was no evidence to support a
14 violation of election code occurred. We recommend the
15 case be dismissed as unfounded.

16 MR. RAFFENSPERGER: Members, do you have any
17 questions?

18 MR. WORLEY: Yes, Mr. Secretary, this is David
19 Worley. I had a question, Ms. Watson. There was some
20 part of the report that indicated because of Ms.
21 O'Lenick's complaint -- and I understand Ms. O'Lenick is a
22 member of the Gwinnett Election Board -- that 129,000 or
23 so ballots had to be recounted?

24 MS. WATSON: We -- we were scheduled to recount the
25 oath envelopes to verify the number, and that process was

1 due to start the following day when we were able to verify
2 with Ms. O'Lenick that she was withdrawing her complaint
3 and that she under -- understood that that was not an
4 accurate depiction of what her complaint was.

5 MR. WORLEY: So that -- that was not done?

6 MS. WATSON: No. It was -- the oath envelopes were
7 not counted. It was scheduled to -- to be conducted, and
8 it was not -- it did not occur.

9 MR. WORLEY: All right. I don't have any further
10 questions, and I obviously defer to the other Board
11 members, but if they do not have questions, I'd make a
12 motion that we dismiss this case.

13 MR. RAFFENSPERGER: Do we have a second?

14 MS. LE: Anh Le, second.

15 MR. MASHBURN: Matt Mashburn -- go ahead. Yeah. And
16 for further discussion, I have a question of Charlene and
17 the Attorney General's Office or a request. Can -- can
18 they look through the lawsuits that they defended and see
19 if this retracted affidavit was attached to an exhibit of
20 any of the lawsuits, and if so, can we pass unanimous
21 consent that the record be left open so that the affidavit
22 might be contained within the record and be marked as
23 having been retracted?

24 MS. MCGOWAN: This is Charlene. I can go back
25 through our dockets and see if that affidavit was relied

1 on in any of the cases. Most of them have been closed, so
2 I don't know if there's an opportunity to make that note
3 in the record of the cases, but I can certainly go back
4 and take a look at that.

5 MR. RAFFENSPERGER: Thank you.

6 MR. MASHBURN: Thank you.

7 MR. RAFFENSPERGER: Any other discussion? Hearing
8 none, all those in favor of the motion, signify by saying
9 aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Okay. Letter cases plus some continued cases, I believe,
13 from last week. I guess we'll do tab number 13 first,
14 2017 --

15 MS. LE: Mr. Secretary?

16 MR. RAFFENSPERGER: Yes?

17 MS. LE: This is Anh Le. I must recuse myself from
18 this case and the -- which is 2018-009 and 2018-093,
19 please. Excuse me. I apologize. I do not have to recuse
20 myself from the 2018-093. I apologize. So I will only
21 recuse from 2018-009. My apologies.

22 MR. RAFFENSPERGER: No problem. Okay. Do we want to
23 do the letter cases first? The ones that are identified
24 as new cases, they're actually on the table, so we'll need
25 a motion to bring those off the table. We can do that now

1 or just wait until we get to them and start with case
2 2017-064.

3 MS. WATSON: Okay. Are we doing -- Mr. Secretary, do
4 you wish to vote en bloc for the letter of instruction
5 cases?

6 MR. RAFFENSPERGER: Yes. Right. 064 through 274,
7 that would be the easiest that way.

8 MR. WORLEY: Mr. Secretary, I will make a motion that
9 for the cases on the letter cases section of our agenda,
10 the seven cases that are currently there, that we accept
11 the recommendation of the investigators and send a letter
12 of instruction to the Respondents in those cases.

13 MR. RAFFENSPERGER: Do we have a second?

14 MR. MASHBURN: Matt Mashburn, second.

15 MR. RAFFENSPERGER: Any further discussion? All
16 those in favor of accepting the motion as is, signify by
17 saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Any opposed? Motion carries.

20 Okay. I guess there's all these new cases, but these are
21 the ones that are on the table, correct? SEB case 2018-
22 009 through 2020-112, is that correct, Ms. Watson?

23 MS. WATSON: Yes, sir. That is correct, and we also
24 have a request from -- in reference to 2018-093 due to a
25 conflict if we could present that case at the end of the

1 agenda.

2 MR. RAFFENSPERGER: Okay. Let's all -- let's bring
3 them all off the table now then, and then we'll just hold
4 2018-093 until the end of the day. Do we have a motion to
5 bring it off the table?

6 MS. SULLIVAN: So move, Rebecca Sullivan.

7 MR. MASHBURN: Matt --

8 MR. WORLEY: Second, David Worley.

9 MR. RAFFENSPERGER: Okay. Hearing no objection,
10 motion carries. They're off the table. Next case, case
11 2018-009. We had some questions last week.

12 MS. WATSON: Yes, sir. I believe that this was
13 continued until this meeting from last calendar. This
14 case: on May 15th, 2018, it was reported by DeKalb County
15 that the elector when making applications for an absentee
16 ballot mailed a copy of a voted absentee ballot along with
17 their absentee ballot application. The investigation
18 revealed that the elector identified as Ahhae Niles, A-h-
19 h-a-e N-i-l-e-s, was not familiar with the absentee voting
20 process and was reported to have received a copy of the
21 absentee ballot from a friend as a sample to assist her.
22 She submitted the marked copy of the absentee ballot with
23 her application for an absentee ballot to DeKalb County,
24 not being familiar with the processing and having a --
25 some language barrier. We're recommending that Ahhae

1 Niles be issued a letter of instruction concerning 21-2-
2 575(a), as there does not appear to be any intent on her
3 part to violate the code. She was a new voter and was not
4 familiar with the process. Is there someone here to
5 speak? And we do have someone on the line for this case.

6 MR. RAFFENSPERGER: Okay. If she was like to speak?

7 MR. SELLS: Mr. Secretary, this is Bryan Sells on
8 behalf of Ms. Niles. I'm here to ans -- answer any
9 questions that the Board might have. I think Ms. Watson
10 stated the case accurately and succinctly. My client is a
11 limited proficient new voter and did not understand the
12 application process.

13 MR. RAFFENSPERGER: Thank you, Mr. Sells. Okay.
14 Members, do you have any questions concerning this case?

15 MR. WORLEY: Mr. Secretary, -- go ahead. I'm sorry.

16 MR. MASHBURN: Matt Mashburn, I -- go ahead, David.

17 MR. WORLEY: I don't have a question, but I just -- I
18 do have a comment. I just don't think that this kind of
19 violation is -- you know, whatever actually happened here,
20 whatever her intent was really just doesn't meet the
21 intent of the statute prohibiting counterfeit ballots, and
22 so I -- I would make a motion to dismiss this case.

23 MR. RAFFENSPERGER: Mr. Worley, you had a -- I guess
24 the motion is there, so do we have a second?

25 MR. MASHBURN: Second.

1 MR. RAFFENSPERGER: Okay. Any further discussion?
2 Hearing none, all those in favor of the motion as
3 presented, signify by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Motion carries. Next case has
6 been held over, so it would be 2020-015.

7 MS. WATSON: Yes, sir. This is Stephens County.
8 This was an absentee ballot drop -- drop box case that was
9 initiated by our office after an inspection of the
10 absentee ballot drop box. The investigation rev --
11 revealed that the drop box was not in compliance with the
12 signage that was required in the code, and we also -- it
13 was not posted on the website per the SEB rules. We did
14 go back to -- to Stephens County to verify that the
15 signage was put in place. However, it was found that the
16 signage was not put in place until the day after the
17 February 17th meeting. However, it was posted on the
18 website in May after our inspection, and it was reported
19 to -- to the County. With that information, I would make
20 the recommendation that it be bound over to the AG's
21 Office for violation of State Election Board rule 183-1-
22 14-.06-.14(3)(9).

23 MR. RAFFENSPERGER: Do we have anyone that wants to
24 speak to the case, or do any members have any questions or
25 comments?

1 MR. MASHBURN: Matt Mashburn, I move we accept the
2 recommendation.

3 MR. RAFFENSPERGER: Do we have a second?

4 MS. SULLIVAN: Rebecca Sullivan, second.

5 MR. RAFFENSPERGER: Any further discussion? All
6 those in favor of the motion, please do so by signifying
7 aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.
10 Next case.

11 MS. WATSON: Yes, sir. The next case was presented.
12 It was 2020-096, and this was the case that was reported
13 by Clayton County that there was a box outside of 403
14 Valley Hill Road that was labeled as a ballot box, and
15 investigation determined that it was the resident at that
16 location that was handing out absentee ballot
17 applications, and the box labeled ballot box was actually
18 for the applications to be inserted in. There was no
19 evidence that any actual ballots were placed into that
20 box. We were to review the code for any other possible
21 violations of any other code that would be applicable.
22 The -- the closest code would be 21-2-574, which would be
23 unlawful possession of ballots, but there's no evidence
24 that there was an actual ballot that was placed in the
25 box. My recommendation would be to dismiss this case and

1 to send a letter to the resident, Doris Woods [ph.], just
2 making her aware of the -- the code 21-2-574 in relation
3 to having such a box outside the location.

4 MR. RAFFENSPERGER: Okay. Members, do you have any
5 questions, comments, motion?

6 MR. MASHBURN: Matt Mashburn. I make a motion that
7 the recommendation be accepted.

8 MR. RAFFENSPERGER: Do we have a second?

9 MS. LE: Anh Le. I'd second that motion with a
10 request that the letter be strongly worded because
11 situations like this can create confusion for the public,
12 and that doesn't help anybody during a hectic election
13 cycle. But I second that.

14 MR. RAFFENSPERGER: So noted. Any further input or
15 comments?

16 MR. WORLEY: Mr. Secretary, it's David Worley. I
17 don't have an objection to the Secretary's Office sending
18 a letter to the Respondent, but I don't think we can add
19 the imprimatur of the State Election Board to that because
20 there's no statute that this person violated, and so we
21 don't have any jurisdiction over this particular complaint
22 because there's no statutory violation, so I -- I can't
23 accept the motion, although, as I said, I don't have an
24 objection to the Secretary sending a letter. But I don't
25 think it should say in any way that the State Election

1 Board, you know, participated in that action.

2 MR. RAFFENSPERGER: Well, I guess, it's almost a
3 question of point of order, but General Counsel or the
4 Attorney General's Office, could you provide legal
5 guidance on that question?

6 MS. MCGOWAN: Is the issue whether or not the State
7 Election Board would send a letter or the Secretary's
8 Office?

9 MR. RAFFENSPERGER: Correct. Would it be appropriate
10 for the Secretary of State's Office in lieu of the State
11 Election Board to send that letter per Mr. Worley's
12 comment?

13 MR. GERMANY: This is Ryan Germany. I mean, I think
14 if the State Election Board determines it's worthy of a
15 letter from the State Election Board, then it should come
16 from the State Election Board. And that's -- that's up to
17 you. That's kind of what's in front of you and Mr.
18 Worley. I think Mr. Worley would not agree with that, but
19 we can see what the position of the Board is. Whether or
20 not it was a -- I think the relevant question, the
21 relevant issue, is the drop box, the sign put out said put
22 your ballots here. Fortunately, no one put their ballots
23 there, but it certainly seems that it was if not
24 successful unlawful possession, it was attempted unlawful
25 possession, and that's something that I think the State

1 Election Board can -- can determine what they want to do
2 with that set of facts.

3 MR. MASHBURN: Yes, this is Matt Mashburn. I'm in
4 support of Anh Le's motion and language and will vote in
5 favor of it because I -- and Mr. Germany just made the
6 point is I think the only reason that she's not up on a
7 charge of possession of -- illegal possession of ballots
8 is just luck. So I support Anh Le's motion and language.

9 MR. RAFFENSPERGER: Any other discussion? Hearing
10 none, all those in favor of the motion as presented with
11 strong wording in that letter, signify by saying aye.

12 THE BOARD MEMBERS (except Mr. Worley): Aye.

13 MR. RAFFENSPERGER: Any opposed?

14 MR. WORLEY: No.

15 MR. RAFFENSPERGER: Motion carries. Next case?

16 MS. WATSON: Next case is 2020-112. On -- this was
17 previously presented. On October the 14th, 2020, we
18 opened an investigation concerning a complaint that a
19 candidate in Henry County was supplying voters in line at
20 a polling location with snacks and water. Since the
21 previous meeting, I believe each of the members should
22 have been emailed a copy of affidavits and a video from
23 the attorney for Ms. Kelly Rose Alsiver [ph.]. The
24 candidate was identified as Ms. Alsiver, a candidate for
25 State Senate District 17.

1 On October 14th, 2020, it was reported by a witness
2 that Kelly Rose Alsiver came to the front of the line of
3 voters with a wagon full of water bottles, oranges and
4 urged people to help themselves. A statement provided on
5 October 25th, 2020 reports that while voting at 40 Atlanta
6 Street, McDonough, Georgia at approximately 3:30PM, she
7 observed Kelly Rose come into the parking lot of the polls
8 greeting people and handing out clementines, oranges, and
9 bottles of water along with her husband. She was pulling
10 a wagon as well as her husband carrying water. She
11 reports she was within a hundred and fifty feet of the
12 poll. Kelly Rose states that she went to the poll on two
13 occasions to pass out water and snacks to those in line.
14 She states she was not wearing any campaign clothing, and
15 on social media posts regarding, she states that everyone
16 knows her by her hair.

17 There was a new affidavit provided by Kelly Rose, an
18 affidavit from her husband, and an affidavit from Michael
19 Burns [ph.] that have been emailed to the Board members.
20 Kelly Rose states that she did not mention to anyone that
21 she was a candidate. While at the polling location on
22 October the 12th, Kelly reports that someone asked her her
23 name, and she responded Kelly. Mr. Alsiver reports the
24 same information in his affidavit with the addition that
25 when they arrived on both dates, the 12th and the 14th,

1 employees of the Election Board advised them they could
2 pass out the items as long as they were not campaigning.

3 Michael Burns, the Chairman of Henry County
4 Democratic Party, provided an affidavit also emailed to
5 the Board members. He advised that he assisted Ms. Rose
6 and her husband in handing out water and snacks on October
7 the 12th to those standing in line at 40 Atlanta Street,
8 McDonough, Georgia. Mr. Burns reports that he was working
9 with election officials regarding the long lines and met
10 with Ms. Rose around 12PM on October the 12th, 2020. Mr.
11 Burns reports that it was very hot, and the lines were
12 very long. Mr. Burns further states that Ms. Rose did not
13 introduce herself as a candidate nor mention the election
14 and was not wearing any campaign clothing that identified
15 her as the candidate. There was also a screenshot from
16 Facebook thanking the person that brought out water as
17 they waited six hours in line. Our recommendation was
18 Kelly Rose Alsiver, candidate for Georgia State Senate
19 District 17, be referred to the Attorney General's Office
20 for violation of 21-2-414(a)(3) and 21-2-570. And Mr.
21 Spencer, the attorney for Ms. Kelly Rose, is also on the
22 line.

23 MR. RAFFENSPERGER: Okay. Mr. Spencer, would you
24 like to --

25 MR. SPENCER: I would. I would suggest that this

1 case should be dismissed. Ms. Rose has presented evidence
2 that, in fact, she did not do what the claim was, and
3 what's interesting is that in the affidavit -- or if it's
4 an affidavit, the statement from the witness does not
5 allege that she was campaigning. What it alleges is that
6 she passed out water, which is not illegal, but even if it
7 is -- is illegal, we have presented credible evidence
8 that, in fact, she did not do that, and we would submit
9 that this is the kind of case that should not be submitted
10 to the Attorney General. If this goes to the Attorney
11 General, every allegation will go to the Attorney General,
12 and we don't think that's the intent of this Board. We
13 don't think that's the intent of this -- this statutory
14 regimen, so we would ask -- I was about to say the Court,
15 but I would say we would ask the Board to go ahead and
16 dismiss this matter because we have shown that she did not
17 do what she's accused of, and she should not have to go
18 before the Attorney General or the State should not have
19 to spend its resources going through this -- this
20 particular case. So that's where we are.

21 MR. RAFFENSPERGER: Thank you, sir. Do any of the
22 members of the Board have any questions for either side?

23 MR. MASHBURN: This is -- this is Matt Mashburn. I
24 don't have any questions. I thank the counselor for his
25 statements, but I'm going to move that we accept the

1 recommendation and refer this to the Attorney General.

2 MR. RAFFENSPERGER: Okay. Do we have a second?

3 MS. LE: Anh Le, I second.

4 MS. SULLIVAN: Rebecca Sullivan, I second.

5 MR. RAFFENSPERGER: We have a second by...?

6 MS. LE: Ms. Sullivan.

7 MR. RAFFENSPERGER: Ms. Sullivan, okay. Do we have
8 any additional comment from any Board members?

9 MR. WORLEY: Mr. Secretary, it's David Worley here.
10 I know that the Secretary has made statements prior to the
11 last election about the handing out of water at voting
12 locations, but my view is that those kinds of activities
13 are not a violation of the law, and if it seems that most
14 people on the Board want this to go to the Attorney
15 General's Office, I hope that the Attorney General will
16 look at that issue and come back to us with its
17 interpretation, and I believe the correct interpretation
18 will be that this kind of activity does not violate the
19 law. So there may be some use in sending this to the
20 Attorney General, but I do not believe that the activity
21 to which Ms. Rose admitted is illegal and/or a violation
22 of the two statutes that the investigators relied on in
23 this case. So I'm going to oppose that motion. Thank
24 you.

25 MR. RAFFENSPERGER: You're welcome. Thank you, Mr.

1 Worley. Any other comments? Hearing none, all those in
2 favor of the motion as presented, signify by saying aye.

3 THE BOARD MEMBERS (except Mr. Worley): Aye.

4 MR. RAFFENSPERGER: Those opposed?

5 MR. WORLEY: No.

6 MR. RAFFENSPERGER: Okay. Motion carries. Okay.

7 Before we have the next case, let's -- I see the time has
8 gotten on. If we could get back for a short break, say,
9 five minutes, we'll resume at that time. Thank you.

10 (Meeting break)

11 (Meeting resumes)

12 MR. RAFFENSPERGER: We can, I guess, start. I think
13 everyone should be back by now.

14 MS. WATSON: Okay. The next case is 2017-073.

15 MR. RAFFENSPERGER: Okay. Please proceed.

16 MS. WATSON: On November the 8th, 2017, we received
17 multiple complaints in reference to the November 7th, 2017
18 City of Griffin general municipal election: absentee
19 ballots being rejected and possibly manipulated, some
20 voters did not know their polling precinct had been
21 closed, and they did not know where to vote. Tamar Harris
22 [ph.] filled out a new voter registration card on October
23 3rd, 2017 to move her voter registration. Mr. Lemons
24 reported the Elections Office failed to move Tamar Harris'
25 voter registration prior to the November 7th, 2017 general

1 municipal election. He believed his name was left off
2 some of the ballots during the November 7th, 2017 general
3 municipal election, and an article in the Sunday, January
4 14th, 2018 edition of the Griffin Daily News reported the
5 Spalding County Board of Election and Registration had
6 determined that 38 city electors may have been assigned to
7 incorrect city districts. This was confirmed during an
8 audit along with 408 electors in the county that were in
9 the incorrect district. In 2019, a second audit was
10 conducted that found 131 voters in the incorrect precinct,
11 and 77 voters assigned to the incorrect House district.
12 Elector Susan Sledge [ph.], Leander Sledge [ph.], Stephen
13 Cole Braswell, and Amy Braswell received the wrong ballot
14 styles when they voted.

15 Investigation revealed allegation one, two, and three
16 were not substantiated. Allegation four, it was confirmed
17 one person received the incorrect ballot. In allegation
18 five, it was confirmed that 38 electors in the City of
19 Griffin were in the incorrect district. It was also
20 confirmed that 408 county electors were not in the correct
21 district. In 2019, a second audit conducted found 131
22 voters in the incorrect precinct and 77 in the incorrect
23 House district. We recommend Spalding County Board of
24 Elections and Registration and the former Elections
25 Supervisor, Terry Colling, be bound over to the Attorney

1 General's Office for a violation of 21-2-216(b) and
2 Spalding County Board of Elections and Registration and
3 Marcia Ridley, Elections Supervisor, be referred to the
4 General -- Attorney General's Office for SEB rule 183-1-
5 12-.02(4)(b) and SEB rule 183-1-12-.06(11)(a) and SEB rule
6 183-1-12-.02(4)(d).

7 MS. THOMAS: And Stephanie Windham is on the phone to
8 speak on behalf of Spalding County.

9 MR. RAFFENSPERGER: Okay. Ms. Windham?

10 MS. WINDHAM: Yes, sir. Spalding County would ask
11 that these charges be dismissed, Mr. Secretary. The
12 remedial measures have been taken regarding the -- the
13 improper districts. Several audits have been conducted by
14 the current Elections Supervisor, Marcia Ridley, and all
15 the issues that were found have been corrected, and the --
16 the -- as far as those voters who received the incorrect
17 ballot and voted the incorrect ballot at the time and then
18 later determined that they had gotten the wrong ballot but
19 they had already voted and did not make any comments to
20 the poll workers or the poll manager at the time that they
21 had the wrong ballot, so our concern is we just need some
22 direction on how to rectify a sti -- situation like that
23 where the voter accepts the ballot, votes it, and then
24 after they get home, they decide that they voted the wrong
25 ballot.

1 Also, as far as the -- the accusation that Ms.
2 Ridley, regarding the Jordans' ballots, that she allowed
3 them to vote a provisional ballot but failed to do an
4 inquiry prior to approving the provisional ballot, that is
5 actually untrue. She did contact the poll manager. The
6 poll manager indicated that the Jordans had not voted
7 while they were there. Then, she allowed -- Ms. Ridley
8 allowed the provisional ballots. Afterwards when the
9 votes were counted and it was determined that the Jordans
10 had voted twice, the poll manager was counseled and also
11 reprimanded. And that's all I have, sir.

12 MR. RAFFENSPERGER: Thank you. Members of the Board,
13 do you have any questions?

14 MR. WORLEY: I don't have a question, Mr. Secretary,
15 but I do have a comment. I appreciate that this situation
16 has been corrected, but given the large number of voters
17 that were placed in the wrong district, I -- I don't think
18 we can just either dismiss or deal with it in some way
19 other than referring it to the Attorney General's Office.
20 And in addition, I think it's incumbent on the county or
21 the city, as the case may be, to make sure that people are
22 in the right districts, and I don't think the burden
23 should be on the voters to question every time they
24 receive a ballot. There has to be some basic assumption
25 that the ballot that you're getting at the polling place

1 is the correct ballot for your district, and I think the
2 voters are entitled to rely on that to some degree, so Ms.
3 Windham's suggestion that somehow the voters here are at
4 fault -- I know that's probably not what she intended, but
5 that's the impression that was conveyed to me at least --
6 is just not one I can agree with, so I make a motion that
7 we refer this case to the Attorney General.

8 MR. RAFFENSPERGER: Thank you. Do you have a -- do
9 we have a second?

10 MS. SULLIVAN: Rebecca Sullivan, I'll second it.

11 MR. RAFFENSPERGER: Ms. Sullivan seconds. Any
12 further comment?

13 MS. LE: This is Anh Le. I do have a thought to the
14 question of what guidance or what could they do more that
15 I think Ms. Windham asked earlier. I suggest going
16 through training again. Maybe put your people through
17 training again because with this large number, especially
18 in city elections as you know, the needle moves with just
19 a few votes sometimes, and so it does have a big impact
20 for the down ballot races or the local races. So -- and I
21 would agree with Mr. Worley completely in the sense that,
22 you know, voters don't go home and then decide to have the
23 wrong ballot. They assume sometimes that they have the
24 right ballot, so it is incumbent on the county to get it
25 right the first time, so I agree with the motion as well.

1 MR. RAFFENSPERGER: Thank you. Any other comment?
2 Hearing none, all those in favor of the motion, please do
3 so by signifying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Hearing none,
6 motion carries. Next case?

7 MS. WATSON: Next case is 2017-074. In November
8 2017, a complainant reported that Council Member Joyce
9 Shepherd was sitting directly outside the voting room at
10 the Metropolitan Library. The complainant advised that
11 Council Member Shepherd was saying to each voter as they
12 entered the polling location. Several other electors
13 alleged that Shepherd and her supporters were campaigning
14 within the hundred and fifty foot boundary of the polling
15 location.

16 Investigation determined that Shepherd did go to the
17 precinct to vote on November 7th, 2017. She remained at
18 the location to assist her mother to vote. The
19 complainant confirmed that the -- Council Member Shepherd
20 was in the hall with her mother. Elector reported
21 Shepherd transported dozens of surrogates to actively
22 campaign on the library property within 60 feet of the
23 building, and they were obstructing the entry. One
24 elector reported Council Member Shepherd was distributing
25 water and snacks and introducing herself to those in line.

1 Her niece was also at the location and went home to
2 retrieve some documents necessary for Shepherd's mother to
3 vote. Shepherd remained at the poll location directly
4 across the hall from the polling entrance, approximately
5 twenty feet away, while her niece went home to retrieve
6 the documents. We recommend that Joyce M. Shepherd be
7 referred to the Attorney General for a violation of 21-2-
8 414(a)(1) and (d).

9 MS. THOMAS: And David Lowman with Fulton County is
10 on the line.

11 MS. WATSON: I believe David Lowman with Fulton
12 County is on the line.

13 MR. RAFFENSPERGER: Okay.

14 MR. LOWMAN: I have no additional information to add
15 at this time. Thank you.

16 MR. RAFFENSPERGER: Do any members of the Board
17 require additional information or have any questions?

18 MR. MASHBURN: Matt Mashburn. I make a motion that
19 we accept the recommendation.

20 MR. RAFFENSPERGER: Do we have a second?

21 MR. WORLEY: I'll second that.

22 MR. RAFFENSPERGER: Okay. Any comments, input?
23 Hearing none, all those in favor of the motion as
24 presented, signify by saying aye.

25 THE BOARD MEMBERS: Aye.

1 MR. RAFFENSPERGER: Any opposed? Motion carries.
2 Next case.

3 MS. WATSON: Next case is 2017-075. In 2017, we
4 received numerous allegations of violations of the
5 election code and Board rules during the Forest Park
6 November 7th, 2017 municipal election. The allegations
7 were an elector receiving wrong ballot during early
8 advanced voting, registered voters that were over a
9 hundred years old, excessive absentee voting described as
10 vote harvesting, electors failing to receive their
11 requested absentee ballots, candidates offering alcohol
12 for votes, candidates campaigning within a hundred and
13 fifty feet of the poll, early advance voting: elector
14 being misinformed as to a requested absentee by mail
15 ballot, and candidate intimidating an elector for a vote.

16 Investigation revealed only two allegations were
17 substantiated. It was confirmed that candidate Dabouze
18 Antoine campaigned within a hundred and fifty feet of the
19 polling place on November 7th, 2017. It was also
20 confirmed that candidate Councilwoman Kimberly James
21 completed six absentee ballot applications, two for family
22 members and four for others. She submitted the
23 applications, failing to properly sign the applications as
24 assisting. During the investigation, it was also
25 determined that the former City of Forest Park Elections

1 Superintendent Lois Wright failed to properly redact voter
2 registration information including date of birth from
3 absentee ballot applications when preparing an open
4 records request, resulting in 587 absentee ballot
5 applications with personal voter registration information
6 being provided to the public in violation of 21-2-225(b).
7 Our recommendation is for Dabouze Antoine be referred to
8 the Attorney General's Office for 21-2-414(a)(1), for
9 Kimberly James to be referred to the Attorney General's
10 Office for 21-2-381(c)(e)(f), and City of Forest Park and
11 Lois Wright, Elections -- former Elections Superintendent,
12 be referred to the Attorney General for violation of 21-2-
13 225(b).

14 MR. RAFFENSPERGER: Okay. Do we have any --

15 MS. THOMAS: Yes. We have two people on the line.
16 One of them is Trudy Smith, and one of them is Michael
17 Williams. Ms. Trudy Smith has a speech impairment, so she
18 has written -- wrote a statement that I'm going to read
19 for her.

20 MR. RAFFENSPERGER: Okay.

21 MS. THOMAS: So Ms. Trudy's statement begins I would
22 like to address this body today as a confirmed citizen
23 that has personally observed what has been going on in
24 Forest Park for approximately 10 years. The increasing
25 corruption in our city is completely a persistent issue.

1 The bad actors are consistent. If you will look back to
2 last week's hearing, you will see there is a reoccurring
3 theme. As an example, we had a fully functioning URA
4 board. Once the current administration gained majority
5 control, they maligned the makeup of the Board, which had
6 committed no wrongdoing. Then, they ran a kangaroo court
7 and voted to dismiss all of the sitting Board members
8 except for one. You guessed it, Lois Wright, Election
9 Superintendent.

10 Ms. Wright was the named the deployment -- I'm sorry,
11 the development authority, downtown development authority,
12 and the newly formed urban redevelopment authority. Is
13 this a coincidence? I think not. She was instrumental in
14 getting this council in place. They have made sure she
15 was taken care of at every turn. Ask yourselves this
16 question: why would anyone go through such lengths for an
17 unpaid volunteer position? I call upon your common sense
18 along with the evidence presented by the Secretary of
19 State investigators as to the claims that have been lodged
20 by the concerned citizens of Forest Park. As a diverse
21 group of individuals, there can be no claim of racial
22 bias. We just want to have people of integrity
23 representing us and doing the city's business. We have
24 lived this travesty of governmental abuse of power for far
25 too long.

1 Ms. Wright, Ms. James, and Mr. Antoine have been
2 defying the rules in their oaths of office with wanton
3 disregard. It is evident in the facts that Ms. James has
4 already been fined by the Secretary of State's Office for
5 campaign reporting violations, Ms. Wright was referred to
6 the Attorney General's Office in last week's hearing, and
7 Mr. Antoine was brought up on ethics violations charges
8 within the first year of his first term in office.

9 Allowing this self-serving individuals to continue to
10 serve unleashed has caused our city great harm, resulting
11 in a total lack of trust on behalf of the citizens. All
12 of this has been stressed -- I'm sorry. All of this has
13 been stated to stress the falsus in uno, falseness --
14 falsus in omnibus. False in one thing, false in
15 everything, legal principle. Please make a statement that
16 this behavior will no longer be tolerated in the great
17 State of Georgia, and Ms. Trudy is here for any questions
18 from the Board. And then we also have Michael Williams,
19 who's here to speak in response to the case.

20 MR. RAFFENSPERGER: Okay.

21 MR. WILLIAMS: Good morning. This is Mike Williams,
22 the city attorney for the City of Forest Park. I'm only
23 here speaking on behalf of the third potential violation,
24 which was identified regarding the failure to redact voter
25 registration information, and it indicates that dates of

1 birth were -- is the item that was not redacted. As the
2 investigator reported, Ms. Wright is no longer the
3 Elections Superintendent, and I would acknowledge that
4 these happened in 2017. The City has long since
5 implemented a series of reforms, if you will, within the
6 City Clerk's office regarding open records requests. We
7 have a new City Clerk who as recently as this year has
8 implemented new software, new training, and pledges to
9 have city-wide cross-training for all staff to make sure
10 that open records requests are properly handled, that
11 there's good customer service in terms of responding to
12 those requesting the information, and that the quality
13 control is maintained so that mistakes like this don't
14 happen again. So the City would request either that this
15 be dismissed or a letter of instruction, as reforms have
16 already taken place to correct this problem. That's all I
17 have.

18 MR. RAFFENSPERGER: Thank you, Mr. Williams.

19 MS. THOMAS: And then we also have one more person,
20 an attorney for Kimberly James in the case is here, Bruce
21 Maloy.

22 MR. MALOY: Good afternoon. My name is Bruce Maloy.
23 I represent Kimberly James. First, I would like to thank
24 the investigator that did this investigation for making an
25 extremely thorough report and inquiry on a really

1 scattered collection of allegations in this election. Ms.
2 James is participating in this hearing, but I am going to
3 speak on her behalf. She's accused of submitting six
4 requests for absentee ballots without signing that she was
5 assisting in the requests. Two of those requests are for
6 her own adult children who are college students and legal
7 voters and residents but were away at college at the time.

8 I would simply like to emphasize that these were
9 requests for absentee ballots and not ballots where there
10 was an impropriety, and also, that there's been no
11 allegation that any of these voters have since disavowed
12 that this was them -- that they were the person that was
13 making the request. So it's purely technical violations
14 and failing to countersign the absentee ballot requests by
15 Ms. James. She was very candid with your investigator
16 when contacted, in fact, went to the investigator's office
17 and met with the investigator and sat down with the
18 investigator and acknowledged it. I would just say on her
19 behalf that I think a more appropriate resolution for
20 these allegations is a letter of admonition and not a
21 referral to the Attorney General's Office or the Clayton
22 County District Attorney's Office.

23 One other point, -- and I'll make this very quickly -
24 - I filed an open records act request for the
25 investigative file and witness summaries in this case, and

1 that was summarily denied because this is -- the
2 contention is that this is an open criminal investigation.
3 I would just point out the inconsistency that when it's to
4 the benefit of the Secretary of State's Office and the
5 Election Board, this very same investigative report was
6 provided as an not undersealed, not under confidentiality
7 order exhibit in the Fair Fight vs. Raffensperger
8 litigation. And so when the State wants to use it to its
9 benefit, they do, and when an open records act request is
10 presented, it's denied. And I don't mean to cloud the
11 issue that's before you. I would just ask that the Board
12 in its discretion realize that this is a kind of technical
13 violation that should be winnowed out and should be the
14 subject of either a dismissal or an admonition but not a
15 referral to the Attorney General's Office. Thank you.

16 MR. GERMANY: This is Ryan Germany. I would just add
17 to his last point that the Secretary of State's Office has
18 different obligations under the Georgia Open Records Act
19 and in discovery in a federal lawsuit, and we certainly
20 attempt to comply with each of those as best we can, but
21 it puts different obligations on us.

22 MR. RAFFENSPERGER: Members of the Board, does anyone
23 have any questions? Hearing none, now would be an
24 appropriate time for a motion if you're so --

25 MR. WORLEY: Well, Mr. Secretary, I would make a

1 motion that we send Kimberly James a letter of
2 instruction.

3 MR. RAFFENSPERGER: Okay. Do we have a second?

4 MR. MASHBURN: Matt Mashburn, second.

5 MR. RAFFENSPERGER: Any further comment on this? All
6 those in favor of that motion, please do so by signifying
7 aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries. On
10 the other two, violation potential?

11 MS. LE: This is Anh Le. I'd make a motion to send
12 the other two matters in this case to the Attorney
13 General's Office.

14 MR. RAFFENSPERGER: Do we have a second?

15 MR. MASHBURN: Matt Mashburn, second.

16 MR. WORLEY: Second.

17 MR. RAFFENSPERGER: Okay. Any further discussion?
18 Hearing none, all those in favor of the motion, signify by
19 saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Any opposed? Hearing none,
22 motion carries. Okay. Next case?

23 MS. WATSON: Next case is 2017-077. On November 9th,
24 2017, Ms. Nicole Griffin advised that while voting at the
25 Elkins Pointe Middle School polling location, she noticed

1 that the handicapped parking spot did not comply with the
2 American Disabilities Act as it relates to distance and
3 accessibility. Investigation revealed a visit to the
4 location confirmed that the distance from the handicapped
5 parking spaces was 368 feet from the door that allowed
6 access for voters with added school activities of loading
7 and unloading of students in the path between the
8 handicapped parking space and the access for voters to
9 enter. Our recommendation is that Fulton County Board of
10 Elections and Registration and Director Richard Barron be
11 referred to the Attorney General's Office for 21-2-265(c)
12 and also SEB rule 183-1-6.04. And Ms. Griffin is also on
13 the line.

14 MR. RAFFENSPERGER: Ms. Griffin?

15 MS. GRIFFIN: Hello. Can you hear me?

16 MR. RAFFENSPERGER: Yes, ma'am.

17 MS. GRIFFIN: Okay. Yeah. I just -- I'm not sure
18 what I'm supposed to say other than as the woman so
19 politely explained that my voting location, it's not
20 easily accessible to enter nor park for disabled voters.
21 I witnessed to voters being scolded for literally just
22 where they were standing, one in a walker, one not even
23 standing, one in a wheelchair, as they were waiting for
24 their driver to pull up because the handicapped parking is
25 the -- the handicapped parking spaces are the farthest

1 distance from the voting door that they could be, and it's
2 a violation of the ADA laws and that taking into
3 consideration there are current discussions about changing
4 absentee ballot requirements, I would urge lawmakers to
5 think of my complaint before making absentee -- making any
6 changes to absentee voting and making absentee voting
7 harder. Until we can ensure all voting locations are one
8 hundred percent compliant with ADA rules and regulations
9 for disabled voters to be able to vote just like any other
10 person, I would just ask you all to have the powers that
11 be take a look at this.

12 MR. RAFFENSPERGER: Thank you.

13 MS. THOMAS: And David Lowman is on the line for
14 Fulton County.

15 MR. RAFFENSPERGER: Mr. Lowman?

16 MR. LOWMAN: Good morning. David Lowman, Fulton
17 County attorney's office. I would just like to point out
18 the fact that this middle school being used as a polling
19 place has the appropriate handicapped access as required
20 by Georgia and federal law, and Fulton County using [sic]
21 it as a polling place trying to serve the people of that
22 area. Unfortunately, the only place that is large enough
23 for the voting to take place is the gymnasium, and the
24 handicapped parking spaces are farther than I guess would
25 be ideal from the gymnasium. However, I don't feel like

1 binding this over to the Attorney General would serve any
2 other purpose other than to -- I don't know. The
3 handicapped access is provided at the middle school.
4 Voting is taking place at the middle school, and
5 unfortunately for everybody involved, I guess, somebody
6 scold -- was scolding or inappropriately --

7 MS. GRIFFIN: It was literally the school police
8 officer, and he was trying to write them a ticket.

9 MR. RAFFENSPERGER: Ma'am? Ma'am?

10 MS. GRIFFIN: I'm sorry.

11 MR. RAFFENSPERGER: It's his turn to speak. Thank
12 you.

13 MR. LOWMAN: Even if it was the school police
14 officer, that is not any personnel, and that is not anyone
15 affiliated with Fulton County and the Fulton County Board
16 of Registration and Elections, so I ask with respect to
17 Fulton County Board of Registration and Elections, this
18 case will either be dismissed or a letter of instruction
19 be given. Thank you.

20 MR. RAFFENSPERGER: Board members, do you have any
21 questions or require any additional information?

22 MS. WATSON: I have one -- this is Frances Watson. I
23 have one other comment, and I believe a solution would be
24 to -- that we've seen in other polling locations is a
25 temporary sign that can be placed in front of parking

1 spaces that are closer to the entrance to the gymnasium
2 during election days so that the handicapped have a closer
3 access to that point of entrance.

4 MR. LOWMAN: Ms. Watson, if I may, this is David
5 Lowman. I just received confirmation from my client that
6 a temporary handicapped space will be created closer to
7 the entrance of the gymnasium going forward.

8 MR. RAFFENSPERGER: Thank you, Mr. Lowman. Members
9 of the Board?

10 MS. LE: This is Anh Le. Given that the school --
11 I'm assuming from what counselor has said that it's been
12 determined to be compliant with ADA requirements. It's
13 unfortunate that our voter had that experience, but I -- I
14 would suggest that we issue a letter of instruction to
15 Fulton County on this matter with the gentle reminder that
16 you now have a complaint of a terrible experience of a
17 voter and that going forward to the extent you can
18 mitigate those terrible experiences, especially maybe have
19 a talk with the school about how to handle voters or maybe
20 to defer voters to the poll manager. I think that's
21 warranted given that you have knowledge that your voters
22 did not have a good experience at this location.

23 MR. RAFFENSPERGER: Is that a motion then?

24 MS. LE: Yes, sir. I move to issue a letter of
25 instruction.

1 MR. RAFFENSPERGER: Okay. Second?

2 MR. MASHBURN: Matt Mashburn, second.

3 MR. RAFFENSPERGER: Any further comment? All those
4 in favor of the motion as presented, signify by saying
5 aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.
8 Next case?

9 MR. WORLEY: Mr. Secretary, before you go on, I am
10 going to have to drop off the call for about half an hour
11 to make a court appearance, and I will dial back in
12 probably around 11:30. Thank you.

13 MR. RAFFENSPERGER: Thank you, Mr. Worley. Next case
14 then.

15 MS. WATSON: Next case is 2017-081, City of Sparta.
16 On November 29th, 2017, the complainant reported alleged
17 problems with Aretha Hill in the November 7th, 2017 Sparta
18 municipal general election. The complainant made the
19 following allegations that Maxine Evans [ph.] assisted 13
20 people with absentee ballot applications for early advance
21 voting when she could only assist 10, approximately 9
22 people voted who were not on electors lists, numerous
23 problems were found with the absentee ballot applications
24 but the person voted anyway, no identification of the
25 voter was checked, no time received was written on

1 absentee ballot envelopes that were turned in, oaths were
2 not completed, post office boxes were used as residence
3 for Evans' family members who have been bound over to the
4 AG's Office previously.

5 The investigation revealed two and -- allegations two
6 and three were not substantiated. As to allegation one,
7 it was found that at least 13 electors were assisted by
8 Maxine Evans. The election was not a federal election,
9 and she should have only assisted up to 10. Allegation
10 four, two absentee ballot applications were approved for
11 advance in person voting with no listed identification
12 listed on the application. Allegation five, there were 16
13 absentee ballot oath envelopes with no time received
14 indicated, nine oath envelopes with a person that signed
15 as assisting but failed to list the relationship to the
16 voter. One had no residential address or date of birth on
17 the oath envelope.

18 Allegation seven, it was verified that the Evans
19 family members did have voter registration that listed a
20 physical residential address. Brenda Linda Evans [ph.]
21 did not have a hard copy voter registration on file at the
22 office. During the investigation, it was verified that at
23 least 25 voter certificates were processed by poll workers
24 that failed to enter the required information, such as
25 nine failed to sign or initial as receiving the voter

1 certificate, eight failed to indicate the identification
2 of the elector was checked, seven did not have either a
3 poll worker's initials or a voter ID listed as being
4 checked, one had no address for the elector and no ID
5 listed, and one voter application was approved without a
6 voter registration on file to compare the signature to.
7 It was also discovered that Mark Mathias [ph.] was allowed
8 to vote a provisional ballot while he was a felon under
9 sentence. The ballot was properly rejected and not
10 counted.

11 Our recommendation is for Mark Mathias to be referred
12 to the Attorney General's Office for violation of 21-2-
13 216(b) and Aretha Hill, City of Sparta Municipal Election
14 Supervisor, and the City of Sparta be referred to the
15 Attorney General's Office for a violation of 21-2-
16 381(a)(1)(c), 18 counts, 21-2-381(b)(1), 21-2-
17 386(a)(1)(b), 26 counts, and 21-2-418(d), provisional
18 ballots, 5 counts, and 21-2-431(a), execution of voter
19 certificates, 25 counts, and Aretha Hill, City of Sparta
20 Municipal Election Supervisor, and City of Sparta, and
21 Maxine Evans be referred to the Attorney General's Office
22 for 21-2-409(a), assisting electors. And there is no one
23 on the line.

24 MR. RAFFENSPERGER: Okay. Members of the Board, do
25 you have any questions?

1 MR. MASHBURN: This is Matt Mashburn. I don't have
2 a question, but I move that we accept the recommendation.

3 MR. RAFFENSPERGER: Do we have a second?

4 MS. SULLIVAN: Second, Rebecca Sullivan.

5 MR. RAFFENSPERGER: Any further discussion? Hearing
6 none, all those in favor of the motion as presented,
7 signify --

8 MR. GERMANY: Mr. Secretary? Mr. Secretary, this is
9 Ryan Germany. Can I -- can I add something before the
10 vote?

11 MR. RAFFENSPERGER: Yes, sir.

12 MR. GERMANY: Sorry. The -- the law about limiting
13 assistance to ten voters, it was the law in 2017 when that
14 happened. That law has been changed. It was changed in
15 2019. I just wanted to point out that that limitation was
16 probably inconsistent with federal law regarding
17 assistance to voters, so it might be -- and Charlene can
18 weigh in, but it might, I think, be difficult to, you
19 know, include that in the referral to the AG's Office.

20 MR. RAFFENSPERGER: Okay. Does the AG's Office have
21 a position on that right now?

22 MS. MCGOWAN: Yes. If it was a violation of the law
23 at the time, it is still in violation, but if there's an
24 issue with the law being contrary to federal law, it could
25 be something else, so you can either refer the whole case

1 to us, and I can just take a look at it, decide whether or
2 not that should be -- that particular allegation should be
3 dismissed or not, or you can decide as a Board not to
4 refer that particular complaint to our office.

5 MR. RAFFENSPERGER: Well, you are the department of
6 laws, and so you would make the final determination, so --

7 MS. MCGOWAN: Yes. We can make our recommendation at
8 a later date that that particular complaint be dismissed.

9 MR. RAFFENSPERGER: Okay. So we have a motion, and
10 it's been seconded. All those in favor of the motion as
11 presented, signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed? Okay. Attorney
14 General, it's your case. Okay. Next?

15 MS. WATSON: Next case is 2017-085. In December of
16 2017, it was reported that the public was not allowed to
17 view tabulation at the North Fulton Annex during the
18 December 5th, 2017 runoff election. Investigation
19 revealed there was evidence to support a violation of 21-
20 2-40(3)(b). The North Fulton Annex was a precinct and
21 check in center for surrounding polls to drop off end of
22 election documents, which included memory cards. The
23 group should have been allowed access to view the
24 procedures being conducted at the precinct. There was
25 confusion as officials at the annex believed their jobs

1 did not involve tabulation, and the main tabulation was to
2 take place at the English Street location. Both officials
3 and the group became agitated with one another as the
4 officials were not prepared for the public being present
5 to view the proceedings, and the group had not been
6 cooperative with the officials. We're recommending that
7 Fulton County Board of Election and Registration and
8 Fulton County Director Richard Barron be referred to the
9 Attorney General's Office for violation of 21-2-40(3)(b).

10 MS. THOMAS: Richard Barron and David Lowman are on
11 the line.

12 MR. RAFFENSPERGER: Okay. Mr. Lowman?

13 MR. LOWMAN: Mr. Barron can speak to this issue.

14 MR. RAFFENSPERGER: Okay. Mr. Barron?

15 MR. BARRON: Hi, good morning, Board. My memory of
16 this -- that I received a call from the check in center,
17 and that's where we used to do modem -- we would modem
18 results at that check in center in addition to having poll
19 workers check in -- is that a group of individuals came to
20 the check in center with cameras and were walking in the
21 aisles where that -- where the tabulation of the Board was
22 being conducted. They were putting cameras in people's
23 faces, standing over their shoulders, and generally
24 getting in the walkways of where poll workers were
25 delivering materials, and so it became very disruptive. I

1 -- my memory is that I instructed the deputy over the
2 phone to either put them into a public viewing area in
3 some way where they could view it or to remove them that
4 they weren't -- if they weren't going to be compliant with
5 that, and I think the result was after some -- a deputy
6 ended up asking them to leave, but that was, I think,
7 about three years ago so that's all I can remember of the
8 incident.

9 MR. RAFFENSPERGER: Okay. Members, do you have any
10 questions for Ms. Watson or Mr. Barron? Hearing none, now
11 would be the appropriate time for a motion.

12 MR. MASHBURN: This is Matt Mashburn. Having spent a
13 lot of time watching tabulations, I'm sympathetic to those
14 who want to observe tabulations because that's me. I have
15 been that for most of my adult life, but at the same time,
16 I've never been asked to leave a tabulation center or a
17 precinct for that matter ever, so here, I'm persuaded with
18 Fulton County's explanation of it, and I move that this --
19 wait, what?

20 MS. WATSON: We do have another speaker.

21 MR. MASHBURN: Okay. I'm sorry. We can do that.

22 MS. THOMAS: Yeah. Marilyn Marks is here to speak on
23 this case.

24 MS. MARKS: Yes. Can you hear me now?

25 MR. RAFFENSPERGER: Yes.

1 MS. MARKS: Yes, I'm Marilyn Marks, and thank you for
2 allowing me to speak. I, now, really want to, after
3 hearing Mr. Barron, want to change the comments I was
4 prepared to make, and while Coalition for Good Governance
5 was observing what was happened there, there were numerous
6 groups of people, and I don't think they should all be
7 classified as to one group. However, I think the big
8 problem is that we're working with different sets of facts
9 here. I think what Mr. Barron is remembering is -- is not
10 what this complaint was about that I had understood from
11 Ms. Watson, and as I understood from Ms. Watson, this
12 happened to be the DRE transmission of results, which
13 actually was happening in a room in the back hallway, and
14 there was not a group of people around there.

15 I was there, and so what I would like to do, given
16 that there is some confusion on the facts, I would ask
17 that the Committee -- or excuse me, that the Board defer
18 this and let us get on the same page with the facts,
19 rather than us talking about multiple different instances
20 where we have not -- that it is unclear, and I just want
21 to say that while this complaint was originally filed with
22 the Fulton Board, we did not know it was going forward
23 with the State Election Board. Therefore, we have not
24 gotten on the same page with the facts. But I would also
25 say that in our years of working in the Fulton polling

1 places, Fulton's transparency has improved significantly,
2 and I would think that also in that light, it would really
3 justify a deferral until -- until the facts and the exact
4 location of what's being talked about here can be better
5 understood. Thank you.

6 MR. RAFFENSPERGER: Okay. Mr. Mashburn, you had a
7 motion. Did you want to amend it, or is that your motion?

8 MR. MASHBURN: No. I -- yeah. I think the
9 investigators have done a very thorough job investigating
10 it, and so I -- I'm satisfied with the job they've done,
11 so I'm ready to move forward, and I move that this be
12 dismissed.

13 MR. RAFFENSPERGER: Do we have a second?

14 MS. LE: Anh Le seconds.

15 MR. RAFFENSPERGER: Okay. Any further discussion?
16 All those in favor of the motion, please signify by saying
17 aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Those opposed? Motion carries.
20 Next case?

21 MS. WATSON: Next case is 2017-088. On December
22 21st, 2017, we received a complaint concerning an elector
23 having voted twice in the December 5th, 2017 general
24 election runoff in Fulton County. The allegation was
25 confirmed that election Jones McKennon [ph.] was allowed

1 to vote twice in the same election for the December 5th,
2 2017 runoff. It was confirmed that she was listed in the
3 system as having voted during early voting when she went
4 to the poll on Election Day and was allowed to proceed and
5 vote a second time. The voter acknowledged that she voted
6 twice, and it was due to confusion on her part in thinking
7 that she should be eligible to vote in the City of Atlanta
8 election. She does not reside in the City of Atlanta.

9 Our recommendation is for Jones McKennon to be referred to
10 the Attorney General's Office for 21-2-562 and 21-2-572
11 and Fulton County Board of Election and Registration and
12 Director of Elections Richard Barron be referred for 21-2-
13 431(a) and SEB rule 183-1-.12-.02(4)(b).

14 MS. THOMAS: And David Lowman is on the line with
15 Fulton County.

16 MR. RAFFENSPERGER: Mr. Lowman?

17 MR. LOWMAN: Yes. I would just like to point out
18 that in the past three weeks, Ms. Watson and her staff
19 have done a herculean effort with getting all these cases
20 before you, and I do remember distinctly in the last two
21 weeks several cases where a voter voted twice, and I think
22 if I remember correctly each time either the County was
23 not named as a Respondent or was dismissed or maybe might
24 have gotten a letter of instruction because the voter --
25 the onus is on the voter, as this Board has stated a

1 couple of times, to not vote twice, and so I would ask
2 just for fair and equal treatment in respect to Fulton
3 County in a case such as this and ask that the most that
4 be given is a letter of instruction, and it not be bound
5 over to the Attorney General's Office. Thank you.

6 MR. RAFFENSPERGER: Okay. Is anyone else here to
7 speak? Members of the Board, do you have any comments,
8 questions, or a motion?

9 MR. MASHBURN: This is -- this is Matt Mashburn. I
10 accept Fulton County's explanation and move that a letter
11 of instruction be issued.

12 MR. RAFFENSPERGER: And do we have a second for that
13 motion?

14 MS. SULLIVAN: Second, Rebecca Sullivan.

15 MR. RAFFENSPERGER: Any further discussion? Hearing
16 non, all those in favor of issuing Fulton County a letter
17 of instruction, please do so by signifying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Any opposed? Now, as to the
20 voter who voted twice, what is your disposition on that?

21 MS. SULLIVAN: I make a motion that that matter be
22 referred to the Attorney General's Office.

23 MR. RAFFENSPERGER: Do we have a second?

24 MR. MASHBURN: Matt Mashburn, second.

25 MR. RAFFENSPERGER: Any further discussion? Hearing

1 none, all those in favor of the motion as presented to
2 send that to the Attorney General's Office, signify by
3 saying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.

6 Thank you. Next one?

7 MS. WATSON: Next case is 2017-089. In December of
8 2017, it was reported that a voter was turned away from
9 voting in the December 5th, 2017 general election runoff
10 at the Morningside Baptist Church precinct. Jennifer
11 Gorley [ph.] reported that she presented at the
12 Morningside Baptist Church precinct to vote. Ms. Gorley
13 reported that she had changed her driver's license and
14 requested to update her voter registration, and she had
15 completed a national change of address at the time she
16 moved. E-net shows a national change of address notice
17 that was sent to Ms. Gorley dated 11/8/2016 that the voter
18 did not respond to. She showed her driver's license to
19 the poll worker confirming her address but was still not
20 allowed to vote on the DRE or issued or provisional ballot
21 or a voter registration to change the address. She was
22 directed to her previous precinct associated at her
23 previous address. The voter did not have time to go to
24 the previous precinct and did not vote in the election.
25 Our recommendation is Fulton County Board of Election and

1 Registration, Fulton County Director of Elections Richard
2 Barron be referred to the Attorney General's Office for
3 21-2-418(a), provisional ballots, SEB rule 183-1-12-
4 .06(4)(a) and SEB rule 183-1-12-.06(4)(b).

5 MR. RAFFENSPERGER: Okay. Do we have anyone that
6 wants to speak from Fulton County on this case?

7 MR. LOWMAN: This is -- this is David Lowman. I do
8 not have any further information on this case.

9 MR. RAFFENSPERGER: Okay. Members of the Board, do
10 you have any questions or a motion?

11 MS. LE: This is Anh Le. I move that we send this to
12 the Attorney General's Office.

13 MR. RAFFENSPERGER: Do we have a second?

14 MS. SULLIVAN: Rebecca Sullivan, second.

15 MR. RAFFENSPERGER: I hear a second. Any additional
16 comments? All those in favor of the motion, signify by
17 saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: Any opposed? Motion carries.
20 Next case?

21 MS. WATSON: Next case is 2018-002, Irwin County. On
22 February 6th, 2018, the Secretary of State's Office
23 received complaints from Lowndes County Elections
24 Supervisor Deb Cox, interim Irwin County Elections
25 Supervisor Ken Collins, and elector Samuel Cob [ph.] about

1 irregularities in Irwin County. It was reported that 10
2 or 20 of the DREs did not work because they probably
3 needed new batteries, that the Elections Office did not
4 conduct quarterly maintenance and inspections of the DRE
5 touchscreens, that the hallway outside the room where the
6 GenServer was housed had experienced some water coming
7 inside the building when there was large amounts of rain,
8 that the voter ID machine did not work, that there were
9 stacks of confirmation and precinct cards inside the
10 office dated from August 2017 that had not been mailed out
11 yet, that some of the older express polls were not
12 accounted for, that the older express polls were stored in
13 an area in the basement of the Irwin County courthouse
14 that was not secured. Mr. Cob reported he was improperly
15 placed in District 4 of the Irwin County School Board
16 District. Mr. Cob reported he should be in District 5.

17 Investigation revealed there was no evidence to
18 support evidence of allegations of violations of all but
19 allegation one and seven. In reference to allegation one,
20 it was determined that Irwin County was issued 34 DRE
21 units. When Mr. Collins took over as interim Elections
22 Supervisor on February 6th, 2018, it was found that 15 of
23 the DRE units were charged and functioned properly, but 12
24 needed new batteries and 7 needed to be repaired. In
25 reference to allegation number seven, it was revealed that

1 the older express poll units, 12 units were stored in an
2 area behind a small door in the basement of the
3 courthouse. The door had a lock on it, but it was not
4 locked. Former Elections Supervisor Cindi Dunlap reported
5 she was instructed to store the units there when they
6 purchased new express polls. Ms. Dunlap stated the door
7 was locked when the older express polls were stored there.

8 Our recommendation is for Irwin County Board of
9 Election and Registration, Cindi Dunlap, the former
10 Elections Supervisor, be bound over to the AG's Office for
11 Election Board rule 183-1-12-.02(2)(f), security of DRE
12 units, and Election Board rule 183-1-12-.02(2)(d),
13 maintenance of DRE units.

14 MS. THOMAS: And Nicholas Kinsley is here to
15 represent Irwin County. Cindi Dunlap, Ken Collins, and
16 Deb Cox are also on the line to answer any questions.

17 MR. RAFFENSPERGER: Okay. Let's go ahead then.

18 MR. KINSLEY: Yes, thank you. I'm Nick Kinsley. I'm
19 speaking on behalf of Cindi Dunlap only. She is a former
20 Elections Supervisor for Irwin County. I won't address
21 the six allegations that -- that there was no evidence of.
22 I don't think those are at issue here, so as far as
23 allegation one, we have 12 that needed new batteries.
24 I've spoken with Ms. Dunlap, and she resigned from Irwin
25 County and no longer worked there at the end of January,

1 so there's about a two-week period where -- a gap between
2 this -- this report and Ms. Dunlap's resignation, so to
3 hold her responsible for allowing the batteries to die
4 when she did not work there does not seem correct. She --
5 she also explained to me that all machines had maintenance
6 logs and were charged when she left, and so this should be
7 easy to confirm. She does agree that the seven machines
8 needed repair. You know, Irwin County did not have the
9 money at the time to repair these, and the machines were
10 out of warranty, so she told the Board. She did what she
11 could, but she could not repair them personally. She
12 checked and examined them quarterly, and so she did all
13 that she could do as far as responsibility as an Election
14 Supervisor. She is in charge of funding and budget, and
15 so she couldn't repair those or pay to have those
16 repaired.

17 As far as allegation seven, we admit that older
18 express polls were stored in the area behind a small door
19 in the basement of the courthouse, and so generally, we
20 agree with the findings. Ms. Dunlap herself was
21 instructed by the Chairman of her own county, so the head
22 person of Irwin County, to store those there. She did
23 request new places, and that request was not fulfilled.
24 These were older express polls, so no harm was done. No
25 voters were prevented from voting or improper voters were

1 allowed to vote, and Ms. Dunlap, before her stint at Irwin
2 County, she was the Ben Hill County Elections Supervisor,
3 and after her stint with Irwin County, she's now the Ben
4 Hill County Elections Supervisor. In her first time with
5 Ben Hill County, she had an office that complied with the
6 storage regulations. Again, after she has a new office,
7 it also complies with the storage regulations, so this
8 shows to me that she's aware of the regulations. She has
9 complied when she has the resources and the money
10 available to her, so as far as Ms. Dunlap specifically, we
11 request a letter of instruction, and I believe she's on
12 the line, and I can answer any questions you have as well.

13 MR. RAFFENSPERGER: Thank you, sir. Members, do you
14 have any questions?

15 MR. MASHBURN: This -- this is Matt Mashburn. I
16 accept the counselor's argument and explanation and move
17 that Cindi Dunlap -- I don't see any purpose in prolonging
18 her in this matter, so I'd accept the counselor's
19 recommendation of issuing her a letter of instruction and
20 make a motion that that be the case. On the other hand
21 with regard to Irwin County, I do believe there is some
22 administrative jurisdiction or issues left that might be
23 appropriate to -- that will be appropriate to send to the
24 Attorney General, so I move that we accept the
25 recommendation regarding Irwin County and send those to

1 the Attorney General.

2 MR. RAFFENSPERGER: Do we have a second? Oh, you've
3 got more. Okay.

4 MR. MASHBURN: And there were allegations that were
5 not supported: two, three, four, five, six, and eight, and
6 I move that those be dismissed.

7 MR. RAFFENSPERGER: Okay. Do we have a second?

8 MS. LE: Anh Le. I second.

9 MR. RAFFENSPERGER: Okay. Any further discussion?
10 All those in favor of the motion as presented, signify by
11 saying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed? Motion carries.

14 MS. WATSON: Next case is 2018-004. On March 22nd,
15 2018, we became aware of an allegation of potential vote
16 buying during the City of Blythe municipal special
17 election held on March 20th, 2018. The allegation was
18 Daniel Martin purchased alcohol and cigarettes for an
19 under -- underage elector named Jacob Odom [ph.] for his
20 voting for Phillip Stewart in the mayor's race.

21 The Blythe PD received a tip concerning Jacob Odom.
22 When they located Jacob Odom, he was in a vehicle driven
23 by John Daniel Martin. When the police were interviewing
24 Mr. Odom, they received a call from assistant manager Judy
25 Cordova at the AM/PM Travel Center and stated that Martin

1 and Odom had been there, and something did not seem right,
2 and it looked like Martin was buying alcohol for Mr. Odom.
3 Judy Cordova was a candidate for the City Council, and Mr.
4 Martin was her opponent. While the officers were
5 interviewing Mr. Odom, he advised that Mr. Martin had
6 offered to buy him a six-pack of Mike's Hard Lemonade and
7 a pack of cigarettes if he cast a vote for Phillip
8 Stewart. Mr. Odom agreed, and Mr. Martin drove him to the
9 poll. After voting, Mr. Martin drove him to the AM/PM
10 Travel Center where Mr. Martin purchased the Mike's Hard
11 Lemonade and a pack of cigarettes.

12 The incident was reported to the district attorney.
13 The case was presented to the Richmond County Grand Jury
14 on March 27th, 2018, and Mr. Martin was indicted for 21-2-
15 570 and 3-3-23(a)(1). As of January 24th of 2021, that
16 case has not gone to trial and is still pending. We
17 recommend that John Daniel Martin be referred to the
18 Attorney General's Office for a violation of 21-2-570, and
19 I also was advised that Mr. Daniel would not be in
20 attendance for this meeting as he had pending criminal
21 matters.

22 MS. THOMAS: There is a representative on the line
23 for him, Rachel Ray.

24 MR. RAFFENSPERGER: Okay.

25 MS. WATSON: I believe a Rachel Ray is on the line to

1 speak for Mr. Daniel.

2 MR. RAFFENSPERGER: Go ahead, Ms. Ray.

3 MS. RAY: Good morning, everyone. Can you hear me?

4 MR. RAFFENSPERGER: Yes.

5 MS. RAY: As --

6 MR. RAFFENSPERGER: You could speak up a little bit.
7 That would be better.

8 MS. RAY: As was just noted, Mr. Daniel was charged
9 with a criminal offense, and that has been pending, and he
10 has denied the claims. The entire situation surrounding
11 these allegations is suspicious. The complaining party,
12 Ms. Cordova was running -- [sound cuts out]

13 MR. RAFFENSPERGER: Okay. Is there anyone else that
14 wants to speak on this?

15 MS. RAY: Hello? Can you hear me?

16 MR. RAFFENSPERGER: Yes.

17 MS. RAY: I'm sorry. Can I continue?

18 MR. RAFFENSPERGER: Yeah.

19 MS. RAY: All right. She testified that she didn't
20 hear anything between the two parties at all, and her
21 reason for contacting the police was because she was
22 suspicious that Mr. Odom had never purchased alcohol
23 previously. Ms. Cordova then texted Officer Stroud [ph.]
24 but conveniently fails to tell anybody during the
25 depositions until she is confronted at trial that she and

1 Officer Stroud are in a romantic relationship. Now, Mr.
2 Odom's given several different statements. To the police,
3 he's given two statements. He's given a statement to an
4 attorney and then a statement -- or testimony at trial,
5 and they continue to change. His testimony has not
6 remained consistent at all about when he was with Mr.
7 Martin, when he claims he was offered something, whether
8 he was offered something or not. It is just an
9 amalgamation of different testimony.

10 As there is already a pending charge against Mr.
11 Martin, I'm not sure what else can be done. We believe
12 that that is still pending because the -- the evidence as
13 I've described it is so weak and lacking.

14 MR. RAFFENSPERGER: Thank you, ma'am. Members, do
15 you have any questions?

16 MR. MASHBURN: This is Matt Mashburn. I don't have
17 any questions. I move that we accept the recommendation
18 and bind this over to the Attorney General.

19 MR. RAFFENSPERGER: Okay. Do we have a second?

20 MR. WORLEY: Mr. Secretary, this is David Worley. I
21 just wanted to let you know that I'm back for the record.

22 MR. RAFFENSPERGER: Thank you, Mr. Worley.

23 MR. WORLEY: I'm not going to vote on this case
24 because I haven't heard all of it. Thank you.

25 MR. RAFFENSPERGER: Thank you. Do we have a second

1 then?

2 MS. SULLIVAN: Rebecca Sullivan will second.

3 MR. RAFFENSPERGER: Okay. Any further? Hearing
4 none, all those in favor of the motion, signify by saying
5 aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Those opposed? Thank you.
8 Motion carries. Next case?

9 MS. WATSON: Next case is 2018-008, Peach County.
10 The following complaints were submitted regarding the
11 Peach County May 22nd, 2018 general primary election. On
12 April 23rd, 2018, Edwin Humphreys [ph.] claimed that
13 Shanita Bryant, a candidate for Peach County Commission
14 Post 2, was not eligible to run for office because she
15 wasn't a resident of Peach County for the required 12
16 months. Mr. Humphreys went on to state that the Peach
17 Board of Elections and Registration improperly qualified
18 her to be a candidate. This allegation was not
19 substantiated.

20 On May 3rd, 2018, complainant Walter Smith alleged
21 that Shanita Bryant was not a Peach County resident as her
22 residence -- her address was not listed on the Secretary
23 of State website per Georgia election code. Mr. Smith is
24 the incumbent candidate in the Peach County Commission
25 Post 2 for the May 22nd, 2018 general primary election.

1 It was not substantiated.

2 On May 5th, 2018, a complaint from Shanita Bryant
3 with five allegations related to the May 22nd, 2018
4 election -- she reported they voted during advance voting
5 on Monday, April 30th, 2018 at the Peach County Courthouse
6 inside the voter registration office. While checking ID,
7 a poll worker stated five or six voters were turned away
8 because we weren't done setting up yet. The poll worker's
9 name was unknown. It was determined that there were
10 issues at poll opening, and voters were offered
11 provisional while they worked to resolve the issue. They
12 could wait or come back. No one was turned away.

13 In the next allegation, Ms. Bryant stated that on
14 Wednesday, May 22nd, 2018, a voter stated that he had just
15 voted for a candidate but had to use a paper ballot. The
16 voter stated all the voting machines were down. The issue
17 was that a poll worker had closed the polls. They had to
18 issue 35 provisional ballots until the issue could be
19 resolved.

20 When Ms. Bryant went to vote on April 30th, 2018, she
21 said she also turned in three absentee ballot applications
22 for Sean Wilkerson [ph.], Justin Harold Bryant [ph.], and
23 Vince Howell [ph.]. All of the applications have the same
24 home address listed as the address where the absentee
25 ballot should be mailed. Mr. Wilkerson's absentee ballot

1 arrived on Tuesday, May 1, 2018, but the others did not.
2 The next day Justin Bryant received a voter registration
3 application via mail rather than the absentee ballot.
4 Nothing came for Vince Howell. To this day, no absentee
5 ballot has been received for Justin Bryant or Vince
6 Howell. This was not substantiated. One voter was
7 registered in Fulton, not Peach, and two were processed
8 and mailed to the voters.

9 Alle -- the next allegation, shortly after qualifying
10 on March 9th, 2018, Ms. Bryant's residency was challenged
11 by her opponent, Walter Smith. The Peach County Board of
12 Elections set a hearing for the complainant to answer this
13 allegation. During the hearing, Mr. Smith, the incumbent,
14 said he was challenging res -- residency because the
15 address was not listed on the Secretary of State's website
16 while qualifying. No violation was substantiated.

17 Prior to qualifying, Ms. Bryant went to the Elections
18 Office and inquired about whether Al Sanders was a
19 registered voter in Peach County. Per Mrs. Ray and her
20 assistant Heather, they did not see him anywhere on the
21 rolls. However, it was later learned that Al Sanders was
22 registered to vote the same day that he submitted
23 qualifying paperwork. According to Al Sanders, Adrienne
24 Ray told him that it would be 24 hours for his
25 registration to be changed from Houston County to Peach

1 County, so she would enter his qualifying paperwork the
2 next day. On the day of the complainant's challenge of
3 residency hearing, the complainant went into the Elections
4 Office and spoke with elections assistant Heather, and she
5 verified that Al Sanders registered the day before the --
6 the day he qualified for the Secretary of State's website.
7 On May 22nd, 2018, the Fort Valley voting precinct, also
8 known as the Old Milton School, did not open until
9 approximately 7:10, but there were no voters waiting to
10 vote at that location.

11 Investigation revealed as to the notice of candidacy,
12 residency, and candidate qualification, it was determined
13 that the Board of Elections held a hearing and made a
14 determination that the candidate, Shanita Bryant, was
15 qualified. During the investigation, it was determined
16 that Peach County Elections Supervisor accepted the
17 qualification paperwork of candidate Al Sanders after she
18 changed his voter registration from Houston County to
19 Peach County and did no -- not further question his
20 statement that he had been a Peach County resident for 13
21 consecutive years when he voted in Houston County in 2016.
22 It was also determined that the Elections Supervisor
23 failed to make a copy of the driver's license of candidate
24 Shanita Bryant during qualification. It was confirmed
25 that the poll location Fort Valley precinct did not open

1 until 7:10 on May 22nd, 2018.

2 We recommend Peach County Board of Elections and
3 Registration, Adrienne Ray be referred to the Attorney
4 General's Office for violation of 21-2-6(c) and Peach
5 County Board of Elections and Registration and Adrienne
6 Ray and Al Sanders be referred to the Attorney General's
7 Office for 21-2-132(f)(5) and a letter of instruction be
8 issued for Peach County Board of Elections and
9 Registration, Adrienne Ray for 21-2-403 for time of
10 opening and closing of polls and SEB rule 183-1-12(4)(d).

11 MS. THOMAS: And Shanita Bryant is on the line, as
12 well as John Walker who is representing Peach County.

13 MR. RAFFENSPERGER: Okay. Mr. Walker, I guess, will
14 go first.

15 MR. WALKER: Yes, sir. Mr. Secretary and members of
16 the Board, thank y'all for having us this morning. It's a
17 privilege to be before you, and we appreciate the
18 opportunity to be heard. I do represent Adrienne Ray in
19 her capacity as the Peach County Board of Elections
20 Supervisor, and I'll keep this brief. I know y'all've got
21 a lot to get to still. I'll say that at the time of the
22 alleged malfeasance on Ms. Ray's part, she was a
23 relatively new supervisor. She has certainly learned a
24 lot since then. She continues to strive every day to do
25 better at her job, and, you know, she would welcome any

1 advice that the Board may have for her.

2 I do want to address the complaints that resulted in
3 potential violations. At the end of the investigative
4 summary, there's a list of potential violations. As to
5 the qualification of Al Sanders, it seems like the primary
6 complaint would be that Ms. Ray violated 21-2-6 subsection
7 c in determining that he was qualified. I would argue
8 that she really did not violate that statute. She did
9 make a determination that was based, at least in part, on
10 an affidavit supplied by Mr. Sanders attesting that he was
11 qualified, and, you know, he was later challenged on that.
12 He withdrew his candidacy, and I would say the system
13 worked as to Mr. Sanders. I would say that just
14 generally, you should err on the, you know, on the part of
15 the Elections Supervisor, probably err on the side of
16 qualifying somebody as opposed to not letting somebody
17 that's qualified to run run, and again, he attested that
18 he was qualified, and he later withdrew his candidacy
19 after that was challenged.

20 With regard to Ms. Bryant, and I think there was a
21 point out that Ms. Ray failed to copy her driver's
22 license, which I'm not aware of any requirement, frankly,
23 that a license be copied per any statute that we saw, but
24 like I said, she wants to do better going forward, and
25 that's something she probably does now as part of her

1 normal practice. As to the poll station being open late
2 on May 22nd, according to Ms. Ray, it actually opened at
3 7:03 that morning and not 7:10, and it was a situation
4 where the person with the key arrived late that morning,
5 but that situation has been addressed. Ms. Ray has a key
6 now, and that's not going to happen again, and like I
7 said, she -- she intends to do better and always wants to
8 do better in her job. But with regard to this hearing,
9 we're asking for leniency. I would ask that the case as
10 to Ms. Ray be dismissed or perhaps that a letter of
11 instruction be issued. I certainly would ask that this
12 not be referred to the Attorney General as to Ms. Ray. So
13 thank you very much -- and Ms. Ray is here and available
14 to answer any questions y'all might have. Thank you.

15 MR. RAFFENSPERGER: Okay. Do we have another
16 speaker?

17 MR. SMITH: Yes, Walter Smith.

18 MR. RAFFENSPERGER: Mr. Smith, go ahead.

19 MR. SMITH: Yes. I asked to speak. I knew Ms. Ray -
20 - I was the incumbent at the time, and the former --
21 before Ms. Ray came on, she was not giving us what we
22 wanted, and so that's why we decided to get a new
23 Elections Supervisor in, and everything that has been said
24 is this. First of all, you can own property in any
25 county, but the -- home -- home owner's thing say [sic]

1 that that is your primary residence, then you can't come
2 over in Peach County. Peach County and Houston County is
3 [sic] right next door to one another, so you can't come to
4 say, well, I own property here. You living [sic] with
5 your wife over in Houston, but you own your mother's
6 house that stays in Peach. Okay. You're not going to
7 split up and say okay, well, I'm over here, but my wife
8 over here. That don't work like that. But that's where
9 the Al Sanders thing -- and I told him. I said, you know,
10 you're wrong. That's not right. I didn't mind no one
11 voting against me because the chair is not mine. It's
12 anyone that wins.

13 But my challenge was that you, Shanita, lived in
14 Houston County also. She did not have -- at the deadline,
15 it said 12 o'clock PM, everything -- all your
16 qualifications and papers should be in order, and she did
17 not have the proper ID, which disqualified her
18 automatically. I shouldn't have had no [sic] opponent,
19 but I -- so it was a mark came against me, and then we had
20 Ms. Ray and the Board, the local Board, all agree that oh,
21 yes, she can. She's got a child that goes to Peach County
22 High, so yeah. But they found out later all that was all
23 wrong. Anything just to go against me.

24 Ms. Ray was up against a lot of people because the
25 lady that we got rid of, she had friends in the office,

1 and this whole thing allowed Shanita to come in with the
2 wrong ID because they was all loyal to Ms. -- the past
3 Superintendent. So she, Ms. Ray, really, we did throw her
4 into the lions' den, but so she had her mistake. I didn't
5 know -- I did file in the Superior Court of Peach County,
6 and it said OCGA 21-2-523 requires a time period of five
7 days when to file an election contest, and I had to get
8 the Secretary of State book. You know, I didn't know that
9 at the time that I had -- as quick as I was supposed to --
10 we was supposed to have a meeting within three days. Ms.
11 Ray and I, we had to learn all of this at a moment's time,
12 and that was just one on our side, and so, sure. I allow
13 -- I said well, okay, I was hoping that since I was the
14 incumbent 19 years, 20 years, that I didn't have a
15 problem, and so evidently, it was a lot of wrongdoing.

16 They had people there at the polls, poll watchers
17 telling people who to vote for, and people came back to me
18 and said well, they told me to vote for her and not you.
19 My next-door neighbor that grew up with me, he was
20 handicapped, and he couldn't see, and the young lady took
21 and told him to check her name. Now, he has always been
22 our closest family friend, and he always voted, and he
23 told me -- he said well, they told me to vote for her. I
24 didn't see your name, and I just couldn't say a word. So
25 that's my point.

1 I hope that -- Mr. Raffensperger, you're doing an
2 outstanding job. I appreciate everything you're doing. I
3 just hope it's clear, some of this stuff I'm saying, and
4 make it -- clear it up. You know, the Board, I just want
5 y'all to clear up all this little things because it's
6 technical, very technical, and to make residency a big
7 part of it and showing the proper ID. So that's where all
8 that -- so Ms. Ray really didn't do anything wrong. She
9 was just brand new to the job, and you're going to make
10 mistakes when you're brand new to something that you're
11 not used to doing on a daily basis. And that's -- that's
12 it.

13 MR. RAFFENSPERGER: Thank you, sir.

14 MR. SMITH: You're welcome.

15 MS. THOMAS: And then we also have Ms. Shanita Bryant
16 as well on the line.

17 MR. RAFFENSPERGER: Okay. Ms. Bryant?

18 MS. BRYANT: Yes, good morning. I actually want -- I
19 actually just finished my whole thing I wanted to say
20 because I was able to hear what the attorney said and what
21 Mr. Smith said as well. So let me back up a little bit.

22 I was never challenging anyone's right to run,
23 regardless of what I knew or heard. The reason I asked
24 Heather for the Al Sanders qualifying was because I was
25 there, actually, checking on my own situation, and while I

1 was in the hallway of the courthouse, I had a few people
2 pull me aside and say some things, and the thing is, you
3 know, I do know that Al Sanders has dual residency. I do
4 know that. How long he spends at each, I don't know and
5 could never testify to, but Ms. Ray also knows about Al
6 Sanders' residency in Houston County because she lives
7 very close to him, and they wave at each other as they're
8 coming to Fort Valley, so, you know, whether she knew he
9 was there or not, I don't know. I can't speak on it, but
10 she did know that if he wasn't registered there, that she
11 shouldn't qualify him. She knew that. That has nothing
12 to do with her being new to the job. That is written in
13 plain English in the code book, and she knew that.

14 Regarding my license, my license was actually
15 provided to the people who were qualifying me, and it
16 wasn't just Heather it was qualifying me, it was also
17 Adrienne Ray. They worked together on my qualification
18 packet. I provided my license. I'm not sure why they
19 didn't have it. At the time, my license did have Houston
20 County, Warner Robbins, but I did live in Peach County. I
21 just never changed it when I moved. I moved back to Fort
22 Valley in January of 2017. When I moved to Fort Valley,
23 the first thing I did was change my address at the post
24 office. That's in the postal records, which I provided at
25 the time of my hearing, and you can also look into. I

1 also moved here so that my son could go to school in Peach
2 County, so I registered him for school.

3 I also -- get this -- registered to vote in January
4 of 2017, and when I moved to Peach County, I literally had
5 no -- I had no intentions of running for anything. I'm
6 from Fort Valley. I care about Fort Valley and Peach
7 County, but I had no intentions of running for anything.
8 I moved here so that my son could go to Peach County High
9 School and play football for the Peach County Trojans. My
10 son graduated in 2019. When I moved here, my plan was to
11 leave Fort Valley again and not look back. I actually got
12 here and got involved, and I saw so many things that
13 needed fixing that I didn't feel like were getting the
14 proper attention, and I was on a small committee of people
15 looking for someone to run, and they all kept saying why
16 don't you do it? I had no intentions of doing this. So I
17 qualified, actually, at the very last minute simply
18 because I was still trying to make sure other people
19 didn't want to run, but we didn't want it to be an
20 unopposed run, so that's why I ran.

21 When I went to -- wait a minute. I -- oh, also, the
22 information that I provided when I defended myself at that
23 residency hearing was my son's registration at school. I
24 also provided the change of address that I had, but the
25 biggest thing was this. I'm the primary caretaker of my

1 father, and he also receives home healthcare. We have
2 aides who come in and assists, so that it is not all on
3 me. The aides were there to testify, and I also submitted
4 notarized statements of when that change occurred, when
5 they stopped coming to visit my father in Warner Robbins
6 and when they started to come in Fort Valley to help take
7 care of him, and she testified -- and you know, we had the
8 notarized letters -- that that started in January of 2017,
9 and January of 2017 is actually more than enough time.
10 That's more than 12 months prior to qualifying. I did
11 meet qualifications because I did live here in Fort
12 Valley. I wouldn't have lied about that.

13 Regarding Heather Allen and the former Elections
14 Superintendent, at the time that I qualified to run, I did
15 know the former Elections Superintendent, and we were
16 friends at that time. We are no longer friends because I
17 understand exactly why the County got rid of her and
18 stuff. You know, she was a problem. I get it. But
19 Heather Allen did not know me, and Heather Allen did not
20 know the former Elections Superintendent when she started
21 working there. She did not meet either of -- she met me
22 when I qualified. She met the former Elections
23 Superintendent down the road actually when all of these
24 allegations started, so there was no -- no type of
25 conspiracy or conspiring against anyone, the incumbent or

1 otherwise.

2 But I heard the attorney ask for leniency and saying
3 that, you know, Adrienne Ray is just trying to do her job,
4 and she wants to do her job better and all this stuff. I
5 currently sit on the Board of Commissioners in Peach
6 County in Post 2, and I'm here to tell you that I do not
7 believe that is true. There is a lot of incompetency in
8 the office, and when we try to talk to -- well, when I say
9 we, I mean the community. When we try to talk to Adrienne
10 Ray about some of the things, she is very haughty in
11 spirit regarding these things, and she refuses to
12 acknowledge when she is wrong about something. Quite
13 frankly, her attorney acknowledging wrongdoing is the
14 first time I've ever heard her acknowledge a mistake. She
15 likes to cast off the things that she's done onto someone
16 else. She likes to pass the buck. She's presented wrong
17 information publicly to people regarding voter
18 registration and things and, you know, she is really
19 incompetent at this -- at this job. She's absolutely
20 incompetent, and she has not shown me that she's
21 interested in trying to change anything to be better.

22 She's a very pleasant person, but pleasant doesn't
23 equate competency, and pleasant also does not trump you
24 doing your job when it's written right there -- I mean,
25 clear as day -- in the code. There is an election code in

1 Georgia, and these things are written plainly. She sees
2 these things, but she does -- I don't know if she does
3 what she wants to do or what. And I heard that, you know,
4 someone put the card in when -- as far as the complaint
5 that I had, they put the card in and closed the election
6 down early. When we were asking about that, she wouldn't
7 even admit to that.

8 MR. RAFFENSPERGER: Okay. Ma'am?

9 MS. BRYANT: So she was saying that it was a
10 statewide problem.

11 MR. RAFFENSPERGER: Ma'am? Okay.

12 MS. BRYANT: She was saying that it was a statewide
13 problem, and the thing is I understand that these voting
14 machines -- that's a --

15 MR. RAFFENSPERGER: Thank you. Okay. Board members,
16 do we have any questions for either the presenter or any
17 of the people that were responding to this case? If not,
18 --

19 MS. BRYANT: May I say one more thing, please?

20 MR. RAFFENSPERGER: Ma'am, I think we are ready to
21 take a motion from the Board.

22 MS. BRYANT: Okay.

23 MR. RAFFENSPERGER: Do any Board members have any
24 questions, a motion?

25 MR. WORLEY: Mr. Secretary, David Worley here. I

1 will make a motion that we refer all of the charges in
2 this case to the Attorney General's Office.

3 MR. RAFFENSPERGER: Do we have a second?

4 MR. MASHBURN: Matt Mashburn, second.

5 MR. RAFFENSPERGER: Any further comments? All those
6 in favor of the motion as presented to send it all to the
7 Attorney General's Office, please do so by signifying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.

10 Next case?

11 MS. WATSON: Next case is 2018-014. In May 2018,
12 Sharon Bethalmel [ph.] reported that she requested a
13 Republican ballot but was issued a nonpartisan ballot on
14 May 15th, 2018. The err in ballots was not determined by
15 the voter until she had already cast the ballot, which was
16 too late to make a correction. Our recommendation is for
17 Gwinnett County Board of Election and Registration and
18 poll officer Susan Owens [ph.] be issued a letter of
19 instruction for SEB rule 183-1-12-.02(4).

20 MS. THOMAS: And Susan Owens is on the line.

21 MS. WILSON: Hello, my name is Melanie Wilson. I'm
22 the senior assistant county attorney in Gwinnett,
23 representing the Board of Registration and Elections and
24 Ms. Owens. I would like to thank the investigation -- the
25 investigators for their work on this matter, and more

1 importantly, also thank them for their proposed
2 recommendation for a letter of instruction. My initial
3 request would have been -- and I'll make it anyway -- for
4 this matter to be dismissed and then closed, or the Board
5 -- or in the alternative, for a letter of instruction
6 because this really was a regrettable case of human error.
7 Ms. Owens was working as an issuing clerk at the Elections
8 Office in Lawrenceville, the main office, during advance
9 voting, and she does recall that this incident happened
10 towards the end of the day, and she was mortified when it
11 was brought to her attention.

12 Ideally, this could have been -- this could have been
13 -- the last opportunity to fix this would have been if the
14 voter had had the opportunity and noticed that she didn't
15 have the Republican candidates she expected to see, but
16 certainly, it's an error that should not have occurred.
17 Certainly, it's exactly the kind of issue that poll
18 workers receive training on. I do want to also add that
19 Ms. Owens is not known to be an error-prone or poor
20 performer, quite the contrary. She has continued to serve
21 the Board of Registration and Elections as a poll worker,
22 and there haven't been any subsequent situations involving
23 her with a matter of this kind or any other issue in the
24 performance of her job for that matter, so I do, again,
25 appreciate the recommendation here. Thank you.

1 MR. RAFFENSPERGER: Thank you, ma'am. Okay. What is
2 the will of the Board?

3 MR. WORLEY: This is David Worley. I will make a
4 motion that we send a letter of instruction.

5 MR. RAFFENSPERGER: Do we have a second?

6 MR. MASHBURN: Matt Mashburn, second.

7 MR. RAFFENSPERGER: Any further discussion? All
8 those in favor of the motion, please do so by signifying
9 aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Next case?

13 MS. WATSON: Next case is 2018-015. In 2018, it was
14 alleged that the Gwinnett County Board of Election and
15 Registration notified voters that a candidate had
16 withdrawn his candidacy in House District 107 when, in
17 fact, the candidate had not officially withdrawn.
18 Investigation showed that there was [sic] notices posted
19 that candidate Ken Montano had withdrawn as a candidate in
20 the House District 107 race when, in fact, the candidate
21 had not withdrawn or filed a notarized affidavit of
22 withdrawal. The notices were reported to have been
23 removed from the polling locations during early voting.
24 However, on Election Day, two polling locations still had
25 the notices posted. Our recommendation is for former

1 Election Supervisor Lynn Ledford and Gwinnett County Board
2 of Election and Registration be referred to the Attorney
3 General's Office for violation of 21-2-134(a)(1)(2).

4 MS. THOMAS: And Ms. Wilson, the Gwinnett County
5 attorney, is on the line.

6 MR. RAFFENSPERGER: Okay. Ma'am, the floor is yours.

7 MS. WILSON: Good morning. Thank you again for the
8 opportunity to address this Board. This is -- this was a
9 really unfortunate situation, but it has an interesting
10 background, and I think it will be helpful if I could with
11 your indulgence lay out some of the facts that gave rise
12 to this happening. It didn't -- it didn't simply happen
13 in a vacuum. It didn't simply occur with Ms. Ledford
14 waking up one day and deciding to post a sign indicating
15 that Ms. Ken Montano had withdrawn. This is a situation
16 where on April 19th, Ms. Ledford, who was the Elections
17 Supervisor at the time, received a phone call from the
18 Secretary of State's Office indicating that Mr. Montano,
19 who was one of two -- was one of two candidates for the
20 Democratic primary for House District seat 107, that he
21 intended to withdraw.

22 And so what followed on the days April 19th and 20th
23 were a num -- were several email exchanges between Ms.
24 Ledford and a staffer whose name I won't mention with the
25 Secretary of State via email, as they worked to develop

1 language for the withdrawal notice to be posted in advance
2 of the voting locations. Many of you may be aware that
3 Gwinnett County is one -- in fact, the only jurisdiction
4 in the State of Georgia that is subject to a mandate under
5 section 203 of the Voting Rights Act, and it's required to
6 post all of its notices in Spanish, and so there was --
7 there was an email exchange between this employee at the
8 Secretary of State's Office and Ms. Ledford regarding the
9 content of the notice, communicating around the need for
10 it to be advertised -- sorry, for it to be posted, and
11 translated and posted. And so there's a number of emails
12 beginning on the, as I said, on the 19th.

13 I guess I could read them, but so it starts off, the
14 question -- this is an email to the State -- the Secretary
15 of State's Office employee saying it's a state race, I
16 know, but I need to get this translated. Is the attached
17 acceptable? And the full text of the notice was
18 transmitted to the employee attached to an email dated
19 April 19th, 2018. The subject line of the email read
20 withdrawn candidate. So that was an email sent at 4:54 on
21 April 19th, 2018. It was followed up by a response from
22 the Secretary of State's Office, an email dated Friday,
23 April 20th at 8:23AM, and it said the following: the same
24 subject line, regarding withdrawn candidate. It said as I
25 was driving home last night, I was thinking about this.

1 As an afterthought, maybe the race should be written how
2 it is on the ballot to help the voter understand the race
3 involved. And then Lynn replies later that day on April
4 20th, agreed. And then later that day on Friday, April
5 20th at 3:13PM, another email from the Secretary of
6 State's Office with the same subject line, withdrawn
7 candidate. Lynn, just as a follow-up, attached is a
8 withdrawal notice sent out this morning to the affected
9 counties. Hope you have a good weekend. We are closed on
10 Monday, but I will have my phone with me. If anyone needs
11 anything, call me or email, and I will get back as soon as
12 I can.

13 So there was -- and a foll -- then in response to
14 that email, later in the day on Friday, April 20th at
15 3:19PM, Lynn replied again, the same subject line
16 reference to withdrawn candidate. Hey, the name of the
17 employee, I think because of the Spanish translations
18 we'll go with the wording as it's actually listed on the
19 ballot. I think that may be less confusing. So I've
20 recited to the Board a one -- one, two, three, four, five
21 email exchange over a two-day period that -- communication
22 from Ms. Ledford to the Secretary of State's employee
23 about the withdrawing of this candidate.

24 Now, of course, I'll acknowledge that state law makes
25 it clear that when a candidate is withdrawing, and in

1 particular, a state candidate as Mr. Montano was, they are
2 required to submit an affidavit and that affidavit is then
3 filed with the Secretary of State's Office and in turn
4 would be transmitted to the relevant county election
5 office. In this case, it would have been Gwinnett because
6 District 107 is entirely within Gwinnett County. It's
7 true that Ms. Ledford never received such affidavit
8 because, in fact, it hadn't been filed, but the background
9 -- I think it's important for me to share the background
10 to explain why she acted like she did. It was on the
11 strength of a communication first via phone call,
12 subsequently by email that she had with the Secretary of
13 State's Office, and I know from corres -- correspondence
14 dated May 31st, 2018 that all of the emails were shared
15 with an investigator from the Secretary of State's Office.
16 Certainly, someone called Jay Howard [ph.] received all of
17 the attached emails by way of explanation.

18 Ms. -- Ms. Ledford was mortified when this happened
19 because clearly, when she eventually discovered that, in
20 fact, Mr. Montano had not withdrawn his candidacy, it
21 became crucial to as quickly as possible remove any
22 notification in any of the precincts regarding his
23 candidacy -- regarding this alleged withdrawal of
24 candidacy. Ultimately, another candidate prevailed, and I
25 won't go into the details about the ballot count because

1 the fact that -- the results of the election aren't
2 essentially relevant to the complaint -- complaint here,
3 suffice to say that Mr. Montano did not prevail.

4 After this situation occurred, it became evident to
5 the Board of Registration and Elections that some
6 immediate prompt action needed to be taken to make sure
7 that this never happ -- happened again, and so on June
8 1st, the Board of Registration and Elections adopted a
9 written policy at its -- at its public meeting, and it
10 explicitly set out a series of detailed guidance,
11 directions regarding the circumstances in which a notice
12 of withdrawal should be posted, the circumstances in which
13 the Elections Supervisor and/or staff should take any
14 steps to notify the public regarding a withdrawn
15 candidacy. And so we are confident that this situation is
16 never going to happen again. As I said, it didn't happen
17 in a vacuum. I only -- I wanted to provide that
18 background to have the Board understand why it was, how it
19 was that this situation came to be, and in light of the
20 factual background that I have set out and in light of the
21 specific policy that now address this issue that the Board
22 of Registration did adopt, I respectfully request that if
23 this matter is not dismissed, then it should be -- then it
24 should be closed with a letter of instruction.

25 MR. RAFFENSPERGER: Thank you. Members of the Board,

1 do you have any questions?

2 MR. WORLEY: Mr. Secretary, this is David Worley. I
3 did have a question for Ms. Wilson. Ms. Wilson, who --
4 how did Ms. Ledford first become aware that Mr. Montano
5 was, I guess, considering withdrawing?

6 MS. WILSON: She received a phone call. She received
7 a phone call from the Secretary of State's Office on April
8 19th.

9 MR. WORLEY: Okay. That was the first communication?

10 MS. WILSON: That was the first communication, and
11 the subsequent communication began on April 19th at 4:54PM
12 with an email that read as follows, just to clar -- just
13 to say it again. Hey, the name of --

14 MR. WORLEY: You don't need to -- you don't need to
15 say it again.

16 MS. WILSON: Okay. Okay.

17 MR. RAFFENSPERGER: What is the will of the Board on
18 this matter?

19 MS. LE: With respect to -- this is Anh Le. The
20 potential violations are being cited against Lynn Ledford
21 and Gwinnett County, and based on the facts, I would move
22 to issue a letter of instruction, in light of the
23 communications that they had.

24 MR. RAFFENSPERGER: Okay. Do we have a second?

25 MR. WORLEY: I'll second that. David Worley.

1 MR. RAFFENSPERGER: Do we have any additional
2 comment? Hearing none, all those in favor of the motion
3 as presented, please do so by signifying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.
6 Next case?

7 MS. WATSON: Next case is 2018-016, Treutlen County.
8 In May 2018, it was reported that a candidate's name was
9 incorrectly listed on the ballot for the District 2 County
10 Commission race in Treutlen County for the 2018 general
11 primary election. Candidate Homer Rivers listed his name
12 as he wished it to appear on the ballot as Homer Rivers.
13 He has ran previously and listed it the same way and had
14 no issue with it appearing correctly. The error was
15 reported to the probate judge, T.J. Hudson, and he stated
16 that he did not catch the error during proofing the
17 ballot. Homer Rivers was listed as B. Rivers on the
18 ballot. Judge Hudson posted a sign at each voting machine
19 listing the correction. The early voters and absentee by
20 mail voters would not have seen the notice. Our
21 recommendation is for Judge T.J. Hudson, Election
22 Supervisor, be issued a letter of instruction for
23 violation of SEB rule 183-1-12-.02(3)(a)(3).

24 MR. RAFFENSPERGER: Okay. Is there anyone here to
25 speak from Treutlen County?

1 MS. WATSON: No. There is not.

2 MR. RAFFENSPERGER: What is the will of the Board?

3 MS. SULLIVAN: This is Rebecca. I will make a motion
4 that a letter of instruction be issued in this case.

5 MR. RAFFENSPERGER: Okay. Do we have a second?

6 MR. MASHBURN: Matt Mashburn, second.

7 MR. RAFFENSPERGER: Okay. Any comment? All those in
8 favor of the motion, please do so by signifying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.
11 Douglas County, next case.

12 MS. WATSON: In May -- in May 2018, it was reported
13 by Douglas County Elections that a UOCAVA ballot may have
14 been issued to a voter not entitled to a UOCAVA ballot for
15 the May 22nd, 2018 election. Investigation revealed a
16 Renata Hobson [ph.] sent a fax to Douglas County that only
17 contained the sender's information and no absentee ballot
18 information. The temporary absentee ballot clerk Lori
19 Marquez [ph.] contacted the sender and requested absentee
20 ballot application, which was then faxed on May 18th,
21 2018. Lori Marquez thought that in order to get the
22 ballot to the voter, she needed to send an electronic
23 ballot and proceeded to do so. According to the elector,
24 she received the ballot, printed it out, voted it, and
25 returned it, but did not know if it was counted. There is

1 no credit for voting in the election that was given.

2 The Election Director advised that he realized the
3 seriousness of the situation and reviewed the absentee and
4 UOCAVA ballot processes with all employees and was
5 implementing new policies and procedures. Our
6 recommendation is Douglas County Board of Election and
7 Registration, Douglas County Board of Election and
8 Registration Elections Director Milton Kidd, absentee
9 ballot clerk Lori Marquez be issued a letter of
10 instruction for 21-2-381(a)(1)(g) and 21-2-384(a)(2).

11 MS. THOMAS: And Milton Kidd is on the line.

12 MR. RAFFENSPERGER: Okay.

13 MR. KIDD: Yes, sir. Good afternoon. Good
14 afternoon, Board. In this particular case, we agree with
15 the findings of the investigator. The voter did receive
16 the ballot in this case, and the voter, after contact with
17 the voter, indicated that they did not return the absentee
18 ballot. That's why no credit for voting was given in this
19 case. We -- like the investigator stated, we -- we have
20 reviewed our processes for issuing absentee ballots and
21 the abovementioned absentee ballot clerk no longer works
22 for the office or even lives in the county at this point.

23 MR. RAFFENSPERGER: Board members, do you have any
24 questions, or do you have a motion?

25 MR. WORLEY: I would make a motion that we accept the

1 recommendation of the investigative department and issue a
2 letter of instruction to Douglas County.

3 MR. RAFFENSPERGER: Okay. Do we have a second?

4 MS. SULLIVAN: Second, Rebecca Sullivan.

5 MR. MASHBURN: Matt -- Rebecca.

6 MR. RAFFENSPERGER: Okay. Any further comment?

7 Hearing none, all those in favor of issuing a letter of
8 instruction for case 2018-017, signify by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.

11 Next -- next case.

12 MS. WATSON: Next case is 2018-019, Chatham County.

13 On May 22nd, 2018, Ms. Nakari [ph.] reported that the poll
14 workers didn't attempt to set up until after 7AM. At
15 7:07AM, approximately 35 to 40 voters were turned away
16 after being told they would not be able to vote this
17 morning as they didn't possess the proper cable for the
18 computers. There are many voters who would be unable to
19 vote due to their shifts at work. It was also reported to
20 our office that voters asked for provisional ballots and
21 were told to leave and come back later, and they left
22 about 7:15AM.

23 The poll manager of the Salvation Army polling
24 precinct at 3000 Bee Road, Savannah, Georgia advised that
25 they got started late, approximately 7:16AM, and 10 to 15

1 people were there and left, but all came back to vote
2 later. The direct recording electronic units were running
3 on battery power, and a technician was there working on
4 the machines. They were missing all of the power cords.
5 The manager said she did not know how to operate the
6 express poll due to lack of training.

7 Investigation revealed on May 22nd, 2018, our office
8 received complaints and dispatched an inspector to the
9 polling location. It was confirmed that the location was
10 not opened until 7:16AM. The complainant states while
11 waiting while the machines were not working, she was not
12 offered a provisional ballot. 10 voters had left and came
13 back to vote. The poll manager reported that the staff
14 that she had are untrained and did not know what to do.
15 There were problems with the express polls that may be
16 related to poll worker training. There was no provisional
17 ballots station or box set up with applicable materials.
18 There was no sample ballots posted. The magnified ballot
19 posters were not displayed. The technician that arrived
20 found that all three express polls were unplugged, and
21 none of the barcode readers were plugged in. Once he
22 connected the devices, he was able to get them
23 synchronized. Our recommendation is for Chatham County
24 Board of Elections, Elections Supervisor Russell Bridges,
25 and Sandra Murphy, the poll manager of the Salvation Army

1 precinct be referred to the Attorney General's Office for
2 the listed violations.

3 MR. RAFFENSPERGER: Is anyone there -- here from
4 Chatham County Board of Elections or Mr. Bridges or Sandra
5 Murphy?

6 MS. WATSON: There is not.

7 MR. RAFFENSPERGER: Okay. What is the will of the --

8 MR. MASHBURN: Matt Mashburn -- Matt Mashburn, I move
9 that this be referred to the Attorney General and accept
10 the recommendation.

11 MR. RAFFENSPERGER: Do we have a second?

12 MS. SULLIVAN: Second. Second, Rebecca.

13 MR. RAFFENSPERGER: Any furt --

14 MR. WORLEY: Mr. Secretary, on my Zoom, it says that
15 Russell Bridges raised his hand, so...

16 MR. RAFFENSPERGER: Mr. Bridges, he's on there?

17 MS. WATSON: One second, we're checking.

18 MR. BRIDGES: Hello?

19 MR. RAFFENSPERGER: Hi, Mr. Bridges.

20 MR. BRIDGES: Afternoon -- or is it still -- yes. It
21 is afternoon. Yes. Good afternoon.

22 MR. RAFFENSPERGER: Yes.

23 MR. BRIDGES: I am Russell Bridges. I am the
24 supervisor of elections for Chatham County actually for, I
25 think, two more days. I'm retiring at the end of this

1 week, but in the meantime, we have this matter of the 2018
2 case. I can acknowledge that this polling place did open
3 at 7:16AM. There -- there is no denying that. However,
4 there are some circumstances to go along with this.

5 This was the first election in over a year for these
6 poll workers. Second, the poll manager, Ms. Murphy, has
7 actually served as a poll manager for us since 2006. She
8 had served as a manager from 2006 to 2015 in 24 different
9 elections. She did not work in 2016. She did come back
10 to us as a poll manager for the elections in 2018. She
11 managed this poll for the actual -- for the balance of
12 2018 with no recurrence of the same issues she had at that
13 location.

14 We did not learn of the problem until we got a call
15 from the State about the issue. The poll did not report
16 to us about the issue. So by the time we learned about
17 it, they were open and operating. We did learn the
18 identity of the -- the voter who complained did reach out,
19 and she had actually returned and voted. Our
20 investigation said that she actually was the only voter
21 that left of those that were in line, that everybody else
22 that was in line stayed there and voted with -- with no
23 problems. We did supply sample ballots. We have sample
24 ballots printed to go on the wall where the back and the
25 front are showing the same side. You know, we distribute

1 those to every poll, a minimum of two as per the election
2 code.

3 The biggest issue here is the manager was transferred
4 from another poll that she had been assigned to operate
5 for this election about a week ahead of the election. She
6 also did attend training in April, on April the 6th of
7 that year. And I believe the only other thing that
8 happened with personnel is two of her poll workers didn't
9 show up that morning, so she was -- she was operating with
10 only five people where she was originally assigned seven.
11 But as far as the provisional ballot booth, it was
12 provided. The provisional ballots were there. She did
13 file a provisional ballot recap which showed that those
14 ballots were there. She never did issue any that day.

15 So, you know, I think there's several things that
16 occurred in this particular precinct on that day, all of
17 which were corrected that day, and none of which
18 reoccurred following that. Ms. Murphy actually has been
19 managing for us since that time without a reoccurrence.
20 So basically, I, you know -- given the distance of time
21 since this occurred and now and not having reoccurrence at
22 this location or really any systemic failure of this, I
23 don't believe that we need to be referred to the Attorney
24 General's Office for this because, you know, this was an
25 isolated issue to that polling location and not a systemic

1 failure of -- of our operation. Thank you.

2 MR. RAFFENSPERGER: Okay. Thank you, Mr. Bridges.

3 MS. WATSON: And Ms. Murphy is on the line as well.

4 MR. RAFFENSPERGER: Well, we have a motion right now
5 and a second.

6 MS. THOMAS: Mr. Secretary?

7 MR. RAFFENSPERGER: Mr. Mashburn, --

8 MS. THOMAS: Ms. Murphy is on the line as well, Mr.
9 Secretary.

10 MR. RAFFENSPERGER: Uh huh. Mr. Mashburn, I'm just
11 curious before we have the other lady. Did you want to
12 amend your motion, or would you like to hear from Mrs.
13 Murphy before you do anything else?

14 MR. MASHBURN: Yeah. I'll -- I'll withdraw the
15 motion.

16 MR. RAFFENSPERGER: Okay. Motion is withdrawn. Mrs.
17 Murphy?

18 MS. MURPHY: Yes?

19 MR. RAFFENSPERGER: Go ahead.

20 MS. MURPHY: I just wanted to say I agree with
21 everything that Mr. Russell said. The lady that called in
22 and said that we didn't attempt to set up until after 7
23 o'clock is very much untrue. I arrived at the poll as
24 always. I'm dedicated to my job, and I was there by 5:45.
25 But because of the shortness of staff and the staff that I

1 did have stating that they didn't quite know how to do the
2 job, I was the only one working, so to the best of my
3 ability, I did all I could to have the polls open on
4 time. MR. RAFFENSPERGER: Okay. Thank you, ma'am.

5 MS. MURPHY: Thank you.

6 MR. RAFFENSPERGER: Board members, Mr. Mashburn has
7 withdrawn his motion, so it's back for your will and your
8 disposition.

9 MR. WORLEY: Mr. Secretary, it's David Worley. I did
10 have a question for Mr. Bridges if he's still available.

11 MR. RAFFENSPERGER: Mr. Bridges?

12 MR. WORLEY: I'm interested to know what kind of
13 procedures you have in place for poll managers to notify
14 you if they have problems opening the polls or if they
15 don't open on time. Did you institute any procedures
16 regarding that?

17 MS. THOMAS: Mr. Bridges, you can unmute yourself.

18 MR. BRIDGES: My apologies. I didn't realize I was
19 muted. Our normal procedure it for them to contact us
20 telephonically, which can -- as anybody in this business
21 knows -- can be problematic on Election Day. We also --
22 we have technicians assigned on the street on Election
23 Day, and the poll managers have their contact information,
24 and I believe that in this particular instance, I think
25 Ms. Murphy contacted her technician, was able to contact

1 her technician, and he was on site working -- working with
2 her to resolve the issues that she had because his report
3 back to me -- and I believe -- I believe that he filed a
4 report in response to this case. I don't have a copy of
5 it, but I -- I believe he had filed a report also so
6 that's our normal -- this is an area that we've continued
7 over time to try to find better and better ways for the
8 managers to get in touch because with 90 something polling
9 places in our -- in our county, it's -- it can be
10 problematic at 6 or 7 o'clock in the morning for them to
11 get through to our office even though we have, like, 10 or
12 12 people answering telephones.

13 It's just -- it's just difficult, but again, I do
14 know that by the time that we were made aware of the
15 problem -- and I believe it was a contact from Mr. Harvey
16 which brought to our attention that there was a problem.
17 So it's an area that always needs improvement as far as
18 communication goes, but that has historically been what
19 we've had.

20 MR. WORLEY: Thank you.

21 MR. RAFFENSPERGER: Thank you. Members of the Board,
22 what is your disposition on this?

23 MR. WORLEY: This is David Worley. I'd make a motion
24 that we send a letter of instruction to Chatham County.

25 MR. RAFFENSPERGER: Do we have a second?

1 MR. MASHBURN: Matt Mashburn, second.

2 MR. RAFFENSPERGER: Any further discussion? All
3 those in favor of sending a letter of instruction for
4 2018-019, signify by sayin aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Those opposed? Motion carries.
7 Okay. I think now would be a great time to take a lunch
8 break. It is 12:18. If we could all be back by 12:45, if
9 that works for everyone, we can reconvene at 12:45. Thank
10 you.

11 (Meeting break)

12 (Meeting resumes)

13 MR. RAFFENSPERGER: Okay. It's 12:45. I think
14 everyone's back. So if we could have the next case then.

15 MS. WATSON: Okay. Case number 2018-021, Stewart
16 County. First allegation, an elector from Stewart County
17 reported that he received the wrong absentee ballot in the
18 mail. He originally requested a Republican ballot but
19 received a Democratic ballot instead. It was also for
20 outside of his voting district, County Commission District
21 4 instead of District 2. The elector stated when he
22 complained to Stewart County Board of Elections and
23 Registration Office, he was instructed to go and vote in
24 person at his assigned voting precinct, which was the
25 Richland precinct.

1 The same complainant in allegation one stated he went
2 to the Richland precinct, which was Richland Public
3 Library, in Stewart County on May 22nd, 2018 general
4 primary Election Day to vote, but the precinct was not
5 open for voters at 7AM, and he was told to come back at a
6 later time. The elector stated that he was not offered a
7 provisional ballot and left to go to work and was not able
8 to come back and vote before the polls closed that night.

9 Allegation three, during the May 22nd, 2018 general
10 primary election monitoring at the Louvale Vote Center, it
11 was determined that the power was out, and all of the
12 machines were operating on batteries. There was no
13 violation substantiated with that allegation. During the
14 May 22nd, 2018 primary election monitoring at the Richland
15 precinct in Stewart County, the precinct had their
16 handicapped accessories connected, no voting rights card
17 posted, no card of instructions posted, and couldn't get
18 their scanner to work. The voter with disabilities device
19 was not at the precinct as well.

20 Investigation revealed elector Edward Holloway,
21 Junior [ph.] applied for an absentee ballot from Stewart
22 County. The ballot was issued with the incorrect ballot
23 style and district. Mr. Holloway went to vote at Richland
24 voting precinct, and it was not open for voting. He was
25 not offered a provisional. He had to leave for work and

1 was not able to cast a ballot in the election. He left
2 the precinct at 8 o'clock AM. The issue holding up voting
3 was printing the zero tape. The printer lid was not
4 closed all the way. It was confirmed that the Richland
5 precinct did not open at 7AM or have a card of
6 instructions poster -- voting rights posters and did not
7 have the voter with disability device available.

8 Our recommendation is for Stewart County Board of
9 Election and Registration, Alfreda Hudson, interim Stewart
10 County Elections Supervisor be referred to the Attorney
11 General's Office for the listed violations.

12 MR. RAFFENSPERGER: Okay. Is anyone here from
13 Stewart County?

14 MS. THOMAS: No.

15 MR. RAFFENSPERGER: Okay. Board members, you have the
16 information in front of you.

17 MS. SULLIVAN: This is Rebecca Sullivan.

18 MR. MASHBURN: Matt Mashburn.

19 MS. SULLIVAN: I'll make a motion that we accept the
20 recommendation and bind this over to the Attorney
21 General's Office.

22 MR. RAFFENSPERGER: Do we have a second?

23 MR. MASHBURN: Matt Mashburn, second.

24 MR. RAFFENSPERGER: Do we have any discussion?

25 Hearing none, all those in favor of the motion, do so by

1 signifying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 Next case?

5 MS. WATSON: Next case is 2018-022. On May 23rd,
6 2018, the Office of the Secretary of State Investigations
7 Division opened an investigation to determine if the Floyd
8 County Board of Elections and Registration violated 21-2-
9 226 (b), as it was alleged voters voted out of district
10 during the May 22, 2018 general primary election. The
11 Floyd County Elections Office worked with the Office of
12 the Secretary of State to build a ballot for the May 22nd,
13 2018 general primary election. The data derived to create
14 the ballot came from E-net data entered by the Floyd
15 County Elections Office. The final ballot product was
16 proofed and signed off on by Floyd County Elections
17 Supervisor at the time Willie Green.

18 Early voting began with the ballot being distributed
19 by mail and on DRE for advance voting in person. Within a
20 couple of days, a poll manager at the Garden Lake Baptist
21 Church voting precinct discovered the City of Rome voters
22 who have their own Board of Education were voting in a
23 Floyd County Board of Education race. Mr. Green found
24 that his office had failed to catch the ballot error when
25 proofing the ballots for the election. The ballot error

1 allowed Republican voters in the sixth City of Rome voting
2 precinct to vote in the County Board of Education
3 election, in which the city voters were not entitled to
4 vote. The error was limited to Republican ballots in a
5 race where the candidate ran unopposed. The ballot error
6 had no adverse effect on the outcome of the election.

7 The Board of Election and Registration decided to go
8 forward with the current database. Signs were posted in
9 the city precincts informing voters that any votes cast on
10 Republican ballots for the County School Board race would
11 not be counted. Floyd County Board of Elections and
12 Registration has acknowledged there had been a ballot
13 proofing error but have not acknowledged the improper
14 districting of City of Rome voters.

15 Our recommendation is for Floyd County Board of
16 Elections and Registration be bound over to the AG's
17 Office for 21-2-226(b), due to the County Board in
18 determining eligibility of voters, as Floyd County Board
19 of Elections and Registration improperly districted 17,682
20 City of Rome electors into a County Board of Education
21 district, resulting in 2,254 city electors voting out of
22 district in a Floyd County Board of Education race during
23 the May 22nd, 2018 general primary and SEB rule 183-1-12-
24 .02(3), pre -- preparation for elections. I also have
25 listed Willie Green for the same violations.

1 MR. RAFFENSPERGER: Okay. Do we have any --

2 MS. THOMAS: Virginia Harmon, the Floyd County
3 attorney, is on the line.

4 MR. RAFFENSPERGER: Okay.

5 MS. HARMON: Yes. Thank you, Mr. Secretary and
6 members of the Board and to your staff, who've been very
7 helpful with this case. I came on as Floyd County
8 attorney last summer. At that time, we had -- two of our
9 three member Board of Elections were new for the 2020
10 elections, and since then, our third member has been
11 replaced, so right now, when I began to look into this, I
12 really did not have any Board member available to me to
13 talk to. In addition, Mr. Green, who was then our Chief
14 Elections Clerk -- I have not been able to locate.

15 But Ms. Vanessa Waddell, who's acting as our interim
16 chief right now, was on staff at the time of this
17 occurrence, and she was able to locate actually a
18 recording of an interview that Mr. Green had made at the
19 time of the investigation of this case, and it's pretty
20 clear from that recording that what happened in 2018 was
21 that it was one of Mr. Green's first ballots to put
22 together as the Chief Elections Clerk for Floyd County.
23 We do have two separate school boards, one for the county
24 and one for the city, which are distinct boards. However,
25 the primary, Republican primary, for the County Board of

1 Elections was designated as an at-large election, and Mr.
2 Green believed at the time that at-large in that case
3 meant the same thing as for the Floyd County Commission in
4 which voters both in the city and the county vote for the
5 county commission.

6 So he actually -- it was a mistake on his part, but
7 he believed he was acting correctly at the time to allow
8 all voters to vote for the Floyd County Board of
9 Elections. Apparently, the mistake was caught the second
10 day of early voting, and it was immediately reported to
11 the Secretary of State's Office, and the plan, as Ms.
12 Watson has indicated, was to -- to address the matter
13 because that particular race -- the Board of Elections
14 Republican candidate was running unopposed to just post
15 the notices. The votes were zeroed out. There -- there
16 was no wrongful vote counted in the election.

17 This particular problem has never happened before.
18 It's never happened since. It was a one-off. It has been
19 corrected in terms of the internal review processes of my
20 Board of Elections. We currently have a fantastic Board
21 that has come on who are very proactive. We are, of
22 course, looking for a new Chief Elections Clerk, and we
23 are also relocating and getting new space for our whole
24 Elections Office, so we're doing good things in Floyd
25 County. I would ask that you consider on behalf of my

1 Board of Elections a letter of instruction addressing this
2 matter rather than referring it to the AG's Office, as
3 we've already taken corrective action. It was a mistake
4 made on the part of the chief clerk, and again, we put in
5 procedures which have worked. It has never happened
6 again. So I'd appreciate your consideration in addressing
7 this through a letter of instruction.

8 MR. RAFFENSPERGER: Thank you. Okay. Members of the
9 Board, it's before you now. Do you have any questions?
10 What is your will?

11 MR. WORLEY: Mr. Secretary, this is David Worley. I
12 -- I appreciate Ms. Harmon's argument very much actually,
13 but given the large number of voters that were affected by
14 this, I think it should be referred to the Attorney
15 General's Office, and I so move.

16 MR. RAFFENSPERGER: Okay. Do we have a second?

17 MS. SULLIVAN: Second, Rebecca Sullivan.

18 MR. RAFFENSPERGER: Okay. Any further discussion?
19 Hearing none, all those in favor of the motion to refer to
20 the State Attorney General, signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Motion carries.
23 Thank you. Next case.

24 MS. WATSON: Next case is 2018-025, Habersham County.
25 Habersham County Elections had placed voters in an

1 incorrect state house district. Voters in House District
2 28 had been districted to House District 10. Voters who
3 were in House District 10 had been districted in House
4 District 28. Between the years of 2013 and 2015,
5 Habersham County experienced three separate changes to
6 voting precinct boundaries. Originally, the then county
7 manager arranged for the number of precinct to be reduced
8 to two. After conducting one election cycle with two
9 precincts, the decision was made to increase to five.
10 Ultimately, seven precincts were established.

11 During the time these changes were being made in the
12 GVRS system by Habersham County Elections Supervisor,
13 approximately 402 voters were placed in the wrong state
14 house district. The number of voters who should have been
15 placed in House District 10 but were incorrectly
16 districted in House District 28 was 214. The number of
17 voters who should have been placed in House District 28
18 but were incorrectly districted in House District 10 was
19 188. Our recommendation is for Habersham County Board of
20 Elections and Registration, Election Supervisor Laurel
21 Ellison be bound over to the Attorney General's Office for
22 violation of 21-2-226(b).

23 MR. RAFFENSPERGER: Okay. Is there anyone here from
24 Habersham County? So Board members, this is before you.
25 I believe that there's enough said. What is the will of

1 the Board?

2 MS. SULLIVAN: This is Rebecca Sullivan. I'll make a
3 motion that we accept the recommendation and bind this
4 matter over to the Attorney General's Office.

5 MR. RAFFENSPERGER: Do we have a --

6 MR. WORLEY: I'll second that. David Worley.

7 MR. RAFFENSPERGER: Any further comments, discussion?
8 Hearing none, all those in favor of binding to the
9 Attorney General's Office, signify by saying aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Thank you. Next case?

13 MS. WATSON: Next case is 20 -- 2018-027. On June
14 4th, 2018, it was alleged the Jackson County Board of
15 Election and Registration failed to arrange in
16 alphabetical order under the title of office on the
17 ballots the last names of the candidates in the Board of
18 Education Post 5 race and alleged the Jackson County Board
19 of Election and Registration failed to properly proof the
20 ballot for the May 22nd, 2018 general primary election.
21 Investigation revealed Jennifer Logan was the acting
22 Elections Supervisor for Jackson County Board of Elections
23 and Registration. This being the first election conducted
24 by Ms. Logan, she used the ballot proofing checklist
25 provided to her by our office, making sure all candidates'

1 names were spelled correctly, races appeared on the
2 correct ballot for the correct precinct, and the
3 incumbents were marked properly.

4 During the proofing process, some errors were found
5 and corrected before the ballot was approved. In doing
6 all that was required in the proofing process, she missed
7 that the names of the candidates in the Board of Education
8 Post 5 race were not in alphabetical order by last name.
9 Candidate for Jackson County Board of Education Post 5,
10 candidate Steven Lee Bryant, filed a challenge in the
11 Superior Court of Jackson County, Georgia. The challenge
12 filed May 29, 2018 alleges that Jackson Board of Election
13 and Registration failed to his name, Steven Lee Bryant,
14 first on the ballot, as he was the incumbent, and his last
15 name should have been first alphabetically.

16 On August 7th, 2018, the report investigator received
17 a judgment regarding the challenge filed by Steven Lee
18 Bryant. The petition was dismissed as insufficient, and
19 recommendation is for Jackson County Board of Election and
20 Registration and Elections Supervisor Jennifer Logan be
21 bound over to the Attorney General's Office for 21-2-
22 285(c) and SEB rule 183-1-12-.02(3).

23 MS. THOMAS: And Virginia -- I'm sorry, Jennifer
24 Logan is on the line from Jackson County.

25 MR. RAFFENSPERGER: Okay. Ms. Logan?

1 MS. LOGAN: Yes. I just wanted to thank the Board
2 for giving me the opportunity to speak to this case. It's
3 the very first ballot that I had ever proofed, and I was
4 actually the elections coordinator at the time and not the
5 director. She was about to leave office, and I carefully
6 followed everything that the State had given me, but I did
7 make the mistake. I acknowledge that the two candidates
8 in the Board of Education race for the District 5 were not
9 in alphabetical order, and I did not catch that during the
10 proofing process. It was the third week of early voting
11 when the error was brought to my attention by the
12 candidate in that race. I immediately contacted my
13 liaison at the Secretary of State's Office and let them
14 know about our -- of my mistake, and also, I placed
15 notices immediately at all of the polling locations and
16 early voting sites where those ballots were. And since
17 then, as part of our best practices for ballot proofing,
18 we've created a checklist so to make sure that it doesn't
19 happen again, that every error -- every part of the ballot
20 including alphabetical is checked off and made sure that
21 it is correct on our ballots, and since this case, nothing
22 has ever happened again as far as our ballot proofing
23 mistakes, and we also have multiple staff members that
24 will review those ballots as well.

25 MR. RAFFENSPERGER: Great.

1 MS. LOGAN: I'd ask the Board if they would recommend
2 a letter instead of binding us over to the AG.

3 MR. RAFFENSPERGER: Thank you, Ms. Logan. Okay.
4 Board members, do you have any questions? Do you wish to
5 make a motion?

6 MS. SULLIVAN: This is Rebecca Sullivan. Thank you,
7 Ms. Logan, for being here and for your explanation and
8 remedial measures. I would make a motion that we issue a
9 letter of instruction in this case.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. MASHBURN: Matt Mashburn, second.

12 MR. RAFFENSPERGER: Okay. Motion has been seconded.
13 Do we have any other comments, discussion? Hearing none,
14 all those in favor of issuing a letter of instruction,
15 please do so by signifying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Any opposed? Motion carries.

18 Next case.

19 MS. WATSON: Next case is 2018-031. On June 4, 2018,
20 the Secretary of State's Office was informed that a number
21 of provisional ballots had not been counted at the
22 Gwinnett County Elections Office and that the mistake was
23 not discovered until after certification. Following
24 certification of the May 22nd general primary, it was
25 discovered by Gwinnett County elections personnel that 7

1 provisional ballots had remained in a bin during
2 tabulation. Lynn Ledford also stated that it is
3 impossible to know who may have committed the error due to
4 the fact that she employs so many part-time and temporary
5 personnel during a major election event. Letters were
6 sent telling the voters that their provisional ballots
7 were accepted. Letters were sent back out telling the
8 voters of the error. Policy was changed by Gwinnett
9 County to ensure this type of mistake doesn't happen
10 again. Our recommendation is for Gwinnett County Board of
11 Voter Registration and Elections and Election Supervisor
12 Lynn Ledford be referred to the Attorney General's Office
13 for a violation of 21-2-419(c)(1) and SEB rule 183-1-12-
14 .06(12)(c).

15 MR. RAFFENSPERGER: Is anyone from Gwinnett County
16 here?

17 MS. WILSON: Good -- good afternoon, Mr. Secretary,
18 members of the Board, Melanie Wilson once again from
19 Gwinnett County to speak on behalf of Ms. Ledford and the
20 Gwinnett County Board of Registration and Elections. So I
21 think I want to start by saying that this -- this
22 circumstance clearly arose from human error. It was a
23 failure to clear bins and to remove the seven ballots that
24 had been voted by -- by voters in Gwinnett County, and
25 it's certainly true, as Ms. Watson's described, that steps

1 have been taken since then to ensure that a process of
2 that kind -- there are checklists, first of all, and
3 secondly, that pairs of people are involved in going back
4 to remove ballots when they've been placed on a shelf, so
5 there's a check -- a built-in check and balance to
6 eliminate the reoccurrence of this isolated situation.

7 Members of the Board may be familiar with Ms.
8 Ledford. She's worked as an election professional for
9 decades. She is no longer the Election Supervisor in
10 Gwinnett County, but at the time that this happened, she
11 immediately took steps to bring it to the attention of the
12 voters. They were communicated with when it was realized
13 that their ballots had not been counted.

14 Election administration involves what I would best
15 describe as continuous process improvement. There's
16 always opportunities to improve. There's always
17 opportunities to take preventative action, and I can
18 assure the Board that this isolated incident has not
19 reoccurred since, that it's been a teaching lesson, a
20 learning tool, and so I would respectfully ask that in the
21 light of the fact that this was an isolated situation,
22 that it hasn't occurred again, that, you know, that this
23 Board not refer the matter to the Attorney General but
24 rather issue a letter of instruction.

25 MR. RAFFENSPERGER: Thank you for your input. Well,

1 I do know that many of us always talk of the priceless
2 franchise to vote, and so with that, members of the Board,
3 what comments do you have? What is your disposition
4 towards this case?

5 MS. LE: This is Anh Le. Ms. Wilson, thank you for
6 again presenting. I think because there's seven ballots,
7 and if I read it correctly, they were not counted, so
8 because of that, I would move to have this sent to the
9 AG's Office.

10 MR. RAFFENSPERGER: Do we have a second?

11 MS. SULLIVAN: Second, Rebecca Sullivan.

12 MR. RAFFENSPERGER: Any further discussion?

13 MR. WORLEY: Mr. Secretary, this is David Worley.
14 Ms. Wilson's point is well-taken, and I am generally
15 reluctant -- I would be reluctant to bind this over, given
16 that Ms. Ledford has had an outstanding record as an
17 election administrator, but I'm very troubled that seven
18 legitimately cast votes were not counted because of this,
19 and so I'm going to join in the vote to refer it to the
20 AG.

21 MR. RAFFENSPERGER: Any further discussion? All
22 those in favor of sending this case over to the Attorney
23 General's Office, please do so by signifying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Thanks. Next case.

2 MS. WATSON: Next case is 2018-032. In June 2018,
3 Ms. Rosenthal [ph.] reported that State Senate District 41
4 candidate Sabrina Mckenzie had failed to pay her DeKalb
5 County property taxes since 2015 but swore on her notice
6 of candidacy affidavit that she was not a defaulter on any
7 forms of taxes. Investigation revealed it was verified
8 that Sabrina Mckenzie did owe back taxes in DeKalb County
9 and did not have a payment plan in place at the time she
10 signed a notice of candidacy affidavit. Sabrina Mckenzie
11 was contacted and has failed to provide any doc --
12 documentation. We recommend Sabrina Mckenzie be bound
13 over to the AG's Office for the listed violation of 21-2-
14 565.

15 MR. RAFFENSPERGER: Is anyone here from -- the
16 candidate?

17 MS. WATSON: No. She -- she is not on the line.

18 MR. RAFFENSPERGER: Okay. Board members, do you have
19 any discussion? What is your desire?

20 MS. LE: It's Anh Le. I move to accept the
21 recommendation and bind this over to the Attorney
22 General's Office.

23 MR. RAFFENSPERGER: Do we have a second?

24 MS. SULLIVAN: Second, Rebecca Sullivan.

25 MR. RAFFENSPERGER: Any discussion?

1 MR. WORLEY: Mr. Secretary, I'm going to recuse
2 myself from this case.

3 MR. RAFFENSPERGER: Okay. All those in favor of
4 remanding this to the Attorney General's Office, please do
5 so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Those opposed? And one recusal.
8 Thank you very much. Motion carries. Next case.

9 MS. WATSON: Next case is 2018-034. On June 13th,
10 2018, Elections Supervisor Deb Cox contacted our office
11 about an elector named Miguel Gusto Vicente [ph.], who Cox
12 reported it was learned that Mr. Vicente voted twice
13 during the May 22nd, 2018 general primary. Mr. Vicente
14 presented himself at precinct 3, which was not his
15 assigned polling place, and he voted a provisional ballot.
16 Ms. Cox states Mr. Vicente then presented himself at his
17 assigned precinct, and he voted on a touchscreen. Both
18 ballots were counted.

19 Investigation revealed during the May 22nd, 2018
20 general primary that Mr. Vicente did vote more than once.
21 Mr. Vicente cast his provisional ballot at the first
22 location and then in person at the second. He -- Mr.
23 Vicente was contacted and reported he did not realize that
24 he voted twice on Election Day. He stated they did not
25 explain things very well, and they sent him to the place

1 where he was supposed to vote. Mr. Vicente has a language
2 barrier. He advised he did not understand that he had
3 voted when he completed the paperwork at the first
4 location. He advised that it was unintentional, and he
5 would make sure that it never happened again. Our
6 recommendation is for Mr. Vicente to be bound over to the
7 AG's Office for 21-2-572.

8 MR. RAFFENSPERGER: Okay.

9 MS. THOMAS: And he is not on the call, but Deb Cox
10 with Lowndes County is on the call for any questions if
11 needed.

12 MR. RAFFENSPERGER: Members of the Board, do you have
13 any questions? Now would be the appropriate time for a
14 motion if you're so inclined.

15 MR. MASHBURN: This is Matt Mashburn. I move that
16 this be referred to the DA.

17 MR. RAFFENSPERGER: Okay. Do we have a second? Do
18 we have a second? Hearing none, motion dies for lack of a
19 second.

20 MR. MASHBURN: This is Matt Mashburn. I move that
21 this be referred to the Attorney General.

22 MS. SULLIVAN: Second, Rebecca Sullivan.

23 MR. RAFFENSPERGER: Do we have any further
24 discussion? Hearing none --

25 MR. WORLEY: Mr. Secretary, I'm sorry. Mr.

1 Secretary, it's David Worley. This case seems not
2 altogether clear for -- to me. It seems that the voter
3 was -- was really following the county's instructions and
4 also had language issues, so I -- I will vote to refer it
5 to the Attorney General, but I would ask the Attorney
6 General's Office to look at it carefully and see what --
7 what the facts really are.

8 MR. RAFFENSPERGER: We'll note that for the record.
9 Thank you. All those in favor of the presented as
10 presented, signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Those opposed? Motion carries.
13 Next case?

14 MS. WATSON: Next case is 2018-037. On July 2nd,
15 2018, Cherokee County Elections Supervisor Kim Stancil
16 contacted the Elections Division of our office to report
17 that one of her poll managers, Darlene Clements [ph.], had
18 allowed an elector to vote twice during the general
19 primary of May 22nd, 2018. Ms. Stancil further stated
20 that after realizing her numbers would not reconcile, Ms.
21 Clements submitted a voter certificate in her own name and
22 submitted it with her elections documents.

23 During the general primary of May 22nd, poll manager
24 Darlene Clements allowed elector Judy Chanell [ph.] to
25 vote twice. This occurred following poll worker Rose

1 Carter [ph.] having erroneously issued Ms. Chanell a
2 nonpartisan ballot instead of a Republican ballot as
3 requested by Ms. Chanell on her voter certificate. Ms.
4 Chanell had already depressed the cast ballot button for
5 the original ballot, so poll manager Clements backed her
6 out of the express poll and reissued Ms. Chanell a yellow
7 card on which to vote a Republican ballot. When she
8 realized the second vote would cause her logs to reflect
9 one more ballot cast than voters processed, poll manager
10 Clements completed and submitted a voter certificate on
11 herself but did not vote. Submitting this false document
12 caused the poll logs to reconcile as to the ballots versus
13 voters. Assistant poll manager Nancy Cornett [ph.] aided
14 poll manager Clements by placing her initials in two
15 places on the false voter certificate.

16 Approximately thirty-six hours following the close of
17 polls, poll manager Clements telephoned Cherokee County
18 Elections Supervisor Kim Stancil to report to her what she
19 had done. Following her admission to Ms. Stancil, Ms.
20 Clements resigned from her duties as a Cherokee County
21 poll worker. Our recommendation is for Cherokee County
22 Board of Elections and Voter Registration, Cherokee County
23 Elections Supervisor Kim Stancil, Cherokee County poll
24 manager Darlene Clements, and poll manager Nancy Cornett
25 be bound over to the Attorney General's Office for

1 Official Code of Georgia 21-2-590 and 21-2-587(7) and for
2 Judy Chanell to be referred to the Attorney General's
3 Office for 21-2-572 and for Cherokee County poll manager
4 Darlene Clements and manager Nancy Cornett to be bound
5 over for 21-2-603 and for Cherokee County Board of
6 Elections and Voter Registration and Supervisor Kim
7 Stancil, poll worker Rose Carter be issued a letter of
8 instruction for violation of SEB rule 183-1-12-.02(4)(b),
9 when Ms. Carter provided an elector with an incorrect
10 ballot style following the elector's proper request for a
11 specific ballot style on the voter certificate.

12 MR. RAFFENSPERGER: Okay.

13 MS. THOMAS: And we have one representative from
14 Cherokee County on the line.

15 MR. RAFFENSPERGER: Okay. And who would that be?

16 MS. BRUMBAUGH: Hi, this is Ann Brumbaugh. I'm the
17 attorney for the Cherokee County Board of Elections and
18 Registration, and I just wanted to give y'all a little
19 background. Hopefully, you'll feel more comfortable about
20 the Board's behavior once they found this out and not
21 refer them to the AG's Office. So the facts as -- as have
22 been related are -- you know, we agree with them. Kim
23 Stancil immediately reported this as soon as she found
24 out. She had nothing to do with, you know, Darlene
25 Clements' decision. Not only did Darlene Clements resign

1 but the assistant poll manager, Nancy Cornett, and the
2 poll worker, Rose Carter, also no longer work for the
3 Cherokee Board, so all three of these people have been --
4 are no longer involved in elections in Cherokee County.

5 Additionally, as per Cherokee County's -- this is the
6 way they always do things is once this problem was
7 discovered, there was training. There was hey, you don't
8 give someone another primary ballot, and you certainly
9 don't fake a voter certificate, so given that the Board
10 and Kim Stancil did everything they could and they should
11 and everything that you all would have expected them to do
12 once they discovered this problem, we would ask that you
13 actually not refer them to the AG's Office.

14 MR. RAFFENSPERGER: Thank you. Okay. Board members,
15 do you have any questions or discussion?

16 MR. WORLEY: Mr. Secretary, this is David Worley. I
17 -- I don't have any questions of Ms. Brumbaugh, but I
18 would like to say that I -- I find this case very
19 troubling, and this, in many ways, was the most disturbing
20 case on our agenda today because you have a poll manager
21 who didn't just forge a voter certificate, she forged her
22 own voter certificate, claiming to have voted, for the
23 sole purpose of making the numbers reconcile and covering
24 up the mistake that had been made in her precinct, and I
25 just -- I just find it very, very troubling. I accept

1 what Ms. Brumbaugh says about Cherokee County and many of
2 the other people involved, Ms. Stancil, I believe they did
3 exactly what they should have done when they learned, and
4 so I -- I would not refer them to the AG. But Ms.
5 Clements and Ms. Cornett, who actively participated in
6 this fraud, I would refer not only to the Attorney General
7 but also to the local DA, and I, first of all, would make
8 a motion that Ms. Clements and Ms. Cornett be referred to
9 the Attorney General and to the DA in Cherokee County.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. MASHBURN: Matt Mashburn, second.

12 MR. RAFFENSPERGER: Do we have any further discussion
13 on this motion? Hearing none, all those in favor of the
14 motion as presented, signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.
17 Now, to the other points.

18 MR. WORLEY: Mr. Secretary, I would make a motion
19 that the other Respondents be issued a letter -- letter of
20 instruction.

21 MR. RAFFENSPERGER: Does that include the lady, Ms.
22 Judy Chanell, also?

23 MR. WORLEY: Yes, everybody else.

24 MR. RAFFENSPERGER: Do we have a second?

25 MR. MASHBURN: Matt Mashburn, second.

1 MR. RAFFENSPERGER: Any further discussion? Hearing
2 none, all those in favor of the motion, signify by saying
3 aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.
6 Okay. Next case.

7 MS. WATSON: The next case is 2018-039, and we did
8 receive a request from a DeKalb County attorney for this
9 case to be continued.

10 MR. RAFFENSPERGER: Okay. Next case?

11 MS. WATSON: Next case is 2018-047. Roman Figirelli
12 [ph.] attempted to vote on July 24th, 2018 at Centennial
13 High School but was told he was not in the system,
14 returned later in the day and was able to cast his vote.
15 Mr. Figirelli found the situation to be suspicious.
16 Barbara Heard [ph.] attempted to vote on July 24th, 2018
17 at C.H. Gullatt Elementary School but was told she was not
18 in the system. She was advised that she would have to
19 vote on a provisional ballot. Regina Ovington [ph.]
20 stated she went to Cat -- Cathedral of St. Philip to vote
21 on July 24th, 2018. She thought this was her polling
22 location but was told she was at the wrong precinct. She
23 arrived at 6:40PM. An unknown poll worker advised her she
24 could vote provisional. At 6:59PM, the poll manager
25 Isaiah King [ph.] advised her that she was not on file to

1 vote a provisional.

2 Investigation revealed Roman Figarelli and Barbara
3 Heard were asked to vote a provisional ballot even though
4 they had not changed their residence. Mr. Figarelli was
5 able to vote on a DRE, and Ms. Heard was allowed to vote a
6 provisional ballot. Election Net indicates both electors
7 were -- voted were counted. Both of these electors had
8 recently renewed their driver's license, and it was
9 treated as a change of address when the fact was they had
10 never moved.

11 Regina Ovington went to the wrong polling location
12 twenty minutes before the polls closed. Election Net
13 indicates her polling location as Sutton Middle School,
14 not the Cathedral of St. Philip where she went. Ms.
15 Ovington stated she was advised by an unknown poll worker
16 that she could vote a provisional ballot. Poll manager
17 Isaiah King told her one minute before polls closed that
18 she could not vote a provisional ballot. Election Net
19 indicates Ms. Ovington did not vote on July 24th, 2018.

20 Our recommendation is Fulton County Board of Election
21 and Registration and Election Director Richard Barron,
22 poll manager Isaiah King be bound over to the AG's Office
23 for SEB rule 183-1-12-.06(4)(c) for provisional ballots,
24 when poll manager Isaiah King did not provide Regina
25 Ovington the opportunity to vote a provisional ballot.

1 There was insufficient time for Ms. Ovington to make it
2 from the Cathedral of St. Phillip to Sutton Middle School
3 before the polls closed.

4 MS. THOMAS: And David Lowman with Fulton County is
5 on the line.

6 MR. LOWMAN: Good afternoon. I would ask that in
7 light of the fact that the polling manager Mr. Isaiah King
8 had clearly been instructed and trained on providing
9 provisional ballots and failed to do so and because, as a
10 result of this violation, he was terminated, I would ask
11 that a letter of instruction be provided to Fulton County
12 in this matter. Thank you.

13 MR. RAFFENSPERGER: Thank you. Does the Board have
14 any questions or discussion on this matter, or do they
15 have a motion?

16 MR. WORLEY: Mr. Secretary, David Worley. I would
17 make a motion that Fulton County be given a letter of
18 instruction.

19 MR. RAFFENSPERGER: Do we have a second?

20 MR. MASHBURN: Matt Mashburn, second.

21 MR. RAFFENSPERGER: Any further discussion? Hearing
22 none, all those in favor of the motion as presented,
23 signify by saying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Thank you. Next case.

2 MS. WATSON: Next case is 2018-049. On July 24th,
3 2018, we received a case where five separate voters
4 alleged they received an incorrect ballot on the day of
5 the July 24th, 2018 general primary and nonpartisan
6 general election runoff in Bibb County. Investigation
7 revealed seven complaints -- complainants who experienced
8 similar issues while voting during the July 24th, 2018
9 runoff election. When interviewed, all complainants
10 reported they voted a Republican ballot in the May 22nd,
11 2018 general primary election.

12 The issue arose when the complainants tried to vote
13 Republican in the runoff election and express poll
14 indicated they couldn't due to voting a different party in
15 the earlier general primary. 3 of the voters were able to
16 bring the issue to the attention of a poll worker and
17 resolve the ballot style prior to casting the ballot.
18 Unfortunately, voters James Garland [ph.], Tiffany Harvey
19 [ph.], Burnett Sole [ph.], and Brenda Merritt [ph.] cast
20 their ballots before bringing the incorrect ballot issue
21 to the attention of the poll worker. They were allowed to
22 vote a provisional ballot. However, none were counted due
23 to the original cast ballot.

24 Investigations revealed election documentation which
25 confirmed the complainants all selected Republican on

1 either their voter certificate or absentee ballot
2 application for the May 22nd, 2018 general primary
3 election. Our recommendation is for Macon-Bibb County
4 Board of Elections and Registration, Jeanetta Watson,
5 Elections Supervisor, Janice David [ph.], poll manager,
6 Michael O'Neill [ph.], poll manager, and Tina Dockery
7 [ph.], poll manager be bound over to the Attorney
8 General's Office for SEB rule 183-1-12-.02(4)(b).

9 MS. THOMAS: And William Nolan is on the line to
10 represent Macon-Bibb County.

11 MR. RAFFENSPERGER: Okay.

12 MR. NOLAN: Thank you. I represent Macon-Bibb County
13 Board of Elections and all the Respondents in this matter.
14 We don't dispute the findings of the investigator. We
15 find the investigation was thorough and professional, and
16 we cooperated in that. Once the issue was discovered, all
17 the poll managers, not just these three but all poll
18 managers, were contacted, made aware of the issue and what
19 had happened, and reminded of the care that must be taken
20 in processing voters. The issue was also made a focal
21 point of poll worker training and poll manager training
22 going forward. To our knowledge, it has not repeated
23 itself. We would respectfully request that this case not
24 be referred to the AG and that a letter of instruction be
25 issued. Thank you.

1 MR. RAFFENSPERGER: Okay. Members of the Board, do
2 you have any discussion, questions, or a motion?

3 MS. LE: This is Anh Le. Our earlier cases today in
4 which voters were issued the wrong ballot but had an
5 opportunity to vote, albeit the wrong ballot style or the
6 wrong ballot that they -- or the wrong party they asked
7 for, we did issue letters of instruction, I think in part
8 because they had an opportunity to vote, although it was
9 the wrong ballot. I think as a matter of consistency, I
10 would make a motion that we issue a letter of instruction
11 in this case.

12 MR. RAFFENSPERGER: Do we have a second?

13 MR. MASHBURN: Matt Mashburn, second.

14 MR. RAFFENSPERGER: Any further discussion? All
15 those in favor of the motion as stated, signify by saying
16 aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.

19 MS. WATSON: Next case is 2018-050. On July 24th,
20 2018, we received a case where four separate voters
21 alleged they received an incorrect ballot on the day of
22 the July 27th, 2018 general primary and nonpartisan
23 general election runoff. In addition, one of the voters
24 alleged they were allowed to vote a second time after
25 already casting a ballot. When interviewed, all

1 complainants reported they voted a Republican ballot in
2 the May 22nd, 2018 general primary election. The issue
3 arose when the complainants tried to vote Republican in
4 the runoff election and express poll indicated they
5 couldn't, due to the records showing they voted a
6 different party in the earlier general primary.

7 Voter Robert Mitchell [ph.] was able to resolve the
8 issue and voted his selected Republican ballot.

9 Unfortunately, voters Kathy Hammond [ph.], Catherine Smith
10 [ph.], and Joseph Shirley [ph.] were all issued voter
11 access cards containing an incorrect ballot and cast their
12 ballots before bringing the issue to the attention of a
13 poll worker.

14 Investigations reviewed election documentation which
15 showed the complainants all selected Republican on their
16 July 24th, 2018 voter certificate. The documentation also
17 includes Catherine Smith's May 22nd, 2018 voter
18 certificate and Robert Mitchell's absentee ballot
19 application which shows they both requested Republican
20 ballots.

21 A second issue arose at the Pace Creek polling
22 location when Ms. Hammond reported she was allowed to vote
23 a second time after already casting a ballot. This issue
24 was reported to have occurred after poll manager Wade
25 Rates [ph.] directed a poll worker to cancel Ms. Hammond's

1 original ballot. The voter, Ms. Hammond, admitted to
2 casting her original ballot after only voting for a single
3 state court judgeship race.

4 Henry County Elections Supervisor Tina Lunsford
5 stated she became aware of Ms. Hammond's allegation after
6 speaking with Election Liaison Amika Pitts [ph.]. Mrs.
7 Lunsford stated that she contacted Wade Rates who first
8 stated at the time of the incident, he was unaware the
9 voter had already cast her ballot. Mrs. Lunsford stated
10 afterwards Mr. Rates changed his response and advised he
11 was aware the first ballot had been cast. Mrs. Lunsford
12 stated it was her understanding Mr. Rates got a little
13 confused due to voters repeatedly changing their minds
14 between parties, which resulted in having to change ballot
15 styles.

16 Mrs. Lunsford stated Henry County responded by
17 apologizing to Ms. Hammond and ultimately terminating Mr.
18 Wade Rates. Mrs. Lunsford stated all the poll workers are
19 instructed during training if the voter has cast their
20 ballot, there is absolutely nothing else that can be done.
21 Mrs. Lunsford identified three other individuals who were
22 present at the polling precinct when the incident
23 occurred. Mr. Rates thought by canceling or altering the
24 voter's original voting status in the express polls, it
25 would somehow remove or cancel the original ballot and/or

1 vote. Mr. Rates stated at the time of the incident with
2 everything going on, he felt that he was making the
3 correct decision based upon his time and experience and
4 having done these things many times before. Mr. Rates did
5 acknowledge once again he knew from this point on that
6 once someone has cast their ballot, they can't vote again.

7 Our recommendation is for Henry County Board of
8 Election and Registration, Tina Lunsford, Elections
9 Supervisor, and Wade Rates, poll manager for Pace Creek
10 polling precinct be bound over to the Attorney General's
11 Office for SEB rule 183-1-12-.02(4)(b) and also 21-2-592.

12 MR. RAFFENSPERGER: Is anyone here from Henry County?

13 MS. THOMAS: No. No one's on the line.

14 MS. WATSON: No, sir.

15 MR. RAFFENSPERGER: Okay. Any discussion from the
16 Board? Motion? What is your will?

17 MS. LE: This is Anh Le. I would move to accept the
18 recommendation and bind this over -- excuse me -- bind
19 this over to the Attorney General's Office for the
20 elections officials facilitating a second vote
21 incorrectly.

22 MR. RAFFENSPERGER: Do we have a second?

23 MR. MASHBURN: Matt Mashburn, second.

24 MR. RAFFENSPERGER: Do we have any further
25 discussion? Hearing none, all those in favor of the

1 motion, please signify by signifying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 Next case?

5 MS. WATSON: Next case is 2018-051. Five
6 complainants advised that while voting in the July 24th,
7 2018 general election, they were given the wrong ballot
8 after giving the poll workers their voter's certificates.
9 All five complainants failed to notify poll workers of any
10 problems until after their vote was cast. Darla Johnson,
11 Senior [ph.] intended to check Republican on his voter's
12 certificate. It appears he mistakenly checked
13 nonpartisan. He received and cast his vote on a
14 nonpartisan ballot without bringing it to the attention of
15 the poll manager. Kelly Rebecca Brown checked Republican
16 on her voter certificate. She was given a nonpartisan
17 ballot and cast her vote before bringing it to the
18 attention of the poll manager.

19 Henry Fogwell [ph.] checked Republican on his voter
20 certificate. He was given the wrong ballot and cast his
21 vote on a nonpartisan ballot before bringing it to the
22 attention of the poll manager. Mary Jo Spence [ph.]
23 checked Democratic on her voter certificate. She was
24 given a nonpartisan ballot and cast her vote before
25 bringing it to the attention of the poll manager. Larry

1 Malcolm [ph.] filed a complaint that he requested
2 nonpartisan ballot but records -- but received a
3 Democratic ballot. The voter certificate indicates the
4 Democrat ballot selected is a no-violation. Our
5 recommendation is Fulton County Board of Registration and
6 Elections and Elections Superintendent Richard Barron and
7 poll manager Marietta Freeman [ph.] who was listed in the
8 violation be dismissed as they are now deceased, poll
9 manager Larry Boone [ph.], poll worker Carla King [ph.],
10 and poll manager Kita Alston [ph.] be bound over to the
11 Attorney General's Office for the listed violations.

12 MS. THOMAS: And David Lowman is on the line for
13 Fulton County.

14 MR. RAFFENSPERGER: Mr. Lowman?

15 MR. LOWMAN: Yes. I would just ask that a letter of
16 instruction be issued in this case. As the Board
17 previously stated, I believe in the Bibb County case or
18 all the other cases where people have been given the wrong
19 ballot by mistake, there have been letters of instruction
20 issued, and we would ask for the same treatment here.
21 Thank you.

22 MR. RAFFENSPERGER: Any discussion from the Board?
23 Motion? What is the will of the Board?

24 MS. LE: This is Anh Le. I make the motion that we
25 issue a letter of instruction for all these cases.

1 MR. RAFFENSPERGER: Okay. Do we have a second?

2 MR. WORLEY: David Worley. I'll second that.

3 MR. RAFFENSPERGER: Any further discussion? Hearing
4 none, all those in favor of the motion, please signify by
5 saying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Hearing none,
8 motion carries. Next case?

9 MS. WATSON: Next case is 2018-053. Bartow County
10 Elections Supervisor Joseph Kirk reported to our office
11 that two individuals cast multiple ballots in the July
12 24th, 2018 Republican primary election runoff. One was
13 cast during advance voting, and the other was cast on
14 Election Day. On July 6th, 2018, Anne Edmundson [ph.]
15 cast a Republican ballot in person at the voter
16 registration office. On July 19th, 2018, Ms. Edmundson
17 was allowed to cast a ballot again at the same location.
18 Mr. Kirk states the polling worker Cory Ray [ph.] was
19 likely suffering from a medical impairment at the time.
20 He also advised that Ms. Edmundson is elderly, and in all
21 likelihood was simply confused about which election she
22 was voting in. The poll manager Gendra Millsap [ph.]
23 reported Ms. Ray seemed a little confused due to a medical
24 issue and was placed on supervisor duty. Ms. Millsap was
25 called away for a brief period and during that time, Ms.

1 Ray made the error. The error was caught during a routine
2 audit.

3 On July 24th, 2018 at 2:20PM, Gerry Orton [ph.] was
4 issued a Republican ballot at the Pine Log polling place
5 located at 189 Olive Vine Church Road. Poll worker Wanda
6 Chapman [ph.] noticed that Mr. Orton was having problems
7 voting. The voting machine apparently would not accept
8 his voter access card. Not having seen him vote yet, Ms.
9 Chapman followed her training and tried to assist the
10 voter by putting the card into the voting machine for him.
11 When it did not work, she believed that he had not voted
12 and reissued the voter access card to him. Immediately
13 after Mr. Orton left, they did a routine audit and
14 discovered there was an extra vote on the voting machine.

15 Our recommendation is for Bartow County Board of
16 Elections and Voter Registration, Election Supervisor
17 Joseph Kirk, poll manager Gendra Millsap, poll worker Cory
18 Ray, and poll manager Christine Woodsythe [ph.], and poll
19 worker Wanda Chapman be bound over to the Attorney
20 General's Office for State Election Board rule 183-1-12-
21 .02(4)(j) and for Anne J. Edmundson be issued a letter of
22 instruction or dismissed. I believe there is an attorney
23 that is to speak to her case. And also Jerry Orton be
24 issued a letter of instruction as he was doing as
25 instructed by poll workers.

1 MS. THOMAS: I think we have Jayson Philips, who is
2 the Bartow County attorney, and Joseph Kirk, who is the
3 Elections Supervisor, on the line.

4 MR. RAFFENSPERGER: Okay.

5 MR. PHILLIPS: Mr. Secretary, thank you. This is
6 Jayson Phillips, representing the Bartow County Board of
7 Elections. In this case, I think that the fair
8 characterization of these two -- two allowances to vote
9 twice is they were mistakenly allowed, and I think it's
10 important to look at each -- each incident separately
11 because there are fundamentally distinct facts.

12 In the case with Anne J. Edmundson, this is a matter
13 where I would ask that the Board exercise some grace
14 toward the poll worker in that case, Cory Ray. At the
15 time, she was about 70 days out of a two-car accident.
16 When the accident had occurred, she was not taken
17 immediately for medical treatment, but the following day,
18 she reported to the hospital concerned that she might have
19 been suffering from whiplash. The whiplash actually
20 evolved into severe -- severe recurring migraines, and I
21 think she was ultimately diagnosed with some swelling on
22 the brain. Fortunately, she received -- had some great
23 medical care, and now, three years later, she's got her
24 migraines under control. She is currently on a migraine
25 prescription, and she continues to work with the Bartow

1 County Board of Elections effectively and without any
2 further incident like this. As to her part of the case,
3 the Anne J. Edmundson case, we would ask that the Board
4 not refer this component to the Attorney General's Office
5 but instead issue a letter of instruction.

6 As to the other voter, Mr. Orton, this is a case
7 where we had a problem apparently with the access card
8 with the DRE machines back in 2018. As was shown in the
9 incident report, the card quote-on-quote kept popping out.
10 Here we are now three years later, the State is no longer
11 using the system. Therefore, this error, it's not going
12 to repeat itself. What we have is an operator error from
13 about three years ago on a voting system that's no longer
14 being used. I would submit to you that the issue is moot
15 as to Mr. Orton's situation, and I'd ask that you dismiss
16 the case in regard -- in regard to the Board for Mr.
17 Orton. I believe that's all I have, and a letter of
18 instruction is what we would request on the Edmundson
19 matter and dismissal on the other. Thank you.

20 MR. RAFFENSPERGER: Thank you. Members, do you have
21 any discussion, questions, or a motion?

22 MR. WORLEY: Mr. Secretary, this is David Worley. I
23 would move that we send a letter of instruction on both
24 charges in this case.

25 MR. RAFFENSPERGER: Okay. Do we have a second?

1 MS. SULLIVAN: Second, Rebecca Sullivan.

2 MR. RAFFENSPERGER: Okay. Any further discussion?
3 Hearing none, all those in favor of the motion, signify by
4 saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.
7 Next case.

8 MS. WATSON: Next case is 2018-055. In October of
9 2018, Marvin Sloan [ph.] reported that a fraudulent voter
10 registration application had been submitted to Barrow
11 County Elections with information relating to his wife.
12 Annette Cobb Sloan [ph.], with an address of 1535 Dillard
13 Heights Drive, Bethlehem, Georgia, had been registered to
14 vote in Georgia since at least 1992. The new voter
15 registration application in the name of Sloan Cobb with
16 the same address and date of birth as Annette Cobb Sloan,
17 the last four of the Social Security Number were not the
18 same. There is no such person at the listed address, and
19 Annette Cobb Sloan did not submit the application. The
20 voter registration application for Cobb Sloan was
21 submitted via the mail. The person submitting the
22 fraudulent voter registration application has not been
23 identified. We're recommending the case be dismissed with
24 no further leads to follow at this time.

25 MS. THOMAS: And Ken Jarrad and Karen Petuta [ph.]

1 are on the line.

2 MR. RAFFENSPERGER: Yeah. Let's see if that's
3 necessary.

4 MR. JARRAD: Mr. Secretary and members of the Board,
5 this is Ken Jarrad. Thank you. I am here for the Forsyth
6 County matter, which I do not think that case presentation
7 was that case.

8 MS. WATSON: No. That should have been 18-053.
9 Sorry. The -- this is Barrow County.

10 MR. RAFFENSPERGER: But as it relates to Barrow
11 County, since we're on it.

12 MS. THOMAS: Barrow County? There's Bartow County?

13 MR. RAFFENSPERGER: Ms. Watson, you have the Barrow -
14 - you have the Barrow County case in front of you,
15 correct? Do any of the other members have that in front
16 of them right now? Mr. Worley, Ms. Sullivan, Ms. Le?

17 MR. WORLEY: No. I don't have any Barrow County case
18 on my agenda. I have a Bartow County case which we just
19 did.

20 MR. RAFFENSPERGER: Yes. So let's do the Forsyth
21 County case. I don't know what happened there.

22 MS. WATSON: Okay. 18-053 is actually Barrow County,
23 not Bartow. That appears to be a typo.

24 MR. MASHBURN: We just did Bartow.

25 MS. WATSON: Okay.

1 MR. RAFFENSPERGER: Yes, we just did Bartow. So
2 2018-055 is Forsyth County, provisional ballots.

3 MS. WATSON: Correct. Okay. So we're moving to
4 Forsyth County, 18-055?

5 MR. RAFFENSPERGER: Yeah. Did you have one between
6 Bartow and Forsyth, the Barrow County?

7 MS. WATSON: I do, but I see that's going to be an
8 error.

9 MR. RAFFENSPERGER: Okay. So just do Forsyth, and
10 then we can always circle back at the end if we have time.

11 MS. WATSON: Okay. The complaint in this case is on
12 August 6th, 2018, we received a complaint to open an
13 investigation concerning a complaint that provisional
14 ballots had been rejected by Forsyth County Board of
15 Registration and Elections. Our investigation revealed in
16 regards to provisional ballots being cast in Forsyth
17 County, Georgia on July 24th, 2018 and ultimately being
18 rejected by the County Board of Registration and
19 Elections. Give me one second. Sarah Garcia [ph.] had
20 been registered to vote in Forsyth County and assigned to
21 the Coal Mountain polling station precinct since August
22 24th, 2007. She was on the electors list for that polling
23 station. On July 20 -- July 7th -- I'm sorry. July 24th,
24 2018, Vesta Smith [ph.] had been registered to vote in
25 Forsyth County and assigned to the Atwell polling station

1 since July 6th, 2016. She was on the electors list for
2 that polling station.

3 The poll manager, Bob Speck [ph.], stated that a
4 provisional ballot was given to Sarah Garcia at the Coal
5 Mountain polling station on July 24th because she did not
6 wish to use the direct recording electronic voting
7 machines that were present and operational. The poll
8 manager, Janice Davis [ph.], stated that a provisional
9 ballot was given to Vesta Smith at the Atwell polling
10 station precinct on July 24th, 2018 because she did not
11 wish to use the direct recording electronic machines that
12 were present and operational. The Forsyth County Board of
13 Registration and Elections voted unanimously on 7/30/2018
14 to reject the provisional ballots of Sarah Garcia and
15 Vesta Smith on the grounds that they did not meet the
16 qualifications to cast a provisional ballot at the time
17 the ballots were cast.

18 In these particular instances, both electors were
19 registered to vote in the election and at their assigned
20 polling locations where they appeared and requested
21 provisional ballots. The poll manager would have been
22 justified in denying a provisional ballot at that time and
23 requiring the electors to vote on a DRE machine. After a
24 provisional ballot had been issued to the voter, 21-2-
25 419(b) only authorizes the Board of Registrars to make a

1 good faith effort to determine whether the person casting
2 the provisional ballot was entitled to vote in the primary
3 election. Our recommendation is for Forsyth County Board
4 of Registration and Elections, Bob Speck, poll manager,
5 and Janice Davis, poll manager, be bound over to the
6 Attorney General's Office for a violation of 21-2-418(a)
7 and Barbara Luth, the retired Director Forsyth County
8 Board of Elections and Registration, be bound over for 21-
9 2-419(c).

10 MR. RAFFENSPERGER: Okay. Is anyone here from
11 Forsyth County?

12 MS. WATSON: Yes.

13 MS. THOMAS: Yes.

14 MR. JARRAD: Mr. Secretary and Board members, thank
15 you very much. My name is Ken Jarrad. I am the Forsyth
16 County attorney, and again, it's a pleasure to be in front
17 of you this afternoon. I wanted to state for the record
18 that in the room with me right now is actually the Chair,
19 the Forsyth County Chair of the Board of Elections, Barb
20 Luth. I've got the Elections Director Mandy Smith, as
21 well as the two poll managers that were implicated in this
22 case, Bob Speck and Janice Davis, and so they are here to
23 answer any questions should the Board have any.

24 First of all, I just want to say at the outset that
25 we appreciate the investigation's findings. We do not

1 necessarily disagree, of course, with those findings but
2 want to add just a little bit of additional context to
3 them. This is a case where all of the individuals
4 involved, be it the poll managers or the Board of
5 Elections, were trying to do what they believed to be the
6 right thing given the circumstances and situations that
7 they found themselves in. Mr. Speck, who was the Coal
8 Mountain poll manager, was in fact confronted with an
9 individual that was insisting that they would not vote on
10 the machines that were provided, as was Ms. Davis, who was
11 at the Atwell precinct. So both of them were faced with
12 electors that were registered and at the correct polling
13 location but were adamant that they would not vote unless
14 they were provided an option other than the electronic
15 machines that were made available, and at that time in
16 2018, their training was to a) deescalate and b) if they
17 were going to commit an error, commit an error on the side
18 of allowing the individual to exercise the franchise.

19 They did, in fact, contact the central Board of
20 Elections Office and spoke with staff before they gave
21 those individuals a provisional ballot, and they were
22 advised that they could do so, and that is what they did,
23 thereby, in their mind, fulfilling their obligation of
24 deescalating and exercising the right to the voter to be
25 able to -- that was the appropriate thing to do. Once

1 again, a situation that was unfortunate, and it was a
2 situation that now, based upon the training that is
3 provided to our poll managers and workers is that if there
4 is a technology available and an individual comes that is
5 registered to vote at the precinct location, they will be
6 given a choice of either taking advantage of the
7 technology that exists or they will be unable to vote.

8 But they made the right call based upon context and what
9 they believed was management, if you will, and believed
10 they did the right thing, and they have now been trained,
11 and all of us are being trained that there's a right way
12 to handle it.

13 Which then regrettably, of course, the flipside with
14 respect to the Board of Elections is they were, in fact, I
15 believe doing what the Election Board and the investigator
16 would have preferred and that is I think the Elections
17 Board -- because this appeared in front of them at a
18 subsequent meeting to look at these provisional ballots --
19 looked at rule 183-1-12, which states that primaries and
20 elections shall be conducted at the polls through the use
21 of direct recording electronic voting units, the DRE
22 units, and given what they then knew, that the individuals
23 did not qualify for a provisional ballot, took the
24 opposite approach, which was, I think, the very approach
25 the investigator here would take is that that was not the

1 correct way to allow those electors to vote. So it's --
2 all I can say in sort of summation is is it was two
3 distinct individuals and groups of people trying to do
4 what they thought was right and consistent with the laws
5 and regulations that control, but it unfortunately
6 resulted in a bad outcome, and we don't dispute that,
7 which is why we have taken steps to ensure that will never
8 happen again, and our individuals are trained differently
9 than that.

10 So Mr. Secretary and Board members, we are asking in
11 this case for, with respect to the poll managers, for
12 those cases to be dismissed. They did, in fact, check
13 with the central office and did what they were instructed
14 to do. And then with respect to the Board of Elections
15 itself, we would respectfully request either a dismissal
16 or a letter of instruction. So Mr. Secretary and Board
17 members, thank you for hearing me out.

18 MR. RAFFENSPERGER: Okay. Thank you, sir. Do we
19 have any questions, comments from any of our Board
20 members?

21 MR. WORLEY: Mr. Secretary, this is David Worley.
22 First of all, I want to thank Mr. Jarrad for his
23 explanation which was very clear, and I certainly
24 understand his points. But I'm going to make a motion to
25 refer this to the Attorney General and let me explain why.

1 I appreciate that everyone involved in this case was
2 trying to do the best they could and what they understood,
3 you know, was correct. But generally speaking, when
4 somebody comes and asks for a provisional ballot, they are
5 to be given a provisional ballot as a consequence of the
6 federal Help America Vote Act. They have a right to
7 demand a provisional ballot for whatever reason that --
8 that they have. In this case, it was because they did not
9 want to vote on a machine.

10 So generally speaking, people have a right to that
11 provisional ballot. If they have a right to demand and
12 get a provisional ballot, I don't think the County is
13 correct in not counting that ballot, unless they don't
14 live in the county or in limited circumstances, if they
15 don't live in a particular precinct, and those races in
16 that precinct wouldn't be counted. So -- so I think the
17 end result here was -- was wrong, but I think it would be
18 very useful to have the Attorney General look at these
19 issues and give some guidance to the Board that we could
20 give to counties around the state because I think -- I'm
21 troubled now that the policy now in the county is that if
22 someone comes and does not want to vote on the machine and
23 wants to vote a paper ballot provisionally instead, they
24 are refused that provisional ballot. I do not think that
25 that is the right outcome, but I think it would be very

1 helpful for the Attorney General to weigh in on this.

2 So while in other circumstances it might be
3 appropriate to dismiss this case or to issue a letter of
4 instruction, in neither of those cases we will get an
5 opinion from the Attorney General as to what the proper
6 interpretation of the law is and because I think it's
7 important that we get that, I make a motion to refer it to
8 the Attorney General.

9 MR. RAFFENSPERGER: Thank you, Mr. Worley. Do we
10 have a second?

11 MR. MASHBURN: Matt Mashburn, I second it. I would
12 like an opinion of the Attorney General on that topic.

13 MR. RAFFENSPERGER: Okay. Do we have any additional
14 comments? Hearing none, all those in favor of the motion
15 as presented, please signify by saying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Any opposed? Motion carries.
18 Next case.

19 MS. WATSON: Next case is 2018-061. Two overseas
20 voters sent complaints that Fulton County had not sent
21 them their ballot for the November 6th, 2018 election.
22 Fulton County received federal postcard applications from
23 Claire Broughton [ph.] on September 7th, 2018 and from a
24 Reuban Broughton [ph.] on September 4th, 2018. Claire
25 Broughton advised that she emailed Fulton County Elections

1 her federal postcard application on September 6th.
2 Election Net shows the registration date as September 7th,
3 2018. After not hearing back from Fulton County, Claire
4 sent an email on September 20th, 2018 asking about the
5 status of her application. Claire received an email from
6 Fulton County saying I am unable to verify your
7 registration. Claire emailed Fulton County back the same
8 day asking for an explanation.

9 Claire states that after several days of not
10 receiving a reply, her mother emailed the Secretary of
11 State's Office on behalf of her daughter. Our office
12 emailed Mrs. Broughton back and was able to resolve the
13 problem after speaking with Fulton County. On September
14 27th, 2018, Mrs. Marshall [ph.] emailed Claire apologizing
15 and stating that Claire's application had been processed.
16 Application was entered and her ballot mailed out on
17 September 26th, 2018.

18 Reuban Broughton's Election Net report shows that his
19 federal postcard application was entered by Fulton County
20 on September 4th, 2018. On September 7th, he received a
21 document from Pamela Cobin [ph.] with Fulton County. The
22 document states we cannot identify you as a registered
23 voter. Reuban Broughton's federal postcard application
24 was rejected because he was not registered by the clerk
25 Malerie Magwood [ph.] instead of using the Fulton --

1 federal postcard application as a registration document
2 and an absentee ballot request. It was only after a call
3 to our office that these individuals' ballots were sent.
4 The ballot were mailed out 41 days before the election
5 instead of the 49 to 45 days prior to the election.
6 Election Net reports indicate that both voters were --
7 votes were counted for the November 6th, 2018 election.
8 Recommendation is Fulton County Board of Registration and
9 Elections be bound over to the Attorney General's Office
10 for violation of 21-2-384(a)(2) and for Election Director
11 Richard Barron to be dismissed as a Respondent as the
12 violation should have been listed as Ralph Jones, the
13 Chief Registrar.

14 MS. THOMAS: And we have Ralph Jones and David Lowman
15 on the phone for Fulton County.

16 MR. RAFFENSPERGER: Okay. Mr. Lowman?

17 MR. LOWMAN: Yes. We -- we don't have any additional
18 information to add on this other than to point out for the
19 Board's edification that new procedures have been put in
20 place in Fulton County for this type of situation and, in
21 fact, a UOCAVA absentee specialist has been brought on to
22 handle all these requests, so other than that, there's no
23 additional information we have on this.

24 MR. RAFFENSPERGER: Okay. Thank you. Members,
25 you've heard everything. What is your will? What is your

1 disposition on this?

2 MR. WORLEY: Mr. Secretary, I believe that in this
3 case it's more appropriate to send a letter of instruction
4 than to send it to the Attorney General's Office, so I
5 would make a motion that we do that, and that that letter
6 of instruction not include Rick Barron as he is apparently
7 not a proper Respondent.

8 MR. RAFFENSPERGER: So noted. Do we have a second?

9 MS. SULLIVAN: Second, Rebecca Sullivan.

10 MR. RAFFENSPERGER: Any further discussion? All
11 those in favor of the motion, please do so by signifying
12 aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Before we jump onto another case,
15 we've been going for a fair bit. How about if we take
16 about eight minutes and come back at 2:10? Does that work
17 for everyone?

18 (Meeting break)

19 (Meeting resumes)

20 MR. RAFFENSPERGER: Okay. Well, we'll start back a
21 little earlier then. Next case?

22 MS. WATSON: The next case is 2018-062. On October
23 the 12th, 2018, the Investigations Division was notified
24 that the City of South Fulton Solicitor LaDawn Jones was
25 offering a monetary reward in exchange for individuals who

1 had registered to vote. Investigation revealed a tweet
2 from the City of South Fulton LaDawn Jones stating well,
3 we registered voters in South -- City of South Fulton
4 today. Everyone got \$50 off their citation if they
5 registered or confirmed their registration. LaDawn Jones
6 was contacted and was asked if they were in fact offering
7 \$50 reduction in citations for registering to vote or
8 confirming voter registration. LaDawn Jones stated that
9 they were originally doing this, but had suspended the
10 offer, although she did not agree with the interpretation
11 that it was a violation of the code. She stated that she
12 saw that it had become a distraction and was not worth
13 continuing the effort. We're recommending LaDawn Jones be
14 bound over to the Attorney General's Office for 21-2-570.

15 MS. THOMAS: And Mr. Lowman and Ralph Jones are on
16 the line if you have any questions for them.

17 MR. RAFFENSPERGER: Okay. Members of the Board, did
18 you have any questions?

19 MR. MASHBURN: Matt -- I don't have any questions.
20 Matt Mashburn. I move that we accept the recommendation
21 and refer it to the AG.

22 MR. RAFFENSPERGER: Do we have a second?

23 MS. SULLIVAN: Second.

24 MS. LE: Anh Le.

25 MR. RAFFENSPERGER: Okay. Any further discussion?

1 Hearing none, all those in favor of referring this to the
2 Attorney General's Office, please do so by signifying aye.

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Any opposed? Motion carries.

5 Next one.

6 MS. WATSON: Next case is 2018-068. A complainant
7 alleges the City of Woodland was holding a special
8 election separate from the Talbot County November general
9 election. The complainant alleged the City advertised
10 they would begin advance voting at 9am on Monday, October
11 15th, 2018, but the polling place was not ready for
12 voters, and voters were turned away. Complainant went
13 back a few hours later and voted. After leaving the
14 voting place, complainant was called back to fill out a
15 form that was supposed to be completed before voting. The
16 complainant also stated the ballot box was not secured.
17 On Election Day, the same complainant went to the polling
18 place to observe ballot tabulation after 7PM but was told
19 to leave without any explanation. While standing outside,
20 the complainant said another candidate was allowed to walk
21 inside the polling place to watch tabulation.

22 Investigation revealed that on the first day of early
23 voting on October 15th, 2018, the polling location at the
24 Woodland City Hall did not open on time for voters at 9am.
25 Mr. Yaholla [ph.] claimed that the ballot boxes were not

1 locked on the first day of early voting. It was verified
2 by Cynthia Powell [ph] and the other poll workers. Ms.
3 Powell taped the boxes shut until she could purchase locks
4 for the boxes.

5 Investigation could not verify with certainty that
6 Mr. Yaholla was turned away from watching tabulation
7 because of conflicting statements of the witnesses. Ms.
8 Powell and the other poll workers stated Mr. Yaholla came
9 in before the polls closed, and she told him to come back
10 after the polls closed for tabulation. Mr. Yaholla stated
11 he and Stevana Lewis [ph.] came to the polling location
12 after the polls closed, and they were told to leave
13 without any explanation. Investigator also confirmed the
14 complaint that Tacoma Yaholla came back and voted later
15 that same day and left, only to be called back because he
16 did not complete the absentee ballot application before
17 voting, which he should have done.

18 Our recommendation is City of Woodland and Cynthia
19 Powell, the interim City Clerk Elections Supervisor, be
20 bound over for 21-2-385, 21-2-430, and 21-2-431(a). Do we
21 have anybody? There is no one on the line.

22 MR. RAFFENSPERGER: Okay. Members, what is your
23 discussion or decision on this?

24 MR. MASHBURN: Matt Mashburn. I move that we accept
25 the recommendation.

1 MR. RAFFENSPERGER: Do we have a second?

2 MS. SULLIVAN: Second, Rebecca Sullivan.

3 MR. RAFFENSPERGER: Do we have any discussion? All
4 those in favor of the motion, please do so by signifying
5 aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.

8 Next case.

9 MS. WATSON: Next case was reported -- it's 2018-073.
10 It was reported that Effingham County failed to issue a
11 UOCAVA ballot to Emily Van Heusen [ph.] by the September
12 22nd, 2018 deadline for the November 6th, 2018 general
13 election. The voter registration and requested UOCAVA
14 request for a ballot was received by the Effingham County
15 Elections Office on September 21, 2018. They began the
16 verification process for the deadline on Saturday,
17 September 22nd to have UOCAVAs issued. The Elections
18 Office delayed sending the UOCAVA to Emily Van Heusen as
19 she was still in the pending status. The pending status
20 changed on Saturday the 22nd when the Effingham County
21 Elections Office was closed. The ballot was issued on
22 September the 25th, 2018. Our recommendation is for
23 Effingham Board of Elections and Registrations and
24 Elections Supervisor Olivia Morgan and election assistant
25 Laurel Bassett be issued a letter of instruction for the

1 processing of voter registration prior to issuing the
2 requested UOCAVA ballot, 21-2-384(a)(2).

3 MS. THOMAS: And Brian Griffin is on the line to
4 represent Effingham County.

5 MR. GRIFFIN: Thank you. Brian Griffin here from the
6 law firm of Oliver Maner representing the Effing --
7 Effingham County Board of Elections. I just want to
8 acknowledge that this violation occurred, and I thank the
9 Board for the recommendation that we receive a letter of
10 instruction. It's a -- you know, this is just a
11 regrettable incident of human error, and, you know, we --
12 my clients did not know that this ballot was going to
13 process on Saturday, which also happened to be the
14 deadline. If they had, then we'd have gone in and issued
15 the ballot. I also want to note that they had no missed
16 deadlines before this incident and no missed deadlines in
17 the 2020 election cycle, so I, you know, agree with the
18 Board with the letter of instruction. Thank you.

19 MR. RAFFENSPERGER: Thank you. Members, do you have
20 any questions or a motion?

21 MR. WORLEY: I have a question, Mr. Secretary. Ms.
22 Watson, her registration was in pending status. Would it
23 have been possible for Effingham County to issue a ballot
24 while her registration was still in pending status
25 physically? I mean, could they -- could they have done

1 that?

2 MS. WATSON: I believe that that would be a better
3 question for Chris Harvey to -- to answer if that would be
4 possible, if he's on the line.

5 MR. HARVEY: Mr. Worley, this is Chris Harvey. It --
6 it would be if it was in pending status, they could be
7 issued a provisional absentee ballot. That would be the
8 appropriate -- appropriate step in that case.

9 MR. WORLEY: Okay. Even -- even to someone abroad?

10 MR. RAFFENSPERGER: That's a question, Mr. Harvey.

11 MR. HARVEY: I'm sorry. I -- I kicked off for just a
12 second. I missed the question.

13 MR. WORLEY: That's okay. Even -- even a UOCAVA
14 ballot, a provisional UOCAVA ballot?

15 MR. HARVEY: Correct. Yes, sir.

16 MR. WORLEY: Okay.

17 MR. RAFFENSPERGER: Okay. Do we have a ques -- a
18 motion?

19 MR. MASHBURN: This is Matt Mashburn. I move that we
20 accept the recommendation -- the recommendation of counsel
21 and issue a letter of instruction.

22 MR. RAFFENSPERGER: Okay. Do we have a second?

23 MS. SULLIVAN: Second, Rebecca Sullivan.

24 MR. RAFFENSPERGER: Any further discussion?

25 MR. WORLEY: Mr. Secretary, I -- I think since the

1 County is willing to accept a letter of instruction, I'll
2 vote for a letter of instruction, but this is the kind of
3 case where -- where I would otherwise vote to dismiss
4 because I really -- I don't think the County did anything
5 particularly wrong and -- given that they were closed on
6 that Saturday -- and the voter voted. That is a critical
7 fact that really hasn't been discussed here. So -- but
8 I'll support the motion. Thank you.

9 MR. RAFFENSPERGER: Thank you. All those in favor of
10 the motion, please do so by signifying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Those opposed? Hearing none,
13 motion carries. Next case?

14 MS. WATSON: Next case is 2018-074. Complainant
15 Dwight Brower from Fulton County reported an incident that
16 occurred on Saturday, October 27th, 2018 during early
17 voting for the November 7th, 2018 general election. It
18 was reported that a poll manager was announcing to
19 everyone waiting to enter the polling room at the Wolf
20 Creek polling location that cell phones are not to be used
21 in the polling place and advised them to silence their
22 phones. Fulton County Board of Election and Registration
23 member Aaron Johnson challenged the poll manager and told
24 his wife Alanna Johnson [ph.] that she did not need to get
25 off the phone. Mr. Johnson was shown the signage

1 referring to the prohibition. However, Alanna Johnson
2 continued to use her phone throughout the voting process.
3 The poll manager also reported that Taquita Wilkins [ph.]
4 also continued to use her cell phone at the polling
5 location after being requested not to do so.

6 Investigation revealed attempts to speak to Taquita
7 Wilkins through phone messages, mail request, and business
8 cards left at the residence have been unsuccessful.

9 Alanna Johnson was contacted, but she referred the
10 investigators to her -- her husband. Poll manager
11 statements report both individuals were advised as to the
12 code and requested to stop using the device in the poll
13 and both continued to do so. We're recommending referring
14 Taquita Wilkins and Alanna Johnson to the Attorney
15 General's Office for a violation of 21-2-413(e).

16 MR. WORLEY: Mr. Secretary, -- Mr. Secretary, David
17 Worley here. I am going to recuse from this case.

18 MR. RAFFENSPERGER: Okay.

19 MS. THOMAS: And Aaron Johnson is on the line, as
20 well as Ralph Jones and David Lowman with Fulton County.

21 MR. RAFFENSPERGER: Do the Board members have
22 questions for any of the Respondents or for the County?

23 MR. MASHBURN: Matt Mashburn. I make a motion that
24 the recommendation be accepted, and the two individuals be
25 referred to the AG.

1 MR. RAFFENSPERGER: Do we have a second?

2 MS. LE: Anh Le, second.

3 MR. RAFFENSPERGER: Do we have any discussion on the
4 matter? Hearing none, all those in --

5 MS. THOMAS: Mr. Secretary?

6 MR. RAFFENSPERGER: Yes?

7 MS. THOMAS: Mr. Secretary, Mr. Aaron Johnson has
8 raised his hand to speak on this case.

9 MR. RAFFENSPERGER: Go ahead, Mr. Johnson.

10 MR. JOHNSON: I hope you can hear me.

11 MR. RAFFENSPERGER: Yep.

12 MR. JOHNSON: I just wanted to make a couple of
13 things clear about this case. The first thing is -- and I
14 just want to make sure that there are a few facts straight
15 in this. Yes, there was a text message that came while we
16 were inside the facility. My wife did pick up her phone,
17 but as soon as the poll worker mentioned that she couldn't
18 use it, she put it away, and she did not continue to use
19 the phone after that moment. Now, I can't speak for the
20 second person because there's two different people in this
21 case, and I don't even recall this person being at the
22 facility at the same time. I actually submitted my -- my
23 experience that same day. It was on a Sunday and not a
24 Saturday, but I submitted my experience that day because I
25 thought the poll worker was not being very professional

1 with the people that were in the facility that day.

2 So I just want to be clear. I at no time told her
3 that because I'm on the Board that we're able to do
4 whatever we want to do. That did not happen. We had a
5 witness behind us that was on -- that agreed with what I
6 said, and I sent this information over that day, but
7 somehow this version of the truth showed up before mine
8 did, and I have a timestamped email of exactly when I sent
9 it. So I just wanted to make sure -- make it clear that
10 we totally dispute the facts in this case.

11 MR. RAFFENSPERGER: Okay. Thank you. Well, we have
12 the motion, and it's been seconded. Any further
13 discussion from the Board? Hearing none, all those in
14 favor of the motion, please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Those opposed? Motion carries.
17 Next case?

18 MS. WATSON: Next case is 2018-077. On November 1,
19 2018, a J.D. McAllister [ph.] contacted our office to
20 report that an incorrect write-in list had been posted at
21 Clayton County early voting locations during the early
22 voting period for the general election of November 6th,
23 2018. He says that the name of the candidate for U.S.
24 House District 13, Martin Cowen, was missing from the
25 list.

1 Investigation revealed Martin Cowen was a certified
2 write-in candidate for U.S. House District 13 during the
3 general election of November 6th, 2018. On November 1st,
4 2018, the complainant contacted our office to report that
5 the write-in list which was posted at the Elections Office
6 early voting site was incorrect in that it did not display
7 Mr. Cowen's name. The complainant stated he went to the
8 Elections Office and reported the problem to an employee
9 there. The Elections Supervisor, Shauna Dozier, stated
10 that she was notified of the issue and investigated. She
11 realized that a copy of the write-in list from an older
12 election had been mistakenly posted at the Elections
13 Office. She then made copies of the correct list and
14 ordered them posted at all six early voting locations,
15 including the Elections Office. Ms. Dozier further stated
16 that once the lists were replaced, she contacted candidate
17 Cowen to advise him of the mistake and that it had been
18 corrected.

19 Our recommendation is for Clayton County Board of
20 Elections and Registration, Elections Director Shauna
21 Dozier be bound over to the AG's Office for violation of
22 21-2-401(d).

23 MS. THOMAS: And Charles Reed is on the line to
24 represent Clayton County.

25 MR. RAFFENSPERGER: Okay. Mr. Reed?

1 MR. REED: Good afternoon, Mr. Secretary, members of
2 the Board. Again, I'm Charles Reed, the county attorney
3 for Clayton County, and I'm here representing both the
4 Board of Elections and Director Dozier in this matter, and
5 I thank you for the opportunity to provide some additional
6 information for your consideration.

7 First, much of what was reported we don't have a
8 disagreement with, in fact, -- as it relates to there
9 being one list -- list posted incorrectly. However, what
10 had occurred was that there were new lists -- or old lists
11 that were incorporated with some -- some of the newer
12 lists and apparently that old list had posted at one site.
13 As soon as Director Dozier found that out, she immediately
14 took corrective action to deploy an election official to
15 go to each of the six early voting sites immediately to
16 remove all the lists and replace them with a new list that
17 was printed, and other than Mr. McAllister, there were no
18 complaints concerning the write-in candidate list, and
19 neither the Board nor Director Dozier received any
20 information stating that a voter was unable to vote for
21 Mr. Cowen in the election. And in fact, our investigation
22 afterwards showed that Mr. Cowen had received votes during
23 the early voting period, which suggests that there may
24 have just been that one list posted incorrectly at a
25 single site.

1 And since that time, Director Dozier and the Board of
2 Elections have implemented more safeguards to make sure
3 that this does not happen again, and those safeguards
4 include having a two-team verification process. One team
5 prepares a document, and the document is separately
6 verified by two teams of two elections officials, which
7 includes management and supervisors, prior to posting and
8 making copies, and this proofing process involves checking
9 the Secretary of State's website under the list of
10 qualified candidates section using a sample ballot as
11 provided by the Secretary of State Election Division as
12 another frame of reference. And I just wanted to note
13 that since 2018 and actually prior to that point, we have
14 never had any complaints regarding the issues with the
15 write-in candidates list, and Mr. Cowen was a write-in
16 candidate for the 2020 election, and there was no issue
17 with his name appearing on that list at any of the early
18 voting sites.

19 And so in closing, I just want to -- we're thankful
20 that this matter was brought to our attention back in 2018
21 to rectify the situation, and as the investigation shows
22 within less than two hours of the complaint, the matter
23 was completely resolved, and it does not appear that it
24 prevented Mr. Cowen from receiving votes during the early
25 voting period. And so we would request rather than it

1 being bound over to the Attorney General's Office, that --
2 that Director Dozier and the Board would receive a letter
3 of instruction instead. And Ms. Dozier is on the line if
4 you have questions for her.

5 MR. RAFFENSPERGER: Thank you, Mr. Reed. Members, do
6 you have any questions, comments, or motions?

7 MR. WORLEY: Mr. Secretary, David Worley. I
8 appreciate Mr. Reed's additional explanation. I do think
9 it's important to know that the problem was almost
10 immediately corrected and that the County has put
11 procedures which sound very reasonable in place to make
12 sure that this does not happen again, so under those
13 circumstances, I would make a motion that we send a letter
14 of instruction.

15 MR. RAFFENSPERGER: Do we have a second?

16 MR. MASHBURN: Matt Mashburn, second.

17 MR. RAFFENSPERGER: Okay. Do we have any further
18 discussion? Hearing none, all those in favor of the
19 motion, signify by saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those opposed? Motion carries.
22 Thanks. Next case?

23 MS. WATSON: The next case is 2018-079. The
24 complainant Margot Rice [ph.] reported that Hancock County
25 Elections Office did not mail her son's absentee ballot in

1 a timely manner. Ms. Rice reported she contacted
2 Elections Office and spoke to Barbara Leslie about her
3 son's application. Ms. Rice advised she learned from
4 Barbara Leslie that her son's application could be there,
5 but she was behind on the workload.

6 Investigation revealed the son of Margot Rice, Randy
7 Brooks [ph.], was interviewed and advised his mother
8 requested an absentee ballot for him that he did not
9 receive it. She took him to vote during early advance
10 voting. Hancock County absentee ballot applications were
11 reviewed, and no application was found for Mr. Brooks.
12 During the review, it was found that Hancock County had
13 failed to mail or process at least 219 absentee ballots
14 within the three-day business day timeframe. Deputy Chief
15 Registrar Barbara Leslie advised she was short of help as
16 the person that was helping her was in a car accident.
17 Due to the increase in requests for absentee ballots, they
18 were not able to get them all out within the three-day
19 business timeframe. Ms. Leslie advised that everyone that
20 requested an absentee ballot and found to be eligible was
21 issued an absentee ballot.

22 We recommend Hancock County Board of Elections and
23 Registration, Elections Supervisor John Reid, and Chief
24 Deputy Registrar Barbara Leslie be bound over to the
25 Attorney General's Office for violation of Election Board

1 rule 183-1-14-.1(11).

2 MS. THOMAS: And we have Andrea Grant and Barbara
3 Leslie on the line with Hancock County.

4 MR. RAFFENSPERGER: Okay. If one of them --

5 MS. GRANT: Thank you. This is -- this is Andrea
6 Grant. I'm going to let Ms. Leslie speak first because
7 she was the one that was processing the absentee ballot
8 applications, so she can explain a little bit more about
9 what was going on. Mr. Reid is no longer employed by the
10 Hancock County Board of Elections and Registration, and
11 then I can provide a short summary and answer questions
12 after Ms. Leslie explains everything to you, if that's all
13 right.

14 MR. RAFFENSPERGER: That's great. Thanks, Ms. Grant.

15 MS. LESLIE: Okay. Good afternoon. This is Ms.
16 Barbara Leslie. I just want to expound on what was said
17 from earlier. Due to unforeseen circumstances, this is
18 why my case has come [sic] up. I usually have a clerk to
19 work in the office, and during the November 2018 election,
20 this clerk was in an accident, and she broke one of her
21 legs -- broke them, so therefore, I was left without any
22 help. I had two people which were poll workers, but they
23 had no experience in working in the office and processing
24 applications and ballots, so therefore, I was left with
25 processing the applications, sending and receiving

1 ballots, placing them in E-net, et cetera. So my
2 supervisor and I wasn't [sic] expecting to be bombarded,
3 you know, with this many applications, 600 to be exact,
4 compared to the 157 that we received in the July 24th
5 election. But I was able to send every ballot out to each
6 and every one of the eligible voters. Had I had the help
7 that I needed, I know the process would have went quicker.
8 Thank you.

9 MS. GRANT: And -- and to tailgate on that, Mr. Reid
10 is no longer and -- is no longer working for the Hancock
11 Board of Elections and Registrations, and certainly, back-
12 up systems should have been in place, and however, they
13 handled it to the best of their ability with the
14 unforeseen circumstances of having so many ballots. There
15 should have been somebody else trained, there's no doubt
16 about that. However, we can't exactly -- we can't exactly
17 go after Mr. Reed because he's no longer -- the Board of
18 Elections and Registration team -- because he's no longer
19 employed by us. However, I would -- as she noted, all the
20 ballots did get out, granted not within the three days,
21 but since 2018, they have put -- they have trained more
22 people to assist her because we know absentee ballots and
23 advance ballots are increasing and probably are going to
24 continue to increase, and she has had no problem getting
25 the -- after the applications, getting the ballots out

1 within three days since that particular incident.

2 MR. RAFFENSPERGER: Thank you.

3 MS. GRANT: So therefore, we ask for a letter of
4 reprimand for the Board and for Ms. Leslie rather than
5 being bound over to the Attorney General's Office.

6 MR. RAFFENSPERGER: Okay. Okay. Members? What is
7 the will of the Committee?

8 MS. LE: This is Anh. I -- I appreciate Ms. -- was
9 it Ms. Leslie who spoke?

10 MS. LESLIE: Yes.

11 MS. LE: Yes. I appreciate your explaining the
12 situation that you got caught in and that you
13 singlehandedly got the applications out, so I -- I
14 appreciate that very much. Given that you had to handle
15 all that alone, I would make a motion to issue a letter of
16 instruction to you, but I feel like the Board had the
17 responsibility of making sure there was redundancy
18 procedures in place to, you know, anticipate that an
19 employee could get sick or in a high volume election cycle
20 and anticipate that, and I think for that reason, I would
21 move to have the Hancock Board of Elections be bound over
22 to the AG's Office and issue a letter of instruction to
23 you, to Ms. Leslie.

24 MR. WORLEY: I would second that motion.

25 MR. MASHBURN: Matt --

1 MR. RAFFENSPERGER: Okay. We have a second. Any
2 discussion? Hearing none, all those in favor of the
3 motion, please signify by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.
6 Next case?

7 MS. WATSON: Next case is 2018-082. It was reported
8 on November 8th, 2018, Coffee County Elections Supervisor
9 Misty Hampton reported she did not upload a card from one
10 of her advance voting DREs for the November 6th, 2018
11 general election to the GenServer. Investigation shows
12 while tallying the votes from the November 6th, 2018
13 election, Misty Hampton failed to upload flash drive
14 number 4 in the GenServer. The flash drive disk was used
15 during advance voting. The discrepancy was identified on
16 the unofficial and incomplete summary report. The flash
17 disk was located in the accumulator. The flash disk was
18 uploaded and added to the totals. We recommend Coffee
19 County Board of Elections and Registration and Elections
20 Supervisor Misty Hampton be referred to the Attorney
21 General's Office for SEB rule 183-1-12.02(5)(a)(c)(9)(c).

22 MS. THOMAS: And Nicholas Kinsley is on the line to
23 speak on this case.

24 MR. KINSLEY: Yes. I am speaking on behalf of the
25 Respondents, Coffee County and Misty Hampton. The facts

1 are quite simple, and we typically -- or pretty much agree
2 with the findings of the investigator. However, it's
3 important to note that the discrepancy was found the very
4 day after the election in the unofficial and incomplete
5 summary report. Quite simply, they forgot to remove the
6 flash drive from the accumulator. As soon as they found
7 out, they contacted the Elections Director Chris Harvey.
8 They never tried to hide it. He advised Misty, the
9 Elections Supervisor, to go ahead, upload the card in the
10 server since they were still unofficial and incomplete, so
11 this was done all before the certification of any election
12 or votes.

13 Ms. Misty did just as Chris Harvey advised, and
14 they've had no problems, so there was no harm done. You
15 know, she's aware of this error, so now, she knows to
16 double check. She read out the correct numbers to the
17 media, like I mentioned, before certification. Everything
18 was corrected, and so this seems like one of the reasons
19 you would have an unofficial and incomplete summary
20 report, to catch errors like this. It's quite simply just
21 human error, and again, you know, she double checks, so,
22 you know, she's figured out ways that this won't happen in
23 the future. For these reasons, we think, you know, that
24 this should be dismissed, but nothing more than a letter
25 of instruction, and thank you for your time.

1 MR. RAFFENSPERGER: Thank you. Does anyone else wish
2 to speak?

3 MS. THOMAS: No, sir. That's the only person.

4 MR. RAFFENSPERGER: Okay. Members of the Board, what
5 is your desire?

6 MS. SULLIVAN: This is Rebecca Sullivan. I'll make a
7 motion that a letter of instruction be issued in this
8 case.

9 MR. RAFFENSPERGER: Okay. Do we have a second?

10 MR. WORLEY: I'll second that.

11 MR. RAFFENSPERGER: Okay. Any further discussion?
12 Hearing none, all those in favor of the motion as
13 presented, please signify by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MR. RAFFENSPERGER: Any opposed? Motion carries.
16 Next case?

17 MS. WATSON: Next case is 2018-083. In November
18 2018, it was reported that John Robert Ross [ph.] assisted
19 numerous elderly and other would-be voters during the
20 November 6th, 2018 general election. Mr. Johnson alleged
21 Robert -- John Robert Ross was a campaign supporter for
22 candidate Jenna Marcia Mashburn. Mr. Johnson alleged by
23 doing the abovementioned Mr. Ross stole many votes
24 intended for himself, Julius Johnson. Mr. Johnson also
25 alleged Mr. Ross provided candidate Marcia Mashburn with

1 54 dubious absentee votes and was observed giving money to
2 one of the voters prior to voting on Election Day.

3 Investigation revealed there were 34 electors who
4 received assistance from John Robert Ross, Junior. 13 of
5 the 34 electors were able to be interviewed. Three
6 possible violations committed by Mr. Ross were identified.
7 The violations occurred when Mr. Ross approached Andrew
8 Dollar, Junior [ph.] within a hundred and fifty feet of
9 the polling location, campaigning for candidate Jenna
10 Mashburn, and also when he assisted Andrew Dollar, Junior
11 and Tony Mobely [ph.] when they were not eligible to
12 receive assistance.

13 While reviewing election documents that was
14 identified as Mr. Ross having provided assistance, several
15 paperwork issues were identified. Out of the 17 voter
16 certificates, four were not initialed by a poll officer,
17 and all 17 did not have a reason for assistance marked.
18 Out of the five advance voting applications, three did not
19 have a reason for assistance marked. Out of the ten
20 absentee ballot applications, John Ross signed eight of
21 them as a cousin requesting the ballot and the remaining
22 two as the person preparing the application if the voter
23 is disabled or illiterate. All ten of the absentee ballot
24 applications were not signed by the voters. Out of the
25 seven absentee ballot envelopes, four did not have a

1 reason for assistance marked.

2 The poll officers, Bernell Gibbons [ph.], Ruth Wagner
3 [ph.], Kay Joiner [ph.], Mary Thompson [ph.], and Sandra
4 Faircloth [ph.] were interviewed. All five poll officers
5 failed to mark the reason for assistance on the voter
6 certificates. A sixth poll worker has since passed away.
7 We recommend probate judge Jeffrey Jones, Elections
8 Superintendent Bernell Gibbons, assistant manager Ruth
9 Wagner, Kay Joiner, Mary Thompson, and Sandra Faircloth be
10 referred to the Attorney General's Office for violation of
11 21-2-431(a) and Pulaski County Board of Registrar, William
12 Faircloth, Chief Registrar, and Linda Hendricks [ph.],
13 registrar, be referred to the Attorney General's Office
14 for 21-2-381(b)(1), and John Robert Ross, Junior be
15 referred to the Attorney General's Office for 21-2-409(a)
16 and 21-2-414(a)(1).

17 MS. THOMAS: And Judge Jeff Jones is on the phone now
18 with Pulaski County.

19 MR. RAFFENSPERGER: Okay.

20 MR. JONES: Hey, this is Jeff Jones, Judge of Probate
21 Court, Pulaski County. I would just appreciate the chance
22 to explain a little bit what happened. We do think that
23 and we acknowledge that the 17 problems with the
24 certificates -- we do think that was error [sic] based on
25 my poll workers getting a little too busy and too quick

1 and not slowing down and taking their time. As soon as we
2 were made aware of that, we scheduled training to go over
3 and emphasize how important it is on these certificates to
4 cross all your T's and dot all your I's, and we would ask
5 that as far as the election workers go that letters of
6 instruction be issued. Thank you.

7 MR. RAFFENSPERGER: Thank you. Members, do we have
8 any questions?

9 MR. MASHBURN: This is Matt Mashburn. Not a
10 question, but just a -- a clarification for everybody, for
11 the record. As far as I know, there's no relation between
12 me and the Jenna Mashburn referred to in this case.

13 MR. RAFFENSPERGER: Fair enough. Got it. Okay.
14 What is the will of the Board?

15 MR. WORLEY: This is David Worley. I'd make a motion
16 that we refer this to the Attorney General.

17 MR. RAFFENSPERGER: Okay. Do we have a second?

18 MS. SULLIVAN: Second, Rebecca Sullivan.

19 MR. RAFFENSPERGER: Any further discussion? All
20 those in favor of the motion, please do so by signifying
21 aye.

22 THE BOARD MEMBERS: Aye.

23 MR. RAFFENSPERGER: Those opposed? Motion carries.

24 MS. WATSON: Next case is 2018-085. On November 9th,
25 2018, a complaint was filed with our office. An anonymous

1 complaint provided information for videos capturing poll
2 workers advising electors on which candidates and/or
3 parties to vote for. Investigation revealed Mr. John Hill
4 [ph.] and Mr. James Morris [ph.] were both captured on
5 video and audio recordings posted on YouTube in which both
6 men were heard soliciting and influencing voters to vote
7 as they recommended. Both men were working as election
8 officials inside a polling location for Fulton County.
9 There's YouTube video and audio footage of Mr. John Hill
10 saying, but the thing is right now, the Democrats have the
11 better platform for you and for me. The video also shows
12 Mr. James Morris saying, well, that's what I did. I voted
13 everybody that was Democrat. I voted a Democratic ticket,
14 but I ain't supposed to tell you that -- to do so. Our
15 recommendation is for Mr. John Hill and Mr. James Morris,
16 Fulton County Board of Election and Registration, and
17 Richard Barron, Elections Director, be bound over to the
18 AG's Office for a violation of 21-2-413(d) and 21-2-
19 414(a).

20 MS. THOMAS: And Mr. Lowman and Ralph Jones are on
21 the line for Fulton County.

22 MR. LOWMAN: Yes. This is David Lowman. First, I
23 would ask that the actions of these two poll workers not
24 be imputed to the Board of Registration and Elections or
25 Mr. Barron in this case. The evidence itself points to

1 the fact that it's not a training issue, as the poll
2 workers seemed to know that they're not supposed to do
3 this and decided to do it anyway, which is unfortunate,
4 and I'm a little concerned that there was somebody
5 videoing what was going on inside the -- the polling place
6 as well. With all that being said, I would ask that
7 because this was not something that was condoned nor
8 taught or instructed on behalf of the Board of
9 Registration and Elections or Mr. Barron, that they be
10 dismissed or at the most receive a letter of instruction
11 in this case. Thank you.

12 MR. RAFFENSPERGER: Okay. Members of the Board, what
13 is your will in this case?

14 MR. WORLEY: Mr. Secretary, this is David Worley.
15 The kind of conduct that's alleged to be in these videos
16 is completely inexcusable on the part of any poll worker,
17 so I think they should be bound over to the Attorney
18 General, but at the same time, it's the kind of -- because
19 the conduct is so inexcusable and out of the ordinary, I
20 don't see how it can be attributable to the Fulton County
21 Election Board or Office or Mr. Barron, so I would make a
22 motion that we bind over the two poll workers to the
23 Attorney General's Office and dismiss the other
24 Respondents.

25 MR. RAFFENSPERGER: Okay. Do we have a second on

1 that motion?

2 MS. SULLIVAN: Rebecca Sullivan, I'll second.

3 MR. MASHBURN: Matt --

4 MR. RAFFENSPERGER: Okay. Do we have any further
5 discussion? Hearing none, ll those in favor of the
6 motion, please do so by signifying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Those opposed? Motion carries.
9 Okay.

10 MS. WATSON: Next case is 2018-116. In August 2018,
11 we received seven complaints of absentee balloting
12 irregularities and allegations of election officials
13 mishandling absentee ballots in the Gwinnett County
14 November 6th, 2018 election. On October 31st, 2018, poll
15 worker Sonya Howard [ph.] mistakenly selected Barbara Ann
16 Harris [ph.] instead of Barbara A. Harris [ph.] in the
17 system and marking the incorrect voter as having voted.
18 When Barbara A. Harris went to vote, she was listed as
19 already having voted in the election which she had not.
20 She was given a provisional, and the provisional was
21 counted.

22 On October 25th, 2018, poll worker Shalita Wisdom
23 mistakenly selected Alejandro Paz Ortega [ph.] instead of
24 Alejandra Ortega Perez [ph.] in the system, marking the
25 incorrect voter as having voted. When Alejandra Ortega

1 Perez went to vote, she was told records indicated that
2 she had already voted in the election, which she had not.
3 She was issued a provisional ballot that was counted.

4 On November the 7th, 2018, Merrick Ackerman [ph.]
5 requested an absentee ballot for the December 4th, 2018
6 runoff. The application was marked received on November
7 7th, 2018. The absentee ballot was not mailed until
8 November 27th, 2018. Mr. Ackerman did not receive the
9 ballot in time to vote in the runoff. Mr. Jack Portman
10 [ph.] requested an absentee ballot on August the 13th,
11 2018, and the request was received on August 20th, 2018.
12 The application was rejected as the city and the mailing
13 address did not match the address on file, and a rejection
14 letter mailed on September the 28th, 2018. Mr. Portman
15 submitted a second request on October 21st, 2018 that was
16 canceled when yet a third request was submitted on October
17 29th, 2018. The requested absentee ballot was mailed on
18 October 29th, 2018.

19 Tammy Adams [ph.] requested an absentee ballot that
20 was received on October 20th, 2018 and mailed on October
21 22nd, 2018. The ballot was returned as undeliverable on
22 November 19th. Jane Hasley [ph.] submitted an absentee
23 ballot request that was received on October the 3rd, 2018.
24 The request was rejected because she requested the
25 absentee ballot be mailed to her residential address and

1 not the mailing address on her voter registration. As a
2 result, she did not vote in the election. The rejection
3 letter also erroneously stated that multiple applications
4 was received, and the first was accepted and all others
5 were rejected.

6 We recommend Gwinnett County Board of Elections and
7 Registration, Lynn Ledford, the former Director of
8 Gwinnett County Elections, Nancy LeBlanc [ph.], poll
9 manager for Gwinnett County Precinct 25, and Sonya Howard,
10 poll worker for Gwinnett County Precinct 25 be bound over
11 to the AG for violation of OCGA 21-2-451(a) and SEB rule
12 183-1-12-.02(4)(b) and Gwinnett County Board of Elections
13 and Registration, former Director Lynn Ledford, and
14 Shalita Wisdom be bound over to the AG for 21-2-451(a) and
15 SEB rule 183-1-12-.02(4)(b) and Gwinnett County Board of
16 Elections and Registration and former Director Lynn
17 Ledford be referred for 21-2-381(b)(1) and SEB rule 183-1-
18 14-.11.

19 MS. THOMAS: And Shalita Wisdom is on the line, as
20 well as Melanie Wilson, who's the attorney for Gwinnett
21 County.

22 MS. WILSON: Good afternoon, Mr. Secretary. This is
23 Melanie -- sorry. Good afternoon once again, Mr.
24 Secretary, members of the Board, Mela -- Melanie Wilson
25 for Gwinnett County. So I think it -- if I could get one

1 point of clarification, my reading of the investi -- of
2 the investigative report was that the Respondents were
3 only Ms. Ledford, former Elections Supervisor, and three
4 individual poll workers, and I believe I heard Ms. -- Ms.
5 Watson refer to the Gwinnett Board of Registrations as
6 being recommended to be bound over to the Attorney
7 General's Office, so could I get clarification on that,
8 please?

9 MR. RAFFENSPERGER: Mr. Germany?

10 MS. WATSON: One second. Yes. In the potential
11 violations in the violation section, the Board of
12 Elections and Registration were listed with the -- as a
13 Respondent.

14 MS. WILSON: Okay. Well, okay. So I think if the
15 Board might take each of these seven -- each of these six
16 allegations in turn, and at the point that I get to the --
17 at the point that I get to the item that involves Ms.
18 Wisdom, I will stop, allow her to address the Board if she
19 would like to, and then continue. Is that a suitable way
20 to move forward? Because I think these are seven -- six
21 separate and distinct allegations, and I think it's
22 important for me to address each of them in turn and also
23 to make it clear what the specific recommendation I'm
24 making with respect to each of the allegations.

25 With respect to the issuance of the -- the erroneous

1 issuance of a ballot to someone called Barbara Harris,
2 this is clearly a case where there was a failure in
3 performance by a poll worker. The necessary training both
4 -- was provided both online and in person to poll workers,
5 but ultimately, the system prevailed. The system worked
6 because Ms. Ann Harris was ultimately able to cast a
7 provisional ballot which was counted, so while I'll
8 acknowledge that there was a failure by a poll worker,
9 there certainly was a successful outcome ultimately
10 because a provisional ballot was issued to the voter.

11 With respect to the ballot issued in error to
12 Alejandro Paz Ortega instead of the other name -- the
13 other individual with whom -- it appears they share a
14 common first and last name, Alejandro and Perez. I would
15 make the same comment. In particular, I want to emphasize
16 that this was an incident -- the situation that involved
17 Ms. Wisdom who I'm advised is an experienced poll worker.
18 She had worked polls on behalf of Gwinnett County Board of
19 Registration and Elections before this incident, this
20 situation arose and has subsequently worked at elections,
21 so that certainly speaks to the confidence that the
22 Elections Supervisor has in her ability to per -- to
23 perform, but recognizing that it was an error, recognizing
24 ultimately that the system prevailed because the vote -- a
25 provisional ballot was issued, and the voter was able to

1 cast a vote successfully.

2 So with respect to those two items, I would
3 respectfully ask that if the Board is -- feels not
4 inclined to dismiss those two matters, that the cases be
5 closed with a letter of instruction to the respective poll
6 workers, but I can assure you that training on this issue
7 is provided. It was provided in per -- online, and it was
8 provided in person. This may be an appropriate time for
9 me to allow Ms. Wisdom to make her comments, and then I
10 will continue to address the remaining -- the remaining
11 allegations.

12 MR. RAFFENSPERGER: Ms. Wisdom, are you available?

13 MS. WISDOM: Yes. Yes, I am. Can you all hear me?

14 MR. RAFFENSPERGER: Yes, perfectly.

15 MS. WISDOM: Okay. Good afternoon. In this case,
16 this happened in 2018. I cannot say -- matter of factual
17 -- what actually took place. When I looked at the
18 documents that was [sic] presented to me, I noticed that
19 there is a similarity in the names, and I am -- I am a
20 stickler for taking the fall for my team because I am -- I
21 am and have been a poll manager for Gwinnett County, and
22 so even though the error would have lied with me comparing
23 the names to the Election Net and me going back to
24 training that I received, and that was mentioned
25 previously that it was a human error that since then has

1 been corrected because I have done extensive training and
2 have become pretty much, like, the monster for my team
3 that I oversaw in making sure that we are paying attention
4 to the names, if there's any discrepancy, but we are
5 reporting in, notifying the office of what that is before
6 we proceed with issuing voters with access cards.

7 MR. RAFFENSPERGER: Okay.

8 MS. WILSON: So continuing on, Mr. Secretary, members
9 of the Board, the third allegation involved a Mr. Merrick
10 Ackerman, and this was a situation where the ballot simply
11 did not get there in time. It was mailed to an address in
12 Illinois. The only explanation -- it's certainly true --
13 it's noted in the report that staff were not able to
14 provide an explanation for why it took so long to arrive
15 at the destination. When it got to Illinois, it was too
16 late for Mr. Ackerman to return, and so clearly, he was
17 not able to vote in the election because the ballot didn't
18 -- didn't arrive timely.

19 But I do note that in that, there's a time period in
20 late October of 2018, early November when there was at
21 least one federal lawsuit pending, and one of the issues
22 that came up in that lawsuit was regarding signature
23 verification. And so it's very possible that the issuance
24 of ballots may have become a little slower during that
25 window of time, that the process slowed down somewhat in

1 an attempt to be responsive to the new -- this new
2 additional piece of verification that was required, and
3 that's -- that's the best explanation that I could offer
4 but certainly recognize that this was a situation where a
5 voter was ultimately disadvantaged by something that
6 occurred in our office.

7 With respect to Mr. Jack Portman, this was a
8 situation where, again, ultimately the decision was made
9 to not issue the ballot because in our -- because the
10 application that we received from Mr. Portman did not
11 include the correct mailing address, and our understanding
12 of State law OCGA section 21-2-381(d) requires that unless
13 it's a physical -- physically-disabled voter residing in
14 the county or for example, a voter who may be in pretrial
15 detention, that no absentee ballot shall be mailed to an
16 address other than the permanent mailing address. And so
17 the circumstance that we found ourselves in with regard to
18 the first application that was received from Mr. Portman
19 was that it included an address that did not match the
20 mailing address on the voter registration record. So that
21 was the reason why it wasn't initially mailed in response
22 to the first request.

23 But I also recognize that ultimately, Mr. Portman was
24 unable to vote, but it wasn't for lack of effort on the
25 part of staff, and it certainly was -- it was a case of

1 staff doing the -- ensuring that they complied with the
2 law to make sure that the application was mailed to the
3 correct address, and it was ultimately mailed to an
4 address in Winston-Salem, North Carolina.

5 With respect to number five, it -- I must confess
6 that we had some difficulty fully appreciating what was
7 alleged that was adverse to -- to the Board of Elections
8 and Registration here and the elections staff because the
9 address for Mr. [sic] Tammy Adams, the address at Willow
10 Trail Parkway, was an address that showed up on her voter
11 registration record. We did mail a ballot in response to
12 an application, once it had been appropriately verified.
13 Ultimately, the ballot was returned as un --
14 undeliverable, and ultimately, so Ms. Adams did not vote
15 in that election, and that's reflected in the
16 investigator's report. So it's -- it's not entirely clear
17 to us what the failure was here. If we received the
18 application --

19 MR. MASHBURN: This is -- this is Matt Mashburn. I
20 apologize for interrupting, Counselor, but let me ask
21 Frances. Is there alleged to be a violation on that one?

22 MS. WATSON: No. Mr. Portman and -- Ms. Adams was
23 not listed as a violation in the recommendation.

24 MR. MASHBURN: Okay. I'm sorry to have interrupted
25 you, but I think --

1 MR. RAFFENSPERGER: Well, we can move onto the next
2 one then.

3 MS. WILSON: I'm moving onto the next one. And the
4 next -- actually, as it turns out, the last -- the last
5 allegations for which there appears to be a recommendation
6 and that involves Ms. Jane Hasley, and again, the reason
7 why there was an initial delay in sending an application
8 was that the address on the application when it first
9 arrived, the first application, was an address that didn't
10 match the mailing address on file, and we, again, rely on
11 our reading of State law OCGA section 21-2-381 that no
12 absentee ballot shall be made -- made to an address other
13 than the permanent mailing address, and the address that
14 was initially received on the application was not the
15 mailing address in the voter registration record. So
16 looking at these allegations, we would -- I would
17 respectfully request that any claims or allegations
18 against the Board of Registration should be dismissed and
19 that this matter should be closed with a letter of
20 instruction to both the poll worker, poll manager, and
21 former Elections Supervisor Lynn Ledford.

22 MR. RAFFENSPERGER: Okay. Thank you. Members of the
23 Board, do you have any questions for anyone that has
24 presented, either side today?

25 MS. LE: This is Anh. I have a question for Ms.

1 Wisdom. Ms. Wisdom, when you check for the names and, you
2 know, we all know that there are lots of similar or same
3 names out there, especially with juniors and seniors and
4 generational names, so the question I have is do you also
5 check for dates of birth or address, some kind of
6 secondary verification, or is it just the name that you
7 rely on?

8 MS. WISDOM: Depending on the situation and there's a
9 lot that goes into pulling a voter up, especially during
10 the advance in person, we normally -- we generally scan
11 their ID, and we don't compare their ID to what's in the
12 system. We compare their application to what's on the
13 screen. The ID is for ID purposes only, and so the
14 majority of the time, it's not a manual entry, so again,
15 like I said, if it was something I -- I'm pretty sure, for
16 me, speaking for me, that I, if it was a manual entry,
17 that I documented that. And I would not have proceeded
18 without calling the office. But then again, like I said,
19 this was in 2018, and I cannot be one hundred percent sure
20 of what took place that particular day.

21 But normally and generally, we compare their
22 application and what that voter wrote on their
23 application. Now, we do take the other measures to see
24 okay, well, did you move recently? Have you been, you
25 know, recently gotten married? And we are -- have

1 bilingual officials in the event that we or the voter has
2 a language barrier. So again, like I said, it -- I am
3 unsure one hundred percent of what actually took place
4 this particular day.

5 MR. RAFFENSPERGER: Okay.

6 MS. LE: Thank you.

7 MR. RAFFENSPERGER: Do we have any other members of
8 the Board that would like to ask some questions or get
9 more information? What is the will of the Board on this
10 matter? Now would be the appropriate time for a motion if
11 you're so inclined.

12 MS. LE: This is Anh. I feel like, you know, on the
13 one hand, what's going on in my -- what I'm struggling
14 with is on the one hand, you understand clerical errors
15 happen. On the other hand, if someone doesn't get to
16 vote, I think that's -- that's where it takes a different
17 turn for me, and I think in this case, we do have
18 instances where the clerical error resulted in one or more
19 voters not getting to vote. So if I heard Ms. Wilson
20 correctly, I think you said that there were processes in
21 place. I think that's what I was asking Ms. Wilson to
22 see, you know, what could be different so we can avoid
23 these errors in the future, and sometimes it's just human
24 error, but I think in this case because there were voters
25 who didn't get to vote, I'm inclined to send this to the

1 Attorney General's Office, and I make that motion.

2 MR. RAFFENSPERGER: Okay. Do we have a second?

3 MR. MASHBURN: Matt Mashburn, second.

4 MR. RAFFENSPERGER: Do we have any discussion on this
5 matter? Hearing none, all those in favor of the motion,
6 please do so by signifying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Motion carries. Was that the
9 entire of that case there, Ms. Le?

10 MS. LE: What was that? I'm sorry.

11 MR. RAFFENSPERGER: Did you take -- did you address
12 all of the potential violations in that motion?

13 MS. LE: Yes. I think the process could be looked at
14 over at the Attorney General's Office to see what could
15 have been done differently next time.

16 MR. RAFFENSPERGER: Okay, including Ms. Wisdom.
17 Okay. Just wanted to make sure. Thank you. Next case.

18 MS. WATSON: Next case is 2019-012. Our office
19 received a report of an election contest in City of
20 Atlanta official election for Council District 3. The two
21 grounds for the contest are that a candidate was
22 ineligible to hold office and that some of the voters were
23 erroneously districted in Council District 4 instead of
24 District 3. A Jamaica Renarda Farrell [ph.] advised that
25 she was not able to vote in the special election for

1 Council 3 due to her being told by election personnel that
2 she lives in District 4. Mark Boyd [ph.] and Greg Clay
3 [ph.] submitted into evidence the precinct cards for four
4 registered voters. They suggest these voters were denied
5 the right to vote in this special election. Mark Boyd and
6 Greg Clay called into question the absentee ballot for
7 Betsy Lee Davis [ph.]. Ms. Davis apparently obtained an
8 absentee ballot and returned it to be counted with a post
9 mark of March 1, 2019. It was received by the Fulton
10 County Registration and Elections Office on March 1, 2019.
11 A Joseph Francis Wallace [ph.] reported to have received
12 multiple texts from the Byron Amis campaign asking for my
13 vote claiming I live in District 3. I do not and never
14 have. I live in District 2.

15 Investigation determined that all were
16 unsubstantiated with the excep -- exception of Jamaica
17 Renarda Farrell not allowed to vote in the District 3
18 special election, as they were told that they were in
19 District 4 and were not -- was not provided a provisional
20 ballot. Our recommendation is for poll manager Eric
21 Morgan [ph.], Fulton County Board of Registration and
22 Elections, and Richard Barron, Director of Elections, be
23 bound over to the Attorney General's Office for a
24 violation of 21-2-418(a) and SEB rule 183-1-12-.06(4)(e)
25 for provisional ballots.

1 MS. THOMAS: And David Lowman and Ralph Jones are on
2 the line with Fulton County.

3 MR. RAFFENSPERGER: Okay. Mr. Lowman?

4 MR. LOWMAN: Yes. This is -- this is David Lowman.
5 This was an election contest that was tried in Fulton
6 Superior Court. All of these allegations were adjudicated
7 by the Superior Court. This was an election contest at --
8 in which the election was upheld, and so we ask that
9 because they've already been adjudicated, and the issues
10 have already been parsed out, that a letter of instruction
11 be given with respect to the Board of Registration and
12 Elections and Mr. Richard Barron. Thanks.

13 MR. RAFFENSPERGER: Thank you. Members, do you have
14 any other questions?

15 MR. MASHBURN: Yeah. This is Matt Mashburn. I just
16 want to speak on that one point.

17 MR. RAFFENSPERGER: What is the will of the
18 Committee?

19 MR. MASHBURN: This is Matt Mashburn. I just want to
20 speak on that one point in that an election contest is --

21 MR. RAFFENSPERGER: Members?

22 MR. MASHBURN: -- worried about a margin plus one
23 vote, and it's not worried about individual items within -
24 - within that. If it's -- if it's not margin plus one
25 vote, it doesn't really impact an election contest. So I

1 don't -- I don't view that there's any sort of judicial
2 estoppel or res judicata or anything with regard to
3 individual violations, so I understood the recommendation
4 to be that there's one count to be referred to the
5 Attorney General, so I make a motion that that one count,
6 and Frances can give us the name, be referred to the
7 Attorney General.

8 MS. WATSON: Poll manager Eric Morgan, Fulton County
9 Board of Registration, and Richard Barron.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. JONES: What's 54? I don't have 54, do I?

12 MR. RAFFENSPERGER: Do we have a second?

13 MS. SULLIVAN: Second, Rebecca Sullivan.

14 MR. RAFFENSPERGER: Okay. Any further comments?

15 Hearing none, all those in favor of the motion as
16 presented, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Those opposed? Motion carries.

19 Okay.

20 MS. WATSON: Next case is 2020-022. In June of 2020,
21 it was reported that a resident's address was changed on
22 the complainant's voter registration card from her Sandy
23 Springs address to a residence in Alpharetta. Mrs.
24 McCleary [ph.] stated she did not change her residence
25 address while renewing her driver's license online through

1 the Department of Driver Services on August 5th, 2018.

2 This investigation did not find evidence that she
3 submitted a change of address.

4 Investigation did find evidence through Election Net
5 documents that on August 28th, 2018, Fulton County
6 Elections changed Ms. McCleary's residence address to 510
7 Mill Creek Avenue, Alpharetta from 510 Heard's Ferry Road,
8 Atlanta. There is also evidence through Election Net that
9 Mrs. McCleary voted in the November 6th, 2018 general
10 election and the June 9th, 2020 general election while her
11 residence address was incorrect. Due to Mrs. McCleary's
12 residential address being changed, she was given the wrong
13 ballot in the November 6th, 2018 general election and June
14 9th, 2020 general primary. In the November 6th, 2018
15 general election, she was given the opportunity to vote
16 for the City of Alpharetta Homestead Exemption Property
17 Tax when she did not live in Alpharetta, and for the June
18 9th, 2020 general primary, she was not able to vote for
19 the correct district state senator or the 52nd District
20 state representative in District 3 Fulton County School
21 Board member.

22 Our recommendation is Fulton County Board of
23 Registrations and Elections to be referred to the Attorney
24 General's Office for a violation of 21-2-226(b), to
25 dismiss Respondent Richard Barron as this was -- it should

1 have been listed as Ralph Jones.

2 MS. THOMAS: David Lowman and Ralph Jones are still
3 on the line.

4 MR. RAFFENSPERGER: Okay. Mr. Lowman, are you going
5 to talk about this one?

6 MR. LOWMAN: Mr. Jones can speak to this one.

7 MR. RAFFENSPERGER: Okay.

8 MR. JONES: Mr. Secretary, Board, how are you all
9 doing today? We -- when we looked at this request, we
10 found proof that Ms. McCleary did register to vote. We
11 have a registration application from DDS where she went in
12 and registered on August the 8th -- August the 6th, 2018,
13 which put her in the City of Alpharetta. It stated in the
14 findings that -- that she did not, and we have proof of
15 the voter registration application and the electronic copy
16 of the DDS report that we received in order to process
17 her, so we feel that we did put her in the correct
18 district as stated for her voter registration application
19 that we received.

20 MR. RAFFENSPERGER: Okay. Members of the Board, do
21 you have any questions? What -- what is your will for
22 this case?

23 MS. SULLIVAN: I have a question for Ms. Watson. Ms.
24 Watson, do you have the information that Mr. Jones is
25 speaking about? Have you -- was that reviewed as part of

1 the investigation?

2 MS. WATSON: We did -- we did follow up with the
3 Department of Driver Services, and we spoke with an
4 investigator, Cory Benson [ph.], and he advised that they
5 showed a record that DDS personnel changed, corrected, or
6 deleted Mrs. McCleary's residential address on her voter
7 registration card or her driver's license. This
8 investigator did not find evidence that DDS personnel
9 changed Mrs. McCleary's residential address, so we do not
10 have documentation that that occurred.

11 MR. RAFFENSPERGER: Okay. What is --

12 MS. SULLIVAN: I'll make a motion to bind this over
13 to the Attorney General's Office, and if the evidence, you
14 know, indicates that there should not be a violation in
15 this case, then the Attorney General can address that.

16 MR. RAFFENSPERGER: Very well. Okay, then. Do we
17 have a second?

18 MR. MASHBURN: Matt Mashburn, second. Matt Mashburn,
19 second.

20 MR. RAFFENSPERGER: Do we have any -- I heard. And
21 do we have any further conversation or discussion on this?
22 Hearing none, all those in favor of the motion, please
23 signify by saying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Those opposed. Motion carries.

1 Next case?

2 MS. WATSON: Next case is 2020-023. On June 8th,
3 2020, we received a complaint regarding the issuance of an
4 incorrect ballot to a voter at the Gilmer County polling
5 location during the 2020 primary election. Amy Starkey
6 [ph.], complainant, was issued a ballot that did not
7 contain all candidates. Investigation showed on June 5th,
8 2020, Starkey went to the Gilmer County Courthouse to vote
9 in the 2020 primary election. She was issued a ballot,
10 and she cast her vote. However, she did not realize that
11 she had received the incorrect ballot. Starkey then
12 returned to her polling precinct to discuss her ballot
13 with the poll workers. She stated the poll workers
14 admitted that they issued her the wrong ballot, and her
15 vote had already been counted.

16 She discussed her issue with poll manager Sherry
17 Jones [ph.], and Jones informed Starkey that she was, in
18 fact, issued the incorrect ballot. She should have been
19 issued the ballot that contained presidential candidates
20 and primary candidates, as opposed to a ballot that only
21 contained primary candidates. Jones advised Starkey that
22 her vote had already been counted, and she could not allow
23 her to vote for a second time. Poll worker Sandy Watson
24 [ph.] was responsible for issuing the incorrect ballot to
25 Starkey. Poll manager Sherry Jones stated Watson was

1 responsible for issuing ballots to each voter. A review
2 of Starkey's records in Election Net reveals her credit
3 for in person voting was ultimately deleted by poll worker
4 Watson by means of an absentee ballot change action.
5 There was no credit for voting listed in the -- in the
6 system. Our recommendation is for Gilmer County Board of
7 Voter Registration, Tammy Watkins, County Registrar, and
8 poll worker Sandy Watson be referred to the Attorney
9 General's Office for Board rule 183-1-14-.02(10) and 21-2-
10 562.

11 MR. RAFFENSPERGER: Do we have any --

12 MR. MASHBURN: Matt Mashburn, I make a --

13 MR. RAFFENSPERGER: Yes?

14 MR. MASHBURN: Matt Mashburn, I make a m--

15 MR. RAFFENSPERGER: Go ahead, Matt.

16 MR. MASHBURN: Matt Mashburn, I make a motion that we
17 accept the recommendation.

18 MR. RAFFENSPERGER: Do we have a second?

19 MS. LE: Anh Le, second.

20 MR. RAFFENSPERGER: Any further discussion? Hearing
21 none, all those in favor of the motion, signify by saying
22 aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Those opposed? Motion carries.

25 MS. WATSON: Next case is 2020-044. The

1 investigation was initiated after the Georgia Secretary of
2 State's Office received approximately 26 complaints from
3 voters regarding Election Day issues during the June 9th,
4 2020 primary election, such as extremely long lines,
5 excessive wait times that had voters in line after
6 midnight to vote, polling sites did not open on time,
7 polling locations had operational issues such as voting
8 machines were not up and running at the time the polls
9 were opened, voters were denied the opportunity to cast
10 paper ballots, poll workers appeared to be unaware of
11 their duties and responsibilities, and polling locations
12 failed to comply with COVID-19 social distancing
13 guidelines. In addition, Cobb County voter Seth Goldberg
14 filed a separate complaint alleging that he was
15 questioning the signature on a Georgia application for
16 official absentee ballot as he felt he did not fill out
17 the application for the May 19th, 2020 election.

18 Our investigation showed as to the first allegation
19 of polls not opening on time, we confirmed through voter
20 complaints and polling officials' statements that there
21 were 20 polling locations in Cobb County that did not open
22 on time. Failure to use paper ballots, the investigation
23 found and confirmed through voter complaints and poll
24 manager statements that four Cobb County polling
25 locations, Austell 1A, Sope Creek 02, Mableton 01, and

1 Cheatham 02, did not offer voters the opportunity to vote
2 by paper ballot when the polls encountered technical
3 issues with the BMD units.

4 As to inadequate supplies and paperwork, the
5 investigation substantiated through poll manager
6 statements at Cobb County Registration and Elections at
7 the Grace Marietta polling location did not have paper for
8 the BMD unites and Calvary Chapel, Woodstock did not have
9 paper for the printers at the time that the polls opened.
10 As to allegation four, COVID social distancing, it was not
11 substantiated as a violation of Georgia Election Code or
12 rules of the State Election Board. As to the personnel
13 training, the poll managers at Austell 1A, Sope Creek 02,
14 Mableton 01 reported they did not know offering an
15 emergency ballot to voters was an option. Therefore,
16 there is evidence to suggest that Cobb County Elections
17 Office failed to comply with 21-2-99 to ensure poll
18 officers and workers received adequate training in all
19 aspects of state and federal law applicable to conducting
20 elections.

21 As to absentee ballot fraud, the complainant could
22 not state with certainty if he had signed the application
23 for official absentee ballot or not. It could not be
24 determined or substantiated if the application was
25 fraudulent.

1 Our recommendation is for Cobb County Board of
2 Elections and Registration and Director of Elections
3 Janine Eveler be referred to the Attorney General's Office
4 for 21-2-403, 20 counts, and 21-2-281, 4 counts, and 21-2-
5 401, 2 counts, and 21-2-99(a), 1 count.

6 MS. THOMAS: And Janine Eveler is on the line for
7 Cobb County.

8 MR. RAFFENSPERGER: Ms. Eveler?

9 MS. EVELER: Yes. Good afternoon. This is Janine
10 Eveler, Director of Elections for Cobb County, and I just
11 have a few things to say about this. The June 9th primary
12 was by far the most difficult election I've conducted in
13 my 15 years. Combining the March presidential primary,
14 which was suspended after voting had already started, and
15 the general primary resulted in Cobb County having over
16 1100 different ballot styles, and some precincts were
17 given up to 14 different ballot styles in their emergency
18 ballot supplies.

19 Yes. They did all have emergency ballots, but many
20 of the poll workers were unsure about using them. That
21 was basically due to the fact that we lost hundreds of
22 poll workers and regular staff during the -- due to their
23 COVID concerns during this time, and with a lot of
24 recruiting, we were only able to achieve about a seventy-
25 five percent staffing level at most of our polls, and the

1 last minute hires, they did not have the opportunity to go
2 to a regular in person training class because by that
3 time, we had transitioned all the poll worker training to
4 an online format due to, again, the pandemic. And so many
5 of these workers, they did not have the opportunity to
6 work with the voting equipment and the materials until
7 Election Day, so yes. There was some confusion.

8 Regarding delivery of supplies to the polls, we did
9 add two additional days to our regular four-day delivery
10 schedule in order to transport the many more pieces
11 involved with our new voting system, but we found that
12 even six days was not enough time for -- due to some
13 unforeseen circumstances. We found that many of the
14 polling facilities were shut down during this period, and
15 their staff members were either not available at the time
16 of delivery, or they were nervous about, again, COVID
17 concerns, and there was a lot of canceling and
18 rescheduling of deliveries during this period. And during
19 that time, we ended up having multiple aborted deliveries,
20 and so there was a lot of loading and offloading of
21 supplies, and obviously, that meant that some of the
22 materials were missed during the reloading.

23 To top everything off, we had -- all of our
24 rescheduled deliveries occurred on that Monday as a last,
25 you know, delivery option, and to top everything off, we

1 had four delivery drivers quit that day, and one of our
2 trucks also broke down on that Monday. So we were
3 delivering supplies up until midnight on the Monday and
4 even early on Tuesday morning due to, again, just a
5 perfect storm of issues that happened during that time.

6 In conclusion, I don't offer these comments as any
7 excuse for what happened. I just want the record to show
8 the enormous challenges that we and other counties faced
9 on June 9th with the new voting system and the pandemic.
10 We've never had this number of polls that were unable to
11 open on Election Day, and we worked an unbelievable number
12 of hours just to do what we could for June 9th, but we
13 understand that what happened was unacceptable. After
14 June, we worked again very, very hard to correct these
15 issues, and we able to conduct successful elections in
16 August, November, and January. I do understand the
17 seriousness of these violations and, of course, the likely
18 outcome from this meeting, but I wanted to, you know,
19 explain a little bit and explain the challenges that we
20 faced at that time. So I appreciate you listening.

21 MR. RAFFENSPERGER: Well, thank you, Ms. Eveler. We
22 recognize in our Elections Division that Cobb County is a
23 very well-run election division, and we also recognize
24 that COVID is a one in one-hundred-year event, and it was
25 certainly challenging throughout the entire state. So

1 thank you for that information and with that, do we have
2 any questions from any of our Board members? What would
3 be the will of our Board today on this matter?

4 MR. WORLEY: Mr. Secretary, just a comment. I
5 appreciate what Ms. Eveler has to say, but I'm troubled by
6 the sheer volume of problems that are enumerated in the
7 report.

8 MR. RAFFENSPERGER: I understand.

9 MR. WORLEY: That's all.

10 MR. RAFFENSPERGER: Any discussion from any other
11 members? Now would be the appropriate time to make a
12 motion if someone is so inclined.

13 MS. LE: This is Anh Le. Given Cobb County's
14 exemplary history and the nature of the circumstances that
15 came with COVID, I'm thinking if there's a way to have a
16 consent order with Cobb County, whether through -- by
17 sending it to the Attorney General's Office or through a
18 motion with the Board where -- I know Ms. Eveler had
19 articulated some changes but also articulate the -- the
20 steps that they've taken, you know, for emergency
21 circumstances such as this. I know it's once in a
22 lifetime, but it could happen again, so we, you know -- I
23 think what I really want to know is could this happen
24 again now that you've gone through this experience, and if
25 the answer is no, what has taken place? And if that means

1 a motion to send to the Attorney General's Office to come
2 up with that, then -- then that is something that I'm open
3 to doing. So is a consent order with the Board an option?

4 MS. MCGOWAN: This is Charlene McGowan. If I could
5 make a suggestion, it would be cleaner if the Board would
6 bind the matter over to our office, you know, with
7 instructions on how you would like us to proceed, and we
8 can work with Cobb County to initiate a consent order.
9 That's similar to what we did in the Fulton County case
10 involving the 2020 primary.

11 MR. RAFFENSPERGER: I think -- I think that that's
12 the appropriate action. We'd need to bind that over to
13 the Attorney General's Office, but I think what our --
14 what Ms. Le was saying grace with accountability, so a
15 carrot and a stick approach, and so I believe the Attorney
16 General will be able to work within those parameters and
17 have enough guidelines from us with the motion for that to
18 be done.

19 MR. WORLEY: Mr. Secretary, I'll make a motion that
20 we refer the case to the Attorney General's Office and ask
21 that the Attorney General enter into a consent order with
22 Cobb County enumerating the changes that Cobb County is
23 taking to deal with the issues that are in the report.

24 MR. RAFFENSPERGER: Good. Do we have a second?

25 MR. MASHBURN: Matt Mashburn, second.

1 MR. RAFFENSPERGER: Any further discussion? Hearing
2 none, all those in favor of the motion, please do so by
3 signifying aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.
6 Thank you.

7 MS. WATSON: Next case is 2020-054. We received 11
8 complaints regarding UOCAVA and voter registration issues
9 during the June 9th, 2020 Fulton County election. These
10 were additional complaints that were not heard at the
11 previous meeting in -- that was for Fulton County June 9th
12 elections. Absentee ballot issues, out of the 11
13 complaints, four were found to have merit. Voter Delia
14 Williams [ph.] and her son submitted two absentee ballot
15 applications via fax to Fulton County with no response.
16 They eventually were issued the EBT ballot. They printed
17 them and mailed the ballot back on May 22nd, 2020. The
18 ballot was requested on April 6th, 2020 and not issued
19 until May 22nd, 2020, a violation of 21-2-384(2).

20 Karen Schaefer [ph.] requested an absentee ballot by
21 email on April 5th, 2020. There is no indication that
22 Fulton County processed the request. She voted in person
23 on May 27th, 2020. Tara Raven [ph.] and her son Joseph
24 Butler [ph.] requested their absentee ballots on May 11th,
25 2020, with no ballot received. Two other family members

1 also requested absentee ballots on the same day, and their
2 ballots were received. Nicky Butler [ph.] requested an
3 electronic ballot delivery ballot. However, it was later
4 found that the email address was incorrectly entered, and
5 the delivery bounced back.

6 Our recommendation is Fulton County Board of Election
7 and Registration and Chief Registrar Ralph Jones be
8 referred to the Attorney General's Office for five counts
9 of 21-2-243(2) for failure to timely process or process
10 absentee ballot requests of Delia Williams, Christopher
11 Williams Redez [ph.], Karen Schaefer, Tara Raymond, and
12 Joseph Butler.

13 MS. THOMAS: And David Lowman and Ralph Jones are on
14 the line for Fulton County.

15 MR. LOWMAN: Yes. Mr. Jones can speak to this issue.

16 MR. JONES: Mr. Secretary and Board, this is Ralph
17 Jones, Registration Chief. For allegation number 1, we
18 accept the facts. We entered it in a little later than
19 normal for the person to get their ballot. For allegation
20 number 2, for Ms. Karen Schaefer, we accept the facts on
21 that report. The application did come in, and we did not
22 -- we failed to process that application. On allegation
23 number 3, Ms. Raymond, we did process their applications,
24 and they did receive it. She alleged that she sent in
25 four. I don't know the other two applications that were

1 sent in, so I can't defend whether we did anything on
2 those two extra applications that were sent in. And the
3 final one, with Edward Fierman [ph.], there was a typo.
4 We accept the findings on that also. Thank you so much.

5 MR. RAFFENSPERGER: Thank you, Mr. Jones. Okay. I
6 do note that Fulton County was under consent decree with
7 us because of what happened during the June primary, and
8 this would be in addition to that. Do the Board members
9 have any questions or a motion?

10 MR. WORLEY: Mr. Secretary, I'd make a motion to bind
11 this case over to the Attorney General.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MS. SULLIVAN: Second, Rebecca Sullivan.

14 MR. RAFFENSPERGER: Any further discussion? Hearing
15 none, all those in favor of binding this to the Attorney
16 General's Office, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Okay, motion carries. Thank you.
19 Next case?

20 MS. WATSON: Next case is 2020-088. On August 27th,
21 2020, Robin Webb of Hart County Board of Election and
22 Registration self-reported that her office identified five
23 voters who attempted to vote twice during the 2020 primary
24 runoff election. According to the complaint, these
25 individuals voted by mail absentee ballot and during in

1 person early voting. Investigation showed each person
2 voted by mail absentee ballot and by in person absentee
3 voting. The Hart County Board of Election and
4 Registration Office was able to identify and cancel four
5 out of the five mail absentee ballots on the dates the
6 voters appeared for early in person absentee voting.
7 However, one of the voters' mail absentee ballot and their
8 in person absentee ballot were counted during the election
9 because the mail ballot was processed before the voter was
10 identified as a double voter.

11 Investigations was able to contact and interview four
12 out of the five double voters. They each indicated they
13 were unaware that they voted twice in the same election.
14 They all referenced confusion during the election process
15 and denied any malicious intent. Investigations made
16 multiple attempts in person and by telephone to call and
17 speak with Joel Johnson [ph.] without success. The Hart
18 County Elections Office failed to update the electronic
19 poll book to accurately mark persons who have been issued
20 or cast ballots in the election prior to delivering them
21 to the polling locations. As a result, they identified
22 and self-reported five instances of double voting.

23 Our recommendation is for Hart County Elections
24 Coordinator Robin Webb be bound over to the Attorney
25 General's Office for violation of Board rule 183-1-12-

1 .1(9)(8) and also 21-2-572, repeat voting for Gail Hume
2 [ph.], Joel Johnson, Margaret Arnwine [ph.], James
3 Griswold [ph.], Diane Griswold [ph.]

4 MS. THOMAS: And Walter Gordon is on the line to
5 represent Hart County.

6 MR. RAFFENSPERGER: Mr. Gordon?

7 MS. THOMAS: You may unmute yourself, Mr. Gordon.

8 MR. GORDON: Am I there now?

9 MR. RAFFENSPERGER: Yes, sir.

10 MS. THOMAS: Yes.

11 MR. GORDON: Mr. Secretary, I thank you and your
12 staff and the staff -- and the Board and its staff for
13 accuracy in elections in the State of Georgia. You know,
14 the -- we've all heard that humorous saying vote early and
15 vote often. Well, I can tell you that in Hart County, we
16 haven't done that. We've not done that in a long, long
17 time. I'm not going to say it never happened, but it
18 probably -- you've have to go back to the Eugene Talmadge
19 days before you'd find anything like that.

20 We take issue with the facts as presented by the
21 staff. There was one repeat voting, one incident of that.
22 Five ballots were examined. Five absentee ballots were
23 examined, and four of them were cancelled. One, however,
24 was not. One was not on the list, and it perhaps should
25 have been, but there are reasons for that. When Hart

1 County first -- when this problem was approached, Hart
2 County had extensive training of its poll workers in
3 February, and then when the election was postponed, they
4 re -- they were retrained in June, and anticipating the
5 issues that would arise in the election, the changes, et
6 cetera, our staff -- we actually doubled the number of
7 poll workers in Hart County, and we had some good ones.

8 Apparently, while one of our checkers was on a break
9 or maybe at a shift change, a person who was not that
10 familiar with this area of the process took over, and
11 that's when this one vote occurred, the one repeat vote.
12 And I want to emphasize there was certainly not five
13 votes. There were five absentee ballots that were
14 presented by people who showed up to vote, and four of
15 them were cancelled. That left one person voting twice,
16 and in that election, one of the results was absolutely
17 overwhelming, something like three to one, and even in the
18 smallest races in our County, the margins were in the
19 hundreds, so there couldn't have been any difference.
20 There couldn't have been any impact of this one person who
21 voted twice. Now, I wish we could have stopped it, but
22 the envelopes had been -- or her envelope had been opened
23 to prepare for processing those early votes, so we could
24 not go back and locate it to take it out.

25 I would just ask that -- and I might point out too

1 that the -- the absentee and early voting jumped up five
2 hundred percent in Hart County, and I know it did probably
3 in similar numbers everywhere else. There was such a
4 great interest in this election. But given that we had
5 one vote that was repeated, I would ask that the case be
6 dismissed or respectfully ask that a letter of instruction
7 be delivered if that should be warranted. I'm happy to
8 answer any questions.

9 MR. RAFFENSPERGER: So the one person that voted
10 twice is which person?

11 MR. GORDON: It's Mrs. Griswold. We had sent a list
12 to the staff and outlined exactly who was involved: Joel
13 Milton Johnson, his vote, he only had one vote, and then
14 there were -- of the four others, only Mrs. Griswold voted
15 twice.

16 MR. RAFFENSPERGER: Okay. Members, do you have any
17 questions?

18 MR. MASHBURN: This is Matt Mashburn.

19 MR. RAFFENSPERGER: Yes, Matt?

20 MR. MASHBURN: This is Matt Mashburn. I don't have a
21 question, but I'd go ahead and have a motion that all five
22 individuals be referred to the Attorney General and that a
23 letter of instruction be issued to Hart County for one
24 count.

25 MR. RAFFENSPERGER: Okay. We have a motion. Do we

1 have a second?

2 MR. WORLEY: This is David Worley. I'll second that.

3 MR. RAFFENSPERGER: Okay. Do we have any further
4 discussion on that matter? Hearing none, all those in
5 favor of the motion, please do so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Those opposed? Motion carries.

8 MS. WATSON: Next case is 2020-106, Cobb County,
9 residency issue. On October 6th, 2020, it was reported in
10 a social media article regarding the residency status of a
11 Cobb County candidate in the 2020 general election.

12 According to the article, candidate for Georgia State
13 Representative Priscilla Smith filed candidacy documents
14 with the state and listed a Cobb County home address.
15 However, she may be considered a DeKalb County resident
16 based on her homestead tax exemptions in the county. It
17 was also reported Smith's voting record in DeKalb County
18 provided additional proof of residency in DeKalb County.

19 Investigation revealed a review of Smith's candidacy
20 documents showed that she filed her declaration of
21 candidacy and affidavit with our office on March 2nd,
22 2020. She listed her home address as 1530 Gilbert Avenue,
23 Kennesaw, Georgia, 30512 and indicated she has been a
24 legal resident of Cobb County for four consecutive years.
25 According to a proprietary database search for Smith, a

1 residential history for the past four years reflects 1530
2 Gilbert Avenue, Kennesaw, Cobb County and 218 Floral
3 Avenue, Atlanta, Georgia, 30307, DeKalb County. She is
4 currently the registered owner of a vehicle with a
5 registration address of 1530 Gilbert Avenue, Kennesaw,
6 Georgia. The registration effective date was March 27th
7 of 2020. Prior to this, she was the registered owner of a
8 vehicle between January 25th, 2016 to January 22nd, 2020.
9 The registration of that vehicle was shown as 218 Floral
10 Avenue in Atlanta, Georgia.

11 Although Smith and her neighbors in Cobb and DeKalb
12 confirm she has resided in Cobb County for the past few
13 years, the following state and public records indicate
14 Smith has been a legal resident of DeKalb County for at
15 least the past four years. According to Election Net,
16 between March 2016 to December 2018, Smith voted as a
17 DeKalb County registered voter. On January 8th, 2020, she
18 changed her voter registration from DeKalb County to Cobb
19 County. Between March 2020 to October 2020, Smith voted
20 as a Cobb County registered voter. According to the
21 Georgia Department of Driver Services, she changed the
22 address on her driver's license to 1530 Gilbert Avenue,
23 Kennesaw, Georgia on February 27th, 2020. Her previous
24 address was 218 Floral Avenue, Atlanta, Georgia.
25 According to DeKalb County real property tax records,

1 Smith is the owner of 218 Floral Avenue, Atlanta, Georgia,
2 30307, and she has claimed homestead exemptions for at
3 least the past three years. According to Cobb real
4 property records, 1530 Gilbert Avenue, Kennesaw, Georgia
5 is owned by the estate of Forest Smith [ph.]

6 Our recommendation is for Priscilla Smith, candidate
7 for Georgia State Representative District 34, Cobb County,
8 be bound over to the AG's Office for 21-2-565 and 21-2-
9 217(a)(14).

10 MR. RAFFENSPERGER: Okay. Do we have anyone here?

11 MS. THOMAS: Just -- just Ms. Janine with Cobb
12 County, but I don't believe she wants to speak on this
13 case.

14 MR. RAFFENSPERGER: No. So Ms. Smith is not here?
15 Okay. Members of the Board, --

16 MR. WORLEY: Mr. Secretary, David Worley. I had a
17 question for Ms. Watson.

18 MS. WATSON: Okay.

19 MR. WORLEY: Was this candidate's residency
20 challenged after they qualified? I mean, did anyone bring
21 any proceeding in front of the Secretary of State to
22 challenge her qualifications at that time?

23 MS. WATSON: We received a complaint. I'm checking
24 to see if there was any -- any challenge that was filed.
25 I do not see a challenge that was filed other than just

1 the complaint to our office.

2 MR. WORLEY: Okay. I -- there's a -- I mean, there
3 is a difference between whether someone is qualified to
4 run and all the different factors that go into that, some
5 of which are reflected in -- in your report and others
6 that are not. So I -- so I'm not altogether sure that
7 this person was not qualified to run, but I do think the
8 Attorney General's Office can sort out the law in this
9 issue and advise us on it, so -- so I would make a motion
10 to bind it over to the Attorney General.

11 MR. RAFFENSPERGER: Do we have a second?

12 MR. MASHBURN: Matt Mashburn, second.

13 MR. RAFFENSPERGER: Any further discussion? Hearing
14 none, all those in favor of the motion, please signify by
15 saying aye.

16 THE BOARD MEMBERS: Aye.

17 MR. RAFFENSPERGER: Any opposed? Motion carries.

18 Next one.

19 MS. WATSON: Next case is 2020-116, Haralson County,
20 absentee ballot drop box. An inspection of the absentee
21 ballot drop box in Haralson County found that there was a
22 box just inside the door, and the deputy was stationed at
23 the door. There was no video surveillance on the box, and
24 the box was not fastened to the ground or immovable
25 fixture. We recommend Haralson County Elections and Voter

1 Registration and Haralson County Chief Registrar Peppar
2 Head be referred to the AG's Office for violation of SEB
3 rule 183-1-14-.06-.14(6)(7) and (9).

4 MS. THOMAS: And no one is on the call from Haralson.

5 MR. RAFFENSPERGER: Okay.

6 MR. MASHBURN: This is Matt Mashburn. I move that we
7 accept the recommendation and refer it to the AG.

8 MR. RAFFENSPERGER: Do we --

9 MS. SULLIVAN: Second, Rebecca Sullivan.

10 MR. RAFFENSPERGER: Any further comment? Hearing
11 none, all those in favor of the motion, please do so by
12 signifying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Any opposed? Motion carries.

15 Next?

16 MS. WATSON: The next case was 2020-175. We received
17 a continuance request from a DeKalb County attorney for
18 this --

19 MR. RAFFENSPERGER: Okay.

20 MS. WATSON: So it will be placed on the next
21 meeting.

22 MR. RAFFENSPERGER: Okay. Next case?

23 MS. WATSON: The next case is 2020-207, Chattooga
24 County, deceased voter. On November 19, 2020, we received
25 a complaint regarding the delivery of a deceased voter's

1 absentee ballot to the Chattooga County Registrar Office.
2 According to the complaint, voter Donald Cook [ph.] died
3 several months prior to the delivery of his ballot to the
4 Elections Office. Investigation revealed the wife of the
5 deceased advised that she and her daughter dropped off the
6 absentee ballot for Donald Cook, that he had signed it
7 before he had died. Absentee ballots for the general
8 election were not to be mailed out until September the
9 15th, 2020. Mr. Cook passed away on August the 2nd, 2020,
10 making it impossible for him to have completed or signed
11 the absentee ballot. We're recommending Sherry Cook [ph.]
12 be referred to the Attorney General for the following
13 violation: 21-2-562(a)(1) and 16-9-1(b).

14 MR. RAFFENSPERGER: Okay. Anyone -- any Respondents
15 here to speak for themselves?

16 MS. THOMAS: No one on the call.

17 MS. WATSON: No. There is no one on the call.

18 MR. RAFFENSPERGER: Board, what would you like to do
19 with the case?

20 MR. MASHBURN: Matt -- Matt Mashburn. I move that we
21 accept the recommendation and refer it over to the AG.

22 MR. RAFFENSPERGER: Second, anyone?

23 MR. WORLEY: David Worley, I second it.

24 MR. RAFFENSPERGER: Okay. Any further discussion?
25 Hearing none, all those in favor of the motion, please

1 signify by saying aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Motion carries.

4 MS. WATSON: Next case is 2020-267, Fulton County.

5 On December the 17th, 2020, Investigations Division opened
6 an investigation concerning complaints that a box truck
7 was driving on Moreland Avenue and -- in the Atlanta area
8 advertising that one would get \$1200 for voting Democrat
9 in the upcoming Senate runoff election. Investigation
10 shows that Colorado-based Relations Pact owned and
11 operated by Jonathan Jones hired two LED billboard trucks
12 to drive around Atlanta from December the 15th through
13 December the 18th advertising to vote Democrat and get
14 \$1200. Mr. Jones states that his intent was referencing
15 the stimulus check that was being negotiated in Congress
16 at the time and not that individual voters would be paid
17 \$1200 by him or his organization. Our recommendation is
18 that Jonathan Jones, owner-operator of Relation Pact, be
19 referred to the AG's Office for 21-2-570.

20 MS. THOMAS: And we have David Lowman and Ralph Jones
21 on the call for Fulton County.

22 MR. RAFFENSPERGER: Well, it's not a Fulton County
23 issue so much as -- is Jonathan Jones -- he's on the
24 phone?

25 MS. WATSON: No, sir.

1 MR. RAFFENSPERGER: No Respondent. Okay.

2 MR. MASHBURN: Matt Mashburn, I move that we accept
3 the recommendation and refer it to the AG's Office.

4 MR. RAFFENSPERGER: Okay. Do we have a second?

5 MS. SULLIVAN: Second, Rebecca Sullivan.

6 MR. WORLEY: Mr. Secretary?

7 MR. RAFFENSPERGER: Yes?

8 MR. WORLEY: This is David Worley. I am opposed to
9 sending this to the Attorney General's Office. This is
10 somebody advertising essentially a political argument for
11 why the two Democratic Senate candidates should be
12 elected. They both favored the stimulus plan that would
13 provide direct payments to taxpayers and citizens. I
14 think that's very clear from the timing of the billboard.
15 I mean, the fact that there was, you know, no place to
16 call and get your \$1200 for buying your vote. I -- I
17 think it's kind of -- to be honest, I think it's kind of
18 ludicrous to claim that this is a violation of the statute
19 against vote buying, and I am quite sure that if this is
20 referred to the Attorney General's Office, they will come
21 back to us and tell us exactly what I just said that
22 people have a First Amendment right to make an argument
23 like this in the context of the election as it was going
24 on. So I'm -- I'm going to vote against the motion and I
25 would encourage the proponent and the seconder to withdraw

1 it in order to save the Attorney General's Office the
2 effort of telling us what we really should know already.

3 MR. RAFFENSPERGER: Is there any additional comment?
4 Hearing none, all those in favor of the motion as
5 presented, please do so by signifying aye.

6 THE BOARD MEMBERS (except Mr. Worley): Aye.

7 MR. RAFFENSPERGER: Those opposed?

8 MR. WORLEY: No.

9 MR. RAFFENSPERGER: Okay. The Attorney General
10 Report? We have three consent cases.

11 MS. WATSON: No. Mr. Secretary, could we go back to
12 finish the one that was tabled?

13 MR. RAFFENSPERGER: I'm sorry. That's right. I've
14 got to go back a sheet.

15 MS. WATSON: Yes. The case is 2018-093.

16 MR. RAFFENSPERGER: Okay.

17 MR. WORLEY: Is this the DeKalb County case, Ms.
18 Watson?

19 MS. WATSON: Yes, sir. Yes.

20 MR. WORLEY: I need to -- I'm going to recuse on this
21 case.

22 MR. RAFFENSPERGER: Okay.

23 MS. WATSON: Okay. Two separate complaints were
24 reported that House District 80 candidate Matthew Wilson
25 was passing out pizza to the voters standing in line. The

1 polling location was Cross Keys High School. Pictures of
2 him handing out pizza were uploaded to his Facebook
3 account. Matthew Wilson and Amanda Lee entered the Cross
4 Keys polling location, and Mrs. Lee began taking
5 photographs with her phone. The photographs show voters
6 standing in line and standing in the library where the
7 voting machines are located.

8 Investigation shows Matthew Wilson, a candidate for
9 House District 80, advised that when he arrived, the lines
10 were long, and he went to get pizza. Photographs of
11 Wilson passing out pizza at the polling location were
12 posted on Facebook. Wilson advised the poll manager gave
13 him permission to pass out the food. The poll manager
14 Yvonne Max [ph.] does not recall giving the permission.
15 Amanda Lee also took photographs at the poll without
16 seeking approval from the poll manager. Our
17 recommendation is that Representative Matthew Wilson be
18 referred to the AG's Office for a violation of 21-2-414(d)
19 and 21-2-570 and Amanda Lee be issued a letter of
20 instruction for 21-2-413(e).

21 MS. THOMAS: And we have Amanda Lee on the line and
22 also Jeremy Berry, who is representing --

23 MS. WATSON: Matthew Wilson.

24 MS. THOMAS: Mr. Matthew Wilson.

25 MR. RAFFENSPERGER: Okay. Who would like to go

1 first?

2 MR. BERRY: Hi. This is Jeremy Berry. I'm happy to
3 let Ms. Lee go first.

4 MS. LEE: Can you hear me?

5 MR. RAFFENSPERGER: Yes.

6 MS. LEE: Hi. I'm sorry. I just -- I don't have
7 much to say. I just am sorry that this happened, and I
8 didn't mean to take pictures.

9 MR. RAFFENSPERGER: Okay. The other gentleman, can I
10 get your name again?

11 MR. BERRY: Sure. Hi. This is Jeremy Berry, B-e-r-
12 r-y.

13 MR. RAFFENSPERGER: Okay.

14 MR. BERRY: Representing Matthew Wilson. May I
15 proceed?

16 MR. RAFFENSPERGER: Yes. Please proceed.

17 MR. BERRY: Okay. Thank you, Mr. Secretary, members
18 of the State Election Board. Again, my name is Jeremy
19 Berry, representing Matthew Wilson, who was running for
20 State House for the first time in 2018. Mr. Wilson was a
21 first-time candidate trying to do the right thing and
22 comply with the laws. Mr. Wilson regrets that any of this
23 occurred, and we request that either this matter be
24 dismissed, or a letter of instruction be issued.

25 On Election Night 2018, it was getting a little late

1 in the evening, and Mr. Wilson wanted to bring pizza to
2 some people who were in line to vote. They ordered the
3 pizza, kept the pizza in the car -- I believe it was a
4 total of four pizzas -- kept the pizza in the car. Mr.
5 Wilson went inside of Cross Keys High School, which is his
6 polling precinct, went inside to speak with the poll
7 manager, Yvonne Max, and specifically asked for permission
8 to serve the pizza. Ms. Max gave the permission to Mr.
9 Wilson and said -- said it was okay for him to do so. He
10 then walked out of the building, brought in four pizzas
11 into the building, and handed out four pizzas, which
12 probably he distributed in a matter of about two minutes.

13 Mr. Wilson was not wearing anything that would
14 identify him as a candidate. He didn't hand out any
15 campaign materials, did not ask people who they were
16 voting for, did not ask them whether they were Republican
17 or Democrat or anything else, and did not offer to give
18 pizza in exchange for any votes. He doesn't even know if
19 the recipients of the pizza even voted or whether they
20 stayed in line or left or voted for him at all.

21 There are two alleged violations in the file, and the
22 first is an alleged violation of OCGA 21-2-414(d) as in
23 David, and just, I do want to -- I think it's a minor
24 point but correct the record. Mr. Wilson did not upload -
25 - or Ms. Lee did not upload any pictures to his own

1 Facebook. Mr. Wilson did put it on his Twitter account
2 and then deleted it shortly thereafter. Not a major
3 point, but we did want to make sure the record was
4 correct.

5 OCGA 21-2-414(d) has two prohibitions in the statute,
6 and if I may, I'd like to actually read those to the
7 Board. The statute states in the relevant part that a
8 person who's a candidate shall not quote enter any polling
9 place other than the polling place at which that person is
10 authorized to cast his or her ballot for that primary,
11 election, special primary, or special election. That's
12 the first prohibition, and the second one is after casting
13 his or her ballot, the candidate shall not return to such
14 polling place until after the poll has closed and voted
15 has ceased or other then to transact business with the
16 Board of Registrars -- and this is the important point --
17 so long as the person does not violate any other provision
18 of this code section. So there has to be an underlying
19 predicate act for this statute to even apply.

20 Polling place is defined elsewhere in the -- in the
21 election code to mean the room provided in each precinct
22 for voting in a primary or election. The polling place is
23 not the building, but it's where the voting actually
24 occurs. In this instance, it's not clear whether Mr.
25 Wilson was, in fact, handing out pizza where the machines

1 were, where the voting actually occurs. Even if Mr.
2 Wilson was in the library, I believe where the voting
3 occurs at Cross Keys High School, the precinct at question
4 -- in question, he was nowhere near any of the voting
5 machines where they were placed.

6 Thankfully, there is good Georgia Supreme Court
7 precedent on this very issue, which we in our minds
8 believe -- leads us to the conclusion that this matter
9 should be dismissed. The Georgia Supreme Court looked at
10 a similar situation and held that it's not a violation of
11 the election -- election code for incidentally entering a
12 polling place. In the 1998 case of Hendry versus Smith, -
13 - that's H-e-n-d-r-y versus Smith, that's 270 Georgia 17 -
14 - the mayor of the City of Hampton, Georgia was up for
15 reelection. The polling place was the city council
16 chambers. The mayoral candidate parked his car outside,
17 went inside to his office. Then after voting, he twice --
18 not just once but twice -- went into the city council
19 chambers which was the polling place while the polls were
20 open to talk with the poll manager regarding two residency
21 challenges. After leaving city council chambers, the
22 mayor, who was on the ballot, spoke with two voters, a
23 city police officer, and two other people. The Supreme
24 Court did exactly what you would expect them to do, and
25 they held that this conduct did not violate the election

1 code.

2 And I'm going to read from that case, if I may, it
3 says there was no evidence that while the candidate was
4 inside the polling place to cast his vote, while in his
5 office away from public view, or later when he was inside
6 the polling place or outside speaking with acquaintai --
7 acquaintances, he engaged in any action that constitutes
8 soliciting votes or any other activity prohibited under
9 the election code. Although it would have been wiser for
10 Smith, the candidate, to address the voter challenges
11 before Election Day or communicate with the poll manager
12 through an intermediary, the Court did not error -- the
13 trial court did not error in finding that the candidate
14 committed no misconduct. Mere presence at the polling
15 place without more does not violate the election code.

16 Here, there's no showing that Mr. Wilson committed
17 any misconduct or did anything improper. The Smith case
18 that I just cited for you shows that mere presence is not
19 enough. There has to be an intent to solicit votes or an
20 intent to do something improper. Here, it's the exact
21 opposite. Mr. Wilson asked for permission, received the
22 permission, walked back out to his car after receiving the
23 permission from the poll manager, and then delivered four
24 pizzas that were handed out in a matter of minutes. As I
25 said before, he didn't wear anything that in any way

1 identified himself as a candidate, give out any campaign
2 literature, ask the person if they're going to vote, how
3 they were going to vote, or anything else. Therefore, we
4 believe there's -- there's no violation of OCGA 21-2-
5 414(d). Again, from the Hendry versus Smith case, mere
6 presence in the polling place, if that's in fact where Mr.
7 Wilson was, is not a violation. Again, in that Hendry
8 versus Smith case, the mayor went in two different times
9 to the poll -- polling place, and the Supreme Court held
10 that that was not enough.

11 The second alleged violation is under OCGA 21-2-570.
12 I'm sure that Mr. Secretary and the Election Board are
13 quite familiar with the code section, but I think that
14 it's important that we focus on a couple words here, and
15 that's for the purpose of. The statute requires an
16 intent. The statute says -- it prohibits any person who
17 gives or receives, offers to give or receive, or
18 participates in the giving or receiving of money or gifts
19 for the purpose of registering as a voter, voting, or
20 voting for a particular candidate in any primary or
21 election shall be guilty of a felony. So there's an
22 intent requirement there.

23 But the violation occurs in one of three situations:
24 registering a person to vote, giving something in exchange
25 for actually voting, or for voting for a specific

1 candidate, and none of those are present in this case.

2 Mr. Wilson didn't give pizza in exchange for anyone

3 registering to vote, didn't do it in exchange for anyone,

4 in fact, voting, or voting for a specific candidate. In

5 fact, Mr. Wilson has zero idea, and this Elections Board

6 has no idea if anyone who received pizza, in fact, voted.

7 They could have left and gone home. They could have voted

8 for a different candidate or not voted at all. So intent

9 is incredibly important.

10 I think if this matter goes forward, it would be the
11 State's position that reads out the phrase for the purpose

12 of. It requires an exchange, some sort of quid pro quo,

13 and I think we actually heard about a prior case earlier

14 today with the solicitor of South Fulton, I believe it was

15 reducing fines if people registered to vote. That's an

16 entirely different situation than Mr. Wilson, who merely

17 offered pizza to some people who were hungry, and Mr.

18 Wilson has no idea if, in fact, any of them left. He

19 never discussed that he was a candidate, and they didn't

20 know who he was. You know, he had no discussions with

21 them about whether they were voting, whether they intended

22 to stay in line or leave, who they were voting for,

23 whether they were voting for him, whether they were voting

24 Republican or Democrat.

25 All he did was hand out pizza, nothing more, nothing

1 less. The statute requires intent, and there's no showing
2 of any intent, much less an improper intent, here, and
3 that's what the phrase for the purpose of actually means
4 in this statute. This can't be a per se violation or a
5 per se statute. If that's the case, if someone wanted to
6 go promote, you know, a youth baseball league in the area,
7 and they just handed out registration forms, if the State
8 Election Board and the Attorney General believe that this
9 matter was, you know, violated 21-2-570, then merely
10 handing out promotional literature about a youth baseball
11 league to some folks who were in line would be a violation
12 as well.

13 Thank you for the opportunity to present today.
14 Again, we respectfully request that the State Election
15 Board dismiss this -- you know, dismiss these charges or
16 provide a letter of instruction. We don't think that this
17 is anything that needs to go to the Attorney General.
18 Thank you for your consideration.

19 MR. RAFFENSPERGER: Thank you. Do any Board members
20 have any questions?

21 MR. MASHBURN: This is -- this is Matt Mashburn. I
22 just have two questions. That was a very good
23 explanation, and I appreciate it very much. I know it
24 took a lot of time, and you put a lot of effort into it.
25 I just have two questions. This precinct is in the area

1 sought to be represented by the Respondent, correct?

2 MR. BERRY: I'm sorry. I didn't hear the first part
3 of your question.

4 MR. MASHBURN: This precinct is within the area or
5 within the jurisdiction of the -- of the post that he was
6 seeking election for, correct?

7 MR. BERRY: Thank you. Yes. This is, in fact, his
8 actual precinct where he votes and represents now.

9 MR. MASHBURN: And this was the only precinct that he
10 delivered pizzas to?

11 MR. BERRY: That's my understanding. I believe so.
12 Yes. As far as I know, that is the case. I mean, there's
13 been no other evidence come out, but I -- I'm ninety-nine
14 percent sure this is the only precinct where he delivered
15 pizza.

16 MS. LEE: This is Amanda Lee again. Yes. That's
17 true. This is the only precinct we delivered pizza to.
18 It was close to where we were staying during Election Day,
19 so we picked up pizza and went there.

20 MR. MASHBURN: So this is Matt Mashburn again.
21 Again, counselor, I thought your presentation was
22 terrific. I thought you did a really good job with it,
23 but I'm going to move that we refer -- that we accept the
24 recommendation and refer this to the AG.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. SULLIVAN: Second. This is Rebecca Sullivan. I
2 think it would be helpful if the AG issued some advice in
3 this area. I believe we had a very similar case that we
4 referred this morning -- to give us some clarity as to the
5 law where a candidate does not identify themselves but may
6 distribute food or water while people are in line.

7 MR. RAFFENSPERGER: Do we have any further comments
8 or discussion?

9 MS. LE: This is Anh Le. I'm going to support the
10 motion and the second as well because I've not had the
11 opportunity to look at the Supreme Court case that counsel
12 had presented and its precedence and the application it
13 may or may not have to this case, so I would appreciate
14 the AG's help with that, but also, you know, sort of just
15 as Mr. Mashburn and Ms. Sullivan said with the facts
16 because it's curious that he went back to the same polling
17 place that he voted in. He's recognized and known to be -
18 - possibly recognized by the -- the people there, so, you
19 know, why that polling place and not just any other
20 polling place as well? So I would support the motion for
21 those reasons.

22 MR. RAFFENSPERGER: Being there no other discussion,
23 all those in favor of the motion so stated, please let me
24 know by saying aye.

25 THE BOARD MEMBERS: Aye.

1 MR. RAFFENSPERGER: Any opposed? Motion carries.
2 Okay. The Attorney General's report?

3 MS. MCGOWAN: Thank you, Mr. Secretary. For our
4 report today, the Attorney General's Office has three
5 consent orders that were negotiated with the Respondents.
6 Those are case number 2014-020 with the Banks County Board
7 of Elections and Registration, case number 2016-086 with
8 the Polk County Board of Elections and Registration, and
9 case number 2016-117 with the Webster County Board of
10 Elections and Registration. The Board members have those
11 materials. I'm happy to answer any questions that you may
12 have about any of the cases, but our recommendation is
13 that the Board accept the consent orders.

14 MR. WORLEY: Mr. Secretary, this is David Worley. I
15 would make a motion that we accept the recommendation of
16 the Attorney General and authorize the Secretary to enter
17 into the consent orders that the Attorney General has
18 presented in these three cases.

19 MR. RAFFENSPERGER: Do we have a second?

20 MR. MASHBURN: Matt Mashburn, second.

21 MR. RAFFENSPERGER: Okay. Do we have any other
22 discussion on these matters? Hearing none, all those in
23 favor of the motion, please do so by signifying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: No one opposed? Motion carries.

1 Looking at the agenda, I believe that's all we have for
2 today. We've had a long, busy day. Does anyone have any
3 other actions or information they would like to bring
4 before the Board before I entertain a motion to adjourn?

5 MR. WORLEY: Mr. Secretary, it's David Worley. I
6 would just want to say one thing. I think I -- it's been
7 a long day here. We've been here for seven hours. And I
8 think in my discussion of the Fulton County vote buying
9 case 2020-267, I think I was probably a little more
10 outspoken in my comments than maybe I should have been. I
11 -- I'm not saying that I'm -- that I wasn't correct in my
12 point, but I think I probably could have said it in a more
13 collegial way, so I apologize to my fellow Board members
14 to the extent that I did, and I look forward to seeing you
15 all hopefully in person before too long but at the next
16 Board meeting.

17 MR. RAFFENSPERGER: Well, to that point, Mr. Worley,
18 I think that we all come to our positions honestly. Your
19 position -- we know that's where you come from, and I
20 don't believe that anyone took offense to it, but very
21 grateful. I think that one of the things that we need in
22 America is more respectful conversations when we don't
23 agree on issues, and so, you know, thank you very much for
24 that because we won't fall on the same point all the time
25 obviously. Hearing no other agenda items, I will

1 entertain a motion to adjourn right now.

2 MR. MASHBURN: So move.

3 MR. RAFFENSPERGER: Do we have a second?

4 MS. SULLIVAN: Second.

5 MR. RAFFENSPERGER: Those in favor?

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Motion carries. Meeting is
8 adjourned. Thank you very much.

9 (Meeting adjourned 4:14PM)

CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 261 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 29th day of March, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

April 28, 2021

Steven Ray Green Court Reporting, LLC
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THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

April 28th, 2021
9:00 A.M.

PRESIDING OFFICER: REBECCA SULLIVAN
VICE CHAIR, STATE ELECTION BOARD

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Frances Watson

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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1
2 MS. SULLIVAN: It appears that we have a quorum, so I
3 will go ahead and call this meeting to order. For
4 purposes of the record, I'll go ahead and call roll. Mr.
5 Mashburn?

6 MR. MASHBURN: Present.

7 MS. SULLIVAN: Mr. Worley?

8 MR. WORLEY: Present.

9 MS. SULLIVAN: Ms. Le?

10 MS. LE: Present.

11 MS. SULLIVAN: This is Rebecca Sullivan, and I am
12 also here. Again, good morning. I currently serve as
13 Vice Chair of the State Election Board. Due to the
14 vacancy in the position of Chair of the State Election
15 Board created by SB202, which was passed into sign -- and
16 signed into law last month, I will serve as acting Chair
17 for today's meeting. On behalf of the Board, I would like
18 to thank Secretary Raffensperger for his service and
19 leadership as the Chair of the State Election Board for
20 the past almost two and a half years.

21 On behalf of the Board, I would also like to thank
22 the Secretary of State's staff, who provide a significant
23 amount of support to this Board. The countless hours of
24 work they do on behalf of the Secretary and to support
25 this Board and their efforts to ensure fair and uniform

1 elections in the State often is underappreciated and often
2 goes unrecognized. I think that I speak for the Board
3 when I say that we appreciate you very much and look
4 forward to a continued strong working relationship with
5 the Secretary and SOS staff as we continue our work to
6 fulfill our statutory responsibilities. The first item on
7 our agenda today is the invocation and Pledge of
8 Allegiance, and I would like to ask Mr. Mashburn if he
9 would lead us.

10 (Invocation)

11 (Pledge of Allegiance)

12 MS. SULLIVAN: Moving on, we have the February 10th
13 and February 17th Board meeting minutes from those
14 hearings, and at this time, I would entertain a motion to
15 approve those minutes.

16 MR. WORLEY: Ms. Sullivan, this is Mr. Worley. I
17 would make a motion.

18 MS. SULLIVAN: Thank you.

19 MR. MASHBURN: Second.

20 MS. SULLIVAN: Is there any discussion? All in
21 favor, please prove by saying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. WORLEY: Ms. Sullivan?

24 MS. SULLIVAN: Motion passes. Yes?

25 MR. WORLEY: If I could, my video function is not

1 working. It says because the host has stopped it. Could
2 we get that fixed?

3 MS. THOMAS: You're a co-host now. You should have
4 that option.

5 MR. WORLEY: Okay. And if I might be recognized, Ms.
6 Sullivan?

7 MS. SULLIVAN: For what purposes?

8 MR. WORLEY: To comment on your comments about the
9 Secretary.

10 MS. SULLIVAN: You may be recognized.

11 MR. WORLEY: Thank you. I would certainly join in
12 Ms. Sullivan's comments thanking the Secretary for his
13 service. This is the first Board meeting that we have had
14 since the passage of SB202, and I think it's incumbent
15 upon us as Board members to let the public know of our
16 views on that legislation.

17 First of all, it is always, always bad public policy
18 to base legislation on a lie. Unfortunately, that is what
19 happened with the passage of SB202. We know, as members
20 of this Board, better than anyone in this state, that
21 there was no fraud in Georgia's elections in 2020.

22 Everyone on the Board knows it, the Secretary of State
23 knows it, the Lieutenant Governor Duncan knows it, and
24 Governor Kemp knows it. Unfortunately, the problem is
25 that the Republicans in the General Assembly did not like

1 the results of the elections, and they pandered to those
2 who have been convinced by the former President of a lie
3 that there was fraud in Georgia's elections. The members
4 of the General Assembly lack the moral courage to simply
5 tell their constituents the truth, and Governor Kemp,
6 unfortunately, lacked the moral courage to veto the
7 legislation. The result is a mess.

8 There are lots of bad parts of SB202 that
9 cumulatively make it harder for Georgians to vote, but I
10 wanted to focus on the parts that affect the State
11 Election Board. Secretary of State Raffensperger made the
12 choice last year to send out 7 million absentee ballot
13 applications for Georgians in the pandemic. People got
14 used to voting absentee, and by November, 1.3 million
15 Georgians used absentee ballots to vote. As a result, the
16 Secretary was stripped of his membership on this Board by
17 the General Assembly, and frankly, that was done by
18 members of the General Assembly who were completely
19 ignorant about the operations of the State Election Board.

20 The State Election Board has no budget. We are
21 unpaid volunteers. The State Election Board has no staff.
22 The State Election Board is dependent on the Secretary of
23 State to conduct the hundreds of investigations it does
24 each year, and we are dependent on the Elections Division
25 to let us know what issues require changes and amendments

1 to our rules. The Secretary of State's Office will still
2 set the agenda for this Board and will still assist in
3 drafting rules and regulations, and the basic functions of
4 the Secretary of State's Office will not be changed. The
5 Secretary of State's Office will still -- will still
6 certify the State's elections. It will still oversee the
7 operations of local election boards through the Elections
8 Division, which itself, thankfully, has been nonpartisan.

9 Finally, SB202 stripped the Secretary of State of his
10 membership on this Board and gave the General Assembly
11 control of a majority of seats on this Board and gave us
12 the power to displace local boards of elections. I have
13 been a member of the State Election Board for 17 years,
14 and I have seen many issues and problems with local
15 election boards, but I have never seen anything that would
16 justify the State Election Board displacing members of
17 local election boards or local superintendents. We
18 already have the power of ruling on cases and passing
19 regulations to ensure that local boards follow the rules
20 and work effectively, and we do that at every meeting.

21 I, for one, will never use the power that the General
22 Assembly has given us to displace local boards of
23 elections, and frankly, I do not believe other current
24 members of this Board will either. Having worked with
25 them over the last several years, they are honest, good

1 people who will not trade their integrity under this
2 statute, but should the House of Representatives decide to
3 replace Ms. Le, should the State Senate decide to replace
4 Mr. Mashburn, or should the Republican Party decide to
5 replace Ms. Sullivan, we will all know what is about to
6 happen, so I would urge the citizens of this state to keep
7 a careful eye on the membership of this Board and watch
8 carefully what happens next. Thank you, Ms. Sullivan, for
9 the opportunity to speak out.

10 MS. SULLIVAN: Moving on, on the agenda, the next
11 item is an update on potential rule-making. We all know
12 that there is a lot of work that must be done by the
13 Secretary of State's Office, as well as this Board, to
14 implement Senate Bill 202, and I'd like to ask Ryan
15 Germany, who is General Counsel of the Secretary of
16 State's Office, to provide us an overview.

17 MR. GERMANY: Thank you, Madam Chair. This is Ryan
18 Germany, and I just wanted to give a quick update to the
19 Board on some of the things that our office is doing to
20 implement State Bill -- Senate Bill 202, as well as -- as
21 well as, I think, some of the things that are on the
22 horizon for the State Election Board.

23 One of the -- the first things that we're working on
24 from the Secretary of State's Office is the changes to
25 absentee balloting, especially the change going to

1 requiring a driver's license number verification or
2 another form of ID, so we're going to require a new
3 absentee ballot application form. It's also going to
4 require a new absentee ballot envelope, so we're looking
5 at -- we're looking at different states to get ideas for
6 envelopes that contain that kind of information, how we
7 can ensure that that is transmitted securely through the
8 mail. So that's what our office is doing first. We're
9 also looking at the instructions that we have to provide
10 with absentee ballots. Of course, I think, you know, the
11 best scenario would be to work cooperatively with the
12 Board on this, and we'll certainly keep the Board in the
13 loop on those changes.

14 The next thing that I think is really more in the --
15 in the court of the State Election Board is the law
16 changes I think will require some new rules and probably
17 some updates to our existing rules as well. What I would
18 propose if it -- if it meets the approval of the Board is
19 that we continue -- and I think this was always the idea
20 from last year -- is that we continue our Rules Working
21 Group that we used -- that we did last year when we redid
22 the rules based on House Bill 316 and the update to the
23 new voting system. That working group consisted of
24 myself, Mr. Harvey, we have a new attorney now in our
25 Elections Division whose name is Sarah Beck [ph.], and

1 then Mr. Mashburn and Mr. Worley from the State Election
2 Board. I have also asked Ms. Lynn Bailey, the Elections
3 Superintendent from Richmond County, if she would continue
4 serving as the county liaison to that Board where we would
5 share drafts and she would share -- she would then in turn
6 share those with other counties to get counties' feedback
7 on rules.

8 The types of things that I think are going to be --
9 where new rules are going to be needed are, of course,
10 some of the changes in absentee balloting. There are
11 rules about the process to suspend election
12 superintendents, create performance reviews for local --
13 local election officials, logic and accuracy testing, and
14 then -- let's see -- absentee ballot applications, the new
15 runoff -- the new blank choice runoff provision, and, of
16 course, the early scanning provision. Some of these
17 rules, I think, will look a lot like some of the rules
18 that we put in place on an emergency basis last year
19 because the legislature adopted some of those ideas in
20 code, so we'll have a starting point for that, but I just
21 wanted to update the Board on that.

22 The new law is effective, of course, July 1st. We do
23 have some municipal elections this November, so I think
24 the goal should be to have those in place, have new rules
25 in place at least from a beginning standpoint. Of course,

1 like we did last year, we sometimes have to amend a new
2 rule we make, and I expect that to happen here as well,
3 but I think the goal should be to have those in place
4 prior to November, which really gives us the summer to
5 work on -- to work on rules and then post them in -- in
6 early -- late summer of this year, and I'm happy to take
7 any questions from the Board on that process.

8 MS. SULLIVAN: Thank you, Mr. Germany. Do any of the
9 Board members have any questions for Mr. Germany? We
10 appreciate your update, and I think that the Rules Working
11 Committee worked well last year to help us accomplish our
12 work, so I think that's an excellent idea, and we will
13 plan to proceed unless any of the Board members object.

14 Moving onto the next item on the agenda is the
15 consent cases investigation reports. It is our general
16 practice to vote on these cases in a bloc unless there are
17 any members of the public or members of the Board who
18 would like to pull out individual cases for discussion. I
19 would like to pull out two cases that I think merit some
20 discussion this morning. One is SEB case number 2020-257,
21 Cobb County, and the second is case number 2020-289, Cobb
22 County. Those are items number 26 and number 33 on the
23 agenda. Is there anyone else who would like to pull any
24 cases off for individual discussion?

25 MR. WORLEY: Madam Chair, this is Mr. Worley. I

1 would also to pull those same two cases, but in addition,
2 I would also like to pull off --

3 MS. SULLIVAN: I'm sorry. You went out on me a
4 little bit there. You wanted to pull those two cases and
5 additionally what cases?

6 MR. WORLEY: And two additional cases, case number
7 2020-220 from Cobb County and case number 2020-283 from
8 Newton County.

9 MS. SULLIVAN: Mr. Mashburn, is there any cases you
10 would like to pull off?

11 MR. MASHBURN: No.

12 MS. SULLIVAN: Ms. Le?

13 MS. LE: Madam Chair, I -- when we do discuss -- I do
14 not want to pull this case out, but when it's up for
15 discussion or voting, I would like to recuse from case
16 2020-105, please.

17 MS. SULLIVAN: Are there any members of the public
18 who have indicated in the chat box they'd like to speak to
19 any of these consent cases? Well, if there are any
20 members of the public who would like to speak to any of
21 these consent cases, please enter your information on the
22 chat, but we'll go ahead -- while you're doing that, we'll
23 go ahead and get started discussing the individual cases
24 that have been pulled off the agenda, starting with case
25 number 2020-220, Cobb County. Ms. Watson, if you wouldn't

1 mind presenting that to the Board?

2 MS. WATSON: Okay. This case is 2020-220. The first
3 allegation is the complainant advised that a friend who
4 lives in Canada may be attempting to commit voter fraud by
5 sending her ballot to a friend in Marietta, Georgia. The
6 second allegation was the complainant alleged that Sumeet
7 Bahl is a resident of Cobb County and now lives
8 permanently in New York City and has no intention to move
9 back to Georgia. He requested an absentee ballot and
10 voted in the Georgia November 3rd, 2020 election. The
11 third allegation is the complainant alleged that Christine
12 King [ph.] may be a Canadian citizen and voted in Georgia
13 elections.

14 The investigation revealed the initial complaint
15 alleging that the respondent, Ms. Lapore [ph.] sent her
16 ballot to an unknown individual. This was due to a social
17 media post by the Respondent which shows her holding up
18 what appears to be an envelope with official absentee
19 ballot printed on it. The name and address printed on the
20 envelope were discovered to be that of the Cobb County
21 registration manager and the address of the Cobb election
22 office. An investigator contacted the complainant who
23 advised the Respondent may be a citizen of Canada and has
24 not lived at her listed voter address in Marietta for many
25 years. Investigator contacted the Respondent who

1 indicated that she is a permanent resident of Canada but
2 retains her US citizenship. She additionally advised that
3 she is unsure of her attempts to return to the United
4 States and stated that it was possible. Investigator
5 contacted Cobb County Elections Office and made them aware
6 of Ms. Lapore's status so that they could properly update
7 their records from a temporary to a permanent resident of
8 Canada.

9 The second allegation, the investigator contacted the
10 Respondent, Mr. Bahl, who advised that he retains his
11 permanent residency in Georgia and is living in New York
12 for medical training. He advised that he intends to come
13 back to Georgia at some point. Voter records show that
14 Mr. Bahl is registered to vote in Georgia and has not
15 registered to vote in New York.

16 Third allegation, the investigator contacted the
17 Respondent, who indicated that she is a permanent resident
18 of Canada but remains a United States citizen. We did not
19 find any election code violation in these instances.
20 We're -- the Canadian-United States citizens were eligible
21 to vote in the elections.

22 MS. THOMAS: We have someone who would like to speak
23 on the case. The person listed as Zoom user, you are
24 allowed to speak. You can unmute yourself, you can state
25 your name, and then go ahead and speak to the case.

1 MS. SULLIVAN: Is there a member of the public who
2 would like to speak regarding this matter? I believe
3 you've identified yourself -- you're not identified in the
4 system. You're identified as Zoom user. Mr. Worley, do
5 you have any questions regarding this case?

6 MR. WORLEY: I -- I did have questions. Who were the
7 people making complaints in this case, and what -- what
8 evidence did they bring to your attention?

9 MS. WATSON: The com -- right. The complainant
10 observed it on social media. That's the one from the
11 first allegation.

12 MR. WORLEY: I understand that, but the other two?
13 How did they make these cases?

14 MS. WATSON: Right. The second allegation was a
15 resident in Roswell and again, this was information that
16 was known to the Respondent.

17 MR. WORLEY: So these are just random people making
18 these accusations?

19 MS. WATSON: Yes. We received -- we received many
20 allegations during the -- November/January based on social
21 media posts where people showed their -- their I voted
22 sticker or their absentee ballot envelopes on social
23 media, but then it lists them as being in another state,
24 so they would make the -- make the complaints to us that
25 they were possibly ineligible.

1 MR. WORLEY: So these people had no personal
2 knowledge of who these people were, they just saw
3 something on social media and made an allegation?

4 MS. WATSON: Correct.

5 MR. BAHL: Hello. If I may speak, this is Sumeet
6 Bahl, one of the -- allegation number 2.

7 MS. SULLIVAN: Yes, you may speak.

8 MR. BAHL: Okay. Great. Thank you for giving us the
9 opportunity. So as Ms. Watson had said that I'm a
10 resident of Cobb County and permanently live in New York
11 City, and then I was given a phone call -- which is
12 correct, someone did call me -- and they wanted to know
13 what my situation is, so that's -- that's absolutely
14 correct. I am a physician, medical doctor in New York
15 City. I've been here a couple of years, and this is
16 because my medical training was all done here. My
17 permanent address is in Cobb County in Georgia. That is
18 where I vote. It's where I've got my driver's license.

19 I have no intention of staying in New York. It's way
20 too cold here. I don't like this space. I just want to
21 move back. So basically, I've been asked before how come
22 you haven't changed your driver's license, anything like
23 that? I said there's no reason to because Georgia is my
24 home. It's where my family is, and that's where I'm going
25 to move back ultimately, so this is why none of this was

1 formally changed to anything in New York. I don't vote in
2 New York, never have, don't plan to. Georgia has been my
3 home, always will be, once all of this -- this long
4 medical path is done. That's all I've got to say about
5 that.

6 MS. SULLIVAN: Thank you.

7 MR. WORLEY: Madam Chair, based on the investigative
8 report, I would make a motion that we dismiss case number
9 2020-220.

10 MS. SULLIVAN: Thank you. Is there a second?

11 MR. MASHBURN: Second.

12 MS. SULLIVAN: We have a motion and a second. Is
13 there any further discussion? All in favor of the motion,
14 please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: And there are no opposed. That motion
17 passes. The next case is SEB case number 2020-257, Cobb
18 County, and that is tab number 26. Ms. Watson?

19 MS. WATSON: Yes. 2020-257, on Monday, December
20 14th, 2020, Georgia Secretary of State Brad Raffensperger
21 announced that a signature audit of absentee by mail
22 ballot oath envelopes would be conducted in Cobb County.
23 The Secretary of State's Office partnered with the Georgia
24 Bureau of Investigation to review a statistically
25 significant sample of signatures on oath envelopes from

1 the November 3rd, 2020 general election. Signatures and
2 other identifying information on the absentee by mail
3 ballot oath envelopes would be compared to records in both
4 Cobb County Elections and Voter Registration department
5 database and the State of Georgia's Voter Registration
6 system. The audit would be performed by law enforcement
7 investigators with the Secretary of State's Office and the
8 GBI's special agents.

9 15,118 absentee by mail ballot oath envelopes were
10 evaluated by the inspection teams. The inspection teams
11 submitted 396 oath envelopes to the investigation team for
12 comparison with additional documents for follow-up with
13 electors. After evaluation by the inspection team,
14 envelopes -- 386 were accepted as valid. The remaining 10
15 envelopes were referred for contact with the electors for
16 the following reasons: eight elector signatures
17 identifying information did not appear to be consistent
18 with documents on record, one contained no signature or
19 mark, one contained a signature that was not the signature
20 of the elector. All 10 electors were located, positively
21 identified, and interviewed.

22 Those interviews found all eight electors whose
23 signatures were deemed valid by Cobb County Elections
24 Department staff but not consistent by law enforcement
25 officers conducting the audit acknowledged completing and

1 signing the absentee ballot by mail ballot oath envelope
2 in question, verifying that the initial Cobb County
3 Elections Department initial determination's was --
4 validity was correct. The elector whose envelope
5 contained no signature or mark acknowledged submitted the
6 absentee by mail ballot oath envelope in question but
7 reported signing the front of the envelope only. The
8 final envelope in question was found to be mistakenly
9 signed by the elector's spouse. The elector confirmed
10 that he filled out the absentee ballot himself.

11 Of the 15,118 envelopes sampled, two of the ten
12 previously identified absentee ballot by mail ballot oath
13 envelopes should have been identified by Cobb County
14 Elections Department as requiring an opportunity for the
15 voter to cure the ballot prior to acceptance. However,
16 there was no fraudulent absentee ballots that were
17 identified during the audit. We're recommending the case
18 to be dismissed.

19 MS. SULLIVAN: Thank you. Do any members of the
20 Board have any questions for Ms. Watson? Then, I believe
21 the recommendation in this case is to dismiss. Is there a
22 motion?

23 MR. WORLEY: Madam Chair, I make a motion that we
24 dismiss this case.

25 MS. SULLIVAN: Thank you. Do we have a second?

1 MR. MASHBURN: Second.

2 MS. SULLIVAN: We have a motion and a second. Is
3 there any further discussion?

4 MR. MASHBURN: This is Matt Mashburn. By way of
5 further discussion, I just want to point out and highlight
6 that this -- if I'm not mistaken, this was the largest
7 mobilization in the history of the GBI with regard to
8 examining signatures, so this was very expensive for the
9 State and very time-consuming for the State, but the
10 results showed that there was no massive, widespread
11 signature fraud in Cobb County, and the largest
12 mobilization in the history of the GBI was necessary to
13 tamp that down. So as we hear a lot about people want to
14 restore confidence in the system, I just want to highlight
15 that this is one of those confidence-building moments is
16 that this allegation was made, a formal complaint was
17 filed that there was massive wrongdoing in Cobb County,
18 and so the State engaged in the largest mobilization in
19 its history of this nature and proved there was nothing to
20 it.

21 So I just wanted to -- to bring that to people's
22 attention who are out there on the Internet complaining
23 that there was no audits or nobody was examining this is
24 that -- is that we did undertake the largest examination
25 of its nature in Georgia history at great expense, and

1 there was nothing to it in the final analysis.

2 MS. SULLIVAN: Is there any further discussion? We
3 have a motion and a second. All in favor of the motion,
4 please signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: And there are none opposed. That
7 motion passes. The next case we would like to pull off is
8 case number 2020-283. Ms. Watson, if you would present
9 that case?

10 MS. WATSON: Yes. In 2020-283, the first allegation
11 that was received was Matthew Douglas [ph.] of Conyers,
12 Georgia complained via letter that the Newton County
13 Facebook page had both countings [sic] scheduled at 1113
14 Usher Street for Sunday, November 15th, 2020 at 8:30 A.M.
15 to 1 P.M. Douglas, his wife, and daughter arrived at the
16 location at 10:30 and both front doors were locked. On
17 November the 16th, Douglas called the Newton County Board
18 of Elections Office and spoke to someone named Pearl who
19 informed Douglas that the counting had ended midnight,
20 Saturday, November 14th, 2020. When Douglas asked Pearl
21 if any election ballot processing was occurring today, he
22 was told that absentee ballots were being signature
23 matched.

24 James Siblowksi [ph.] of Oxford, Georgia complained
25 via email that approximately a week prior to the 2020

1 general election he witnessed ballot harvesting.

2 Siblowski stated that an individual delivered 20 to 30
3 absentee ballots, that the incident occurred in Newton
4 County at the courthouse, and that the deputy on duty was
5 helping.

6 Investigation showed according to the former Newton
7 County Elections Director Angela Mantle, the risk-limiting
8 audit was conducted during the hours advertised with the
9 exception of Sunday, November 15th, 2020, in which no
10 count was conducted because they completed the initial
11 process by Saturday, November the 14th, 2020. They did
12 return on Monday, November 16th to recheck totals due to a
13 discrepancy in totals. This also occurred within the
14 hours posted, and individuals from both parties were
15 notified of this by the Chairman of the Board of
16 Elections. Also, there was no signature verifications on
17 absentee ballots taking place during the audits.

18 Signatures on absentee ballot oath envelopes were compared
19 with voter files prior to the absentee ballots being
20 accepted.

21 Upon review of the security footage of the drop box
22 James Siblowski observed, election workers were moving
23 ballots from the box, placing them in a white mail bin
24 sitting on top of the drop box, and taking them inside the
25 election office. No election code violations were

1 substantiated. We recommend that the case be dismissed.

2 MS. SULLIVAN: Mr. Worley, I believe you pulled this
3 off. Do you have any questions for Ms. Watson?

4 MR. WORLEY: I just want to be clear, Ms. Watson.
5 The -- essentially, someone thought that they had observed
6 something improper, but it turned out to only be the
7 election officials taking the ballots out of the drop box
8 at that point in time.

9 MS. WATSON: Yes, that's correct. Yes, that's
10 correct.

11 MR. WORLEY: Thank you. That's the only question
12 that I had.

13 MS. SULLIVAN: Are there any other questions from
14 members of the Board? If not, I will entertain a motion.

15 MR. WORLEY: I would make a motion that we dismiss
16 this case.

17 MS. SULLIVAN: Do we have a second?

18 MR. MASHBURN: Second.

19 MS. SULLIVAN: We have a motion and a second. Any
20 further discussion? All in favor, please signify by
21 saying aye.

22 THE BOARD MEMBERS: Aye.

23 MS. SULLIVAN: There are none opposed, and that
24 motion passes. The next case is SEB case number 2020-289,
25 Cobb County, destruction of ballots. Ms. Watson, would

1 you please present the case?

2 MS. WATSON: Yes. The first allegation, complaints
3 alleged that on 11/20/2020 at 11:10 A.M., Cobb County
4 hired a document shredding truck to destroy ballots at Jim
5 R. Miller Park in Cobb County. There was a video uploaded
6 to YouTube which gained popularity and showed bins of
7 opened absentee ballot security envelopes being destroyed.
8 Janine Eveler, the Election Supervisor in Cobb County, had
9 already responded to the allegation. A preliminary
10 investigation had already been conducted, and a new
11 complaint was forward to the Secretary of State by the
12 Georgia Bureau of Investigations regarding the issue.

13 The second allegation, on January 5th, 2020 [sic], the
14 Federal Bureau of Investigation along with the Federal
15 Homeland Security Agency were conducting an investigation
16 regarding a shred truck which allegedly held shredded
17 ballots from Dominion Voting Systems in Cobb County and
18 requested the assistance of the Secretary of State's
19 Office. The investigation showed that Gordon Lacoste
20 [ph.], after an interview with investigators, stated that
21 he had no firsthand information. He just observed the
22 information on YouTube and thus made a complaint. We made
23 contact with Salleigh Grubbs who advised that she had
24 already been interviewed by the Secretary of State's
25 Office and was not interested in being interviewed again

1 unless the investigator could guarantee that he would not
2 waste her time.

3 Investigations received a notarized declaration and
4 affidavit from a third complainant, Susan Knox. In it,
5 she advised that she observed shred trucks destroying what
6 she believed were ballots at Jim R. Miller Park where
7 election certification was taking place. Cobb Election
8 Director Janine Eveler advised that the shredding was
9 routine and what Ms. Knox saw photographed and placed on
10 the Internet were the privacy envelopes which had no
11 evidentiary value and were being shredded along with other
12 non-relevant materials.

13 In the second allegation, investigators responded at
14 the request of the FBI and Federal DHS to Marietta Police
15 Department regarding an alleged shred truck which
16 contained shredded ballots. An investigator went with the
17 DHS to their headquarters and obtained some intact
18 documents that DHS had originally pulled from the vehicle.
19 These documents were inspected, and while most were
20 unrelated, financial, or shipping documents, there were
21 several training manuals from Dominion Voting Systems, as
22 well as paper taped printouts from a Dominion machine.
23 After observing the tape, it was obviously a training
24 testing tape from 2019. Tom Feehan with Dominion was
25 interviewed and advised they were shutting down the rented

1 space here in Georgia and were shredding documents such as
2 training materials and test training ballots such as what
3 is your favorite ice cream. There is no actual election
4 documents that were observed in that material. We're
5 recommending that this case be dismissed as no violation
6 of election code has been substantiated.

7 MS. THOMAS: And Salleigh Grubbs and Susan Knox are
8 here to speak on the case.

9 MS. SULLIVAN: Ms. Grubbs, you may speak.

10 MS. GRUBBS: Yeah, it's unbelievable to me that
11 there's been no thorough investigation. I had that one
12 encounter and said I am certainly happy to talk to any
13 investigators. I -- Ms. Watson -- had conversations with
14 you, and there was no substantive information requested or
15 given. We've not -- we had not been advised that there
16 was any FBI investigation. There was evidence that was
17 destroyed. There's pictures of it that says, you know,
18 the ballot envelopes -- we don't know what was in the
19 envelopes, and this is a travesty of justice. This is a
20 failure to redress our grievances, and Georgia is in deep
21 trouble with you all just acting like cavalier cowboys
22 doing whatever it is you want and shoving it down our
23 throats.

24 We know there was fraud, and it is an insult to every
25 citizen of Georgia that you carry on this way, and we

1 demand a full investigation, and we demand further that
2 you show the evidence. I asked you about that, and you
3 said that I could do an Open Records Request. I've done
4 numerous Open Records Requests to the Secretary of State's
5 Office and not once have I gotten one bit of information.

6 MS. SULLIVAN: Thank you, Ms. Grubbs. Ms. Watson,
7 would you like to respond regarding the thoroughness of
8 the investigation?

9 MS. WATSON: The information that was available and
10 that was given to our office and that was posted only
11 shows these secrecy ballots, and that is --

12 MS. GRUBBS: Why is that okay? Evidence --

13 MS. SULLIVAN: Thank you, Ms. Grubbs, for your
14 comments. We have -- we have heard your comments. I
15 believe that Ms. Knox would also like to speak?

16 MS. KNOX: Yes, that's correct.

17 MS. SULLIVAN: You may speak.

18 MS. KNOX: Yes. So I have got pictures. Can we
19 share this screen because I would like to show you what I
20 have and then have you tell me what you think these are
21 that did get shredded, that I watched get shredded?

22 MS. SULLIVAN: I do not -- I do not believe that we
23 have the ability to allow you to share your screen, and I
24 would encourage you to submit any evidence that you
25 believe you have to the Secretary of the State's Office to

1 Ms. Watson for her review.

2 MS. KNOX: Do you know what? Doing that is like the
3 fox watching the henhouse. You all are a disgrace. I
4 cannot believe --

5 MS. SULLIVAN: Thank you for your comments. I would
6 like for us to maintain a level of decorum on this call
7 that is appropriate for this state-wide Board, so if you
8 would please keep your comments professional, I would
9 appreciate it. Thank you. Do any members of the Board
10 have any questions for Ms. Watson?

11 MS. LE: Ms. Watson, this is Anh Le. Have -- to Ms.
12 Knox's question, has she submitted those pictures, or do
13 we know what those pictures are?

14 MS. WATSON: The pictures that were presented at the
15 Senate hearing, we do have those, and we have reviewed
16 those, and again, we do not have any evidence of any
17 actual ballots being destroyed, and I don't know if Janine
18 is also on the line from Cobb County, but they do have to
19 and are allowed to destroy election documents that are
20 beyond the 24 month retention schedule.

21 MR. MASHBURN: Yeah. I --

22 MS. SULLIVAN: This is Matt Mashburn.

23 MR. MASHBURN: This is Matt Mashburn. To either of
24 the speakers, are the pictures that you want to show us
25 now the same pictures that you showed to the Senate

1 hearing, or are they additional, different pictures?

2 MS. KNOX: They're additional. They're additional.
3 I have some of the same and some additional, and I have
4 quite a few.

5 MR. MASHBURN: Okay. I've -- I've seen all of your
6 pictures that you submitted to the Senate hearing. I'm --
7 I'm satisfied with the investigation so far. There's a
8 theory that lawyers are very familiar with. It's called
9 without prejudice, and so if something is dismissed
10 without prejudice, that means that there may be additional
11 information or new information that hadn't been looked at,
12 so I'm going to make a motion based on the record today
13 and what's in the record today to dismiss this case, based
14 on the pictures that I saw from the Senate hearing.

15 I was the chief tabulation lawyer for the Georgia
16 Republican Party for almost 25 years, so I'm very familiar
17 with the tabulation process and how the tabulation process
18 goes and what is used in every aspect of tabulation, and
19 the pictures that I saw introduced to the Senate hearing
20 were the white envelopes that do have the word "ballot" on
21 them. That is absolutely true. They do have that, but it
22 says ballot is enclosed, so the envelope itself is
23 nothing. It's not a ballot. It's -- and so when I saw
24 that picture, you know, it took me 3 seconds to recognize
25 well, that's not a ballot at all. That's the envelope

1 that the ballots come in. So I -- that's, you know,
2 that's something -- that's just the way it is.

3 Now, if you -- if you have a picture that you want to
4 submit and make a -- make a new allegation, my motion
5 today is not to preclude you from adding any new
6 information or making a new complaint, but based on the
7 record and based on my experience of -- of tabulation over
8 many, many years, I'm going to make a motion to dismiss
9 this case, and I also want to add -- there was a question
10 about well, why -- why is that okay to shred documents?
11 Well, people with no history on this Board and no history
12 in election law don't know that counties have been brought
13 up on charges because they did not shred evidence. There
14 was a -- there was a case a while back where a county just
15 discarded an old desk and was selling it for junk for \$50.
16 Well, inside the desk was all kinds of voter information
17 with Social Security numbers and date of birth and
18 anything you needed to get a credit in that person's name,
19 and that county was brought up on charges.

20 So it is not unusual for counties to shred
21 information, and in fact, it is desirable and preferable
22 that they do that. So there is no presumption of fraud or
23 illegality or improper behavior that a shredding truck was
24 shredding things that needed to be shredded, so I've got
25 no problem with that at all with all the years of

1 experience that I spent advising the Party on tabulation.
2 So I'm going to make a motion that this case be dismissed,
3 but if you have new pictures that nobody has seen before,
4 you're certainly welcome to make a new complaint.

5 MS. SULLIVAN: Thank you, Mr. Mashburn. We have a
6 motion on the table. Is there a second?

7 MS. LE: This is Anh Le. I'll second that.

8 MS. SULLIVAN: We have a motion and a second. Is
9 there any further discussion among the members of the
10 Board? If there is not, please all in favor of the
11 motion, please signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: And there are none opposed. That
14 motion passes. That is the last case that we have pulled
15 for individual discussion on the consent cases. Let's go
16 ahead, and I'll entertain a motion on SEB case number
17 2020-105, DeKalb County. That is the case that Ms. Le has
18 recused from so that we have a separate vote for the
19 record. If there's a motion to dismiss that case as
20 recommended, I would entertain that now.

21 MR. WORLEY: I would make that motion.

22 MS. SULLIVAN: Is there a second?

23 MR. MASHBURN: Second.

24 MS. SULLIVAN: We have a motion and a second. Any
25 further discussion? All in favor, please say aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: Any opposed? And let the record
3 reflect that Ms. Le did not vote on that motion, which
4 passes. At this time, it's appropriate to vote on the
5 remaining cases on the agenda. On consent cases, the
6 recommendation is to dismiss the remaining cases that we
7 have not pulled out for individual discussion. Is there a
8 motion?

9 MR. WORLEY: Ms. Sullivan, this is Mr. Worley. I
10 make a motion that we dismiss the remaining cases.

11 MS. SULLIVAN: Thank you. We have a motion. Is
12 there a second?

13 MR. MASHBURN: Second.

14 MS. SULLIVAN: Any further discussion? All in favor,
15 please say aye.

16 THE BOARD MEMBERS: Aye.

17 MS. SULLIVAN: And there are none opposed. That
18 motion passes. Moving on to the letter cases, are there
19 any cases on this list that one of the Board members would
20 like to pull off for individual discussion?

21 MR. WORLEY: Ms. Sullivan, this is David Worley. I
22 would like to pull off case number 2021-010, Houston
23 County, photographing ballots.

24 MS. SULLIVAN: Okay. Anything else?

25 MR. MASHBURN: None for me.

1 MS. SULLIVAN: All right. Ms. Watson, if you
2 wouldn't mind presenting case number 2021-010, Houston
3 County? That is tab number 53.

4 MS. WATSON: A complainant reported a Gordon Wayne
5 Lynch [ph.] had insisted on getting a copy of his ballot
6 after voting for the Senate runoff election on January
7 5th, 2021. The poll manager, Mary Singleton [ph.],
8 informed Mr. Lynch that the ballot could not be copied or
9 recreated. Mr. Lynch opted to photograph his ballot with
10 his cell phone before leaving. Ms. Singleton warned Mr.
11 Lynch not to photograph the ballot. The incident was
12 reported to law enforcement. The voter was adamant that
13 he wanted a copy of his ballot to take with him, which the
14 poll workers denied. Mr. Gordon then wanted to take the
15 ballot outside so he could photograph the ballot. He was
16 informed not to take a photo of the ballot and that taking
17 the ballot outside would invalidate the ballot. Two
18 witnesses state they observed the voter Gordon Lynch take
19 the photo anyway. Mr. Gordon was contacted by an
20 investigator and denied that he took the photo. Mr. Lynch
21 was very emotional in providing his statement. Our
22 recommendation is that we recommend Mr. Lynch be issued a
23 letter of instruction regarding violation of 21-2-413(e).

24 MS. SULLIVAN: Mr. Worley, do you have any questions
25 regarding this case?

1 MR. WORLEY: No. I -- I think the report is very
2 clear. The reason that I asked that it be pulled out is
3 that this is not the normal case of photographing a ballot
4 in which we send a letter of instruction. That is usually
5 the case where someone is excited about voting. They
6 might have a child with them at the polling place. They
7 take a picture of their ballot, and they have no idea that
8 photography in the polling place is not allowed. In this
9 case, the Respondent was told what the law was, knew what
10 the law was, chose to violate the law, so I don't think
11 it's appropriate that we have a letter of instruction, and
12 I would instead make a motion that we refer this case to
13 the Attorney General's Office.

14 MS. SULLIVAN: Okay. We have a motion on the table
15 to refer this case to the Attorney General's Office. Is
16 there a second for that motion?

17 MR. MASHBURN: Second.

18 MS. SULLIVAN: We have a motion and a second. Is
19 there any further discussion?

20 MR. MASHBURN: Yeah. With regard to discussion, I'd
21 like to add something in on that, and that is a lot of
22 people don't understand why this rule is in place, and one
23 of the reasons this rule is in place is to protect voters
24 from intimidation and harassment, and what would happen in
25 the old days is people would be paid to vote, and the

1 people who were doing the bribing for votes had no way to
2 verify that the person voted the way they were paid to
3 vote. And so there's always been an attempt to create a
4 system whereby the person making the bribe can verify that
5 the person voted in the manner in which they were paid to
6 vote, and so this prohibition has a very important tool
7 that the ubiquitous nature of cell phones now has made it
8 such that you take a picture of everything, but there's a
9 really important reason why this rule is in place, and so
10 what it is is to protect the integrity -- again, we're
11 talking about we want to restore integrity and trust in
12 the system. This photography ban is a very important tool
13 in that because it prohibits the person casting the vote
14 from being able to prove to the person that bribed them
15 that they voted in the manner in which they were paid. So
16 this is a -- this is a very protective -- protection of
17 the voter, protection of the integrity of the system --
18 rule, and a violation of it is a very serious matter, so I
19 agree with David Worley's sentiment on this, and that's
20 why I seconded his motion and will vote for -- in favor of
21 it.

22 MS. SULLIVAN: Is there any further discussion? We
23 have a motion to refer this matter, case 2021-010, to the
24 Attorney General's Office, motion and a second. All in
25 favor, please vote by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: Any opposed? And there are none
3 opposed, so that motion passes. There are no more letter
4 cases pulled off the agenda to discuss individually, so at
5 this time it would be appropriate for a motion to issue a
6 letter of instruction in the remaining cases on the agenda
7 in this section.

8 MR. WORLEY: I would make that motion, Madam Chair.

9 MS. SULLIVAN: We have a motion. Do we have a
10 second?

11 MR. MASHBURN: Second.

12 MS. SULLIVAN: Is there any further discussion? All
13 in favor, please signify by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: Are there any opposed? No. That
16 motion passes. At this point, we will move on to the
17 investigation cases, starting at -- is there a list of
18 people that are here to speak on behalf of these cases?
19 Okay. Thank you. We'll start with SEB case number 2016-
20 110. This is Long County.

21 MS. WATSON: This case was previously presented
22 during the February 10th SEB meeting. The portion of the
23 case pertaining to the remaining Respondent is that 18
24 absentee ballots were being mailed to a post office box
25 which was not the registered address for the individuals.

1 The post office box belonged to Harriet Smith, the
2 complainant's opponent's mother.

3 Investigation revealed that Harriet Smith, the mother
4 of the candidate, did list her post office box in the
5 space for out of county address on the listed absentee
6 ballot applications so she could make sure --

7 MR. MARCZ: Can you hear it? Oh. I've got one.

8 MS. WATSON: -- stated that she had stated that --

9 MR. MARCZ: They hear it and then they just, like,
10 dismiss everything.

11 MS. SULLIVAN: Just a moment. There's someone who we
12 can hear on the line, if you would please mute yourself.

13 MS. THOMAS: You'll be allowed to speak when the case
14 is done.

15 MR. MARCZ: Yeah, well, maybe if you could hear
16 people talk and stop muting them because they're not nice
17 enough. Maybe you should actually hear the people talk
18 when they're on cases. It would be nice not to mute peop
19 --

20 MS. SULLIVAN: We -- at the appropriate time, we will
21 recognize individuals here to speak on this matter. If
22 you would please let Ms. Watson continue presenting this
23 case to the Board. You may proceed, Ms. Watson. I'm
24 sorry. You may need to -- I know you were overlapping
25 there.

1 MS. WATSON: That's all right. So Harriet stated
2 that she had received complaints from voters not receiving
3 their absentee ballots so the post office box was used,
4 and when the absentee ballots would arrive, volunteers
5 would then take the absentee ballots to the voters. She
6 states they never opened or handled the ballots. Harriet
7 stated that one of the absentee ballots was for her
8 daughter and three were previous residents of the group
9 home she ran. Harriet denied paying any of the volunteers
10 to get the absentee ballots delivered. When asked if she
11 listed the post office box on the applications, she stated
12 that she was sure she did some of them but not all of
13 them. There were a total of twenty absentee ballots
14 mailed to the listed mailbox and 15 were documented as
15 returned to the elections office as voted. We're
16 recommending Harriet Smith be bound over to the Attorney
17 General's Office for 21-2-381(a)(1)(d), 17 counts, and 21-
18 2-562, 17 counts, and I believe that an attorney, Mr.
19 Evans, is available for Harriet Smith.

20 MS. SULLIVAN: Mr. Evans, now would be the
21 appropriate time to speak. Thank you.

22 MR. EVANS: Can you guys hear me okay?

23 MS. SULLIVAN: We can hear you.

24 MR. EVANS: Okay. Good. And for the record, that
25 was not me speaking earlier. I just want to make that

1 clear. Maybe someone else was let in, but that was not me
2 speaking, so I just want --

3 MS. SULLIVAN: Thank you. Duly noted.

4 MR. EVANS: But I appreciate Ms. Frances and her
5 working with us through the process and good morning to
6 the Election Board members. I appreciate all of you guys'
7 hard work. I know it is a thankless job, and it's not a
8 paid job, and it's a lot of work, so I want to appreciate
9 you guys. As Ms. Frances said, my name is Jake Evans. I
10 represent Ms. Harriet Smith, and I wanted to just briefly
11 talk and provide a little bit of context and what I regard
12 as a misinterpretation of the law, and I would
13 respectfully request a dismissal or at most a letter of
14 instruction.

15 And so briefly, just the context, and the context is
16 -- and I represented Ms. Harriet Smith's son, Mr. Bobby
17 Smith, who is the probate judge of Long County, in an
18 election contest case, and I'll tell you this was a very,
19 very contentious case. It was contentious back in 2016,
20 and so there is hostility between the two, and I think a
21 lot of that explains the complaints that were filed, and
22 there were six of them: some of them related to pizzas
23 being purchased and exchanged, some of them related to
24 allegedly someone's stairs being fixed, and all that
25 proved to be insufficient evidence. And so I think a lot

1 of these complaints were filed not necessarily because
2 they're meritorious, but because there is some disliking
3 between the two.

4 So next, I'll talk a little about -- bit about Ms.
5 Smith, so Ms. Smith lives in Long County, Georgia, and she
6 has a group home, and the address, the P.O. Box, is
7 actually the group home. Ms. Smith has had this group
8 home for over 30 years, and this group home helps either
9 teenage girls who don't have parents or teenage girls who
10 are going through a difficult time get on track and move
11 their life in a very productive way, to assist them in
12 moving closer to adulthood. Over the past thirty years,
13 Ms. Smith is regarded by many in the community as a mom.
14 She's not their maternal mother, but she is someone that
15 helped raise a lot of these -- these young women, and
16 through that, she has generated a lot of close
17 relationships, and she's kind of, I would say, a stature
18 in the community. So over the years, Ms. Smith has helped
19 people in many, many different ways from helping their
20 funeral, from helping them get through school, and as a
21 part of the civic training at the group home, Ms. Smith
22 also helps these people learn how to vote and register to
23 vote.

24 So with that background, what happened in this
25 context was there was a number of young teenage girls who

1 was [sic] having trouble either getting their absentee
2 ballot, having trouble voting, and Ms. Smith assisted
3 these people. A couple of them were older. One was
4 physically disabled. Another one was illiterate. Another
5 one had just recently had surgery, and so she assisted.
6 She did not think in any way anything she did was wrong,
7 and all that she did was the absentee ballot request --
8 she put the address for it to go to was the group home.
9 It wasn't her personal home. She also lives at the group
10 home, but it's primarily her group home, and so with that
11 context, it's nothing malicious here. There is -- it was
12 a simple mistake about trying to help many, many people
13 who she regards as her daughters and she helps in the
14 community vote, and so she thought by putting that in
15 there that she was going to assist them in the process.
16 There was nothing malicious about it.

17 Now, next, I will go to the two statutes that are
18 referenced. One is 21-2-381 and section D is the one that
19 Ms. Smith is alleged to have violated, and section D says
20 except in the case of physically disabled electors
21 residing in the county or municipality of electors in
22 custody. So effectively, except if you're physically
23 disabled, no absentee ballots shall be mailed to an
24 address other than the permanent mailing address of the
25 elector as recorded in the electors' voter registration or

1 a temporary out of county or out of municipality address.
2 So what this provision clearly shows is it's on the
3 election worker to look at an absentee ballot application
4 which has an address which is not the address of the
5 elector, that applicat -- that ballot should not be
6 mailed, and that is a clear obligation that is not
7 imparted on Ms. Smith or anyone requesting a ballot. It's
8 a clear obligation which is put on the local election
9 official that -- okay, here's this application. It
10 doesn't have an address that matches the registration.
11 Therefore, we don't issue an absentee ballot.

12 So the next provision Ms. Smith is alleged to have
13 violated is 21-2-562, and this one says inserts or permits
14 to be inserted any fictitious name, false figure, false
15 statement or other fraudulent entry on or in any
16 registration card and effectively any document. Ms. Smith
17 didn't put a fraudulent piece of information. She didn't
18 put a fake name, a fake number, a fake birthday. All she
19 did was put an address which was her group home in order
20 to assist these young ladies in getting their ballots
21 because they were having trouble getting them and then
22 allowing them to then vote them the way that they voted
23 them.

24 So with these two statutes, even assuming the facts
25 as alleged, there's no violation on behalf of Ms. Smith.

1 Ms. Smith was merely trying to help in the community. A
2 frivolous, retaliatory com -- complaint was made against
3 her. She's taken this very, very seriously, but in no way
4 does the law, the clear letter of the law, state that Ms.
5 Smith violated the election code, and she's with me today,
6 and Ms. Smith, do you want to make a quick statement or
7 anything?

8 MS. SMITH: Good morning. I'm Harriet Smith. I have
9 been the director and operator of a home for over thirty
10 years.

11 MS. SULLIVAN: Ms. Smith, if you could speak up a
12 little bit, we're having a little bit of trouble hearing
13 you.

14 MS. SMITH: Yes, ma'am. I'm Harriet Smith. I am 69
15 years old. I will -- I've had the privilege of helping
16 young ladies for over thirty years. I feel like I'm just
17 helping hands in the community wherever help is needed,
18 and by no means did I know that I had done anything wrong,
19 and thank you so much.

20 MR. EVANS: Okay, so, thank you, Ms. Smith. So given
21 that background, we would respectfully submit to the Board
22 that there was no violation of the clear letter of OCGA
23 21-2-381 and OCGA 21-2-562. It was an innocent mistake.
24 Ms. Harriet obviously takes this very seriously, but we
25 would request a dismissal or at the most a letter of

1 instruction, so thank you for the Board's consideration.

2 MS. SULLIVAN: Thank you, Mr. Evans. Do any of the
3 Board members have any questions?

4 MR. WORLEY: Just -- just to be clear, Mr. Evans, Ms.
5 Smith is the mother of the candidate who was running in
6 the election?

7 MR. EVANS: That's correct. She is.

8 MR. WORLEY: Thank you.

9 MS. SULLIVAN: Any more questions by any other
10 members of the Board? At this time, I would think it
11 appropriate to entertain a motion.

12 MR. WORLEY: This is Mr. Worley. I disagree with Mr.
13 Evans' interpretation of the statute, and I would make a
14 motion that we [sound cuts out].

15 MS. SULLIVAN: I'm sorry. We lost you after you said
16 that you disagreed with Mr. Evans.

17 MR. WORLEY: I make a motion that we refer this case
18 to the Attorney General's Office.

19 MS. SULLIVAN: We have a motion --

20 MR. MASHBURN: Second.

21 MS. SULLIVAN: We have a motion and a second by Mr.
22 Mashburn. Is there any further discussion?

23 MR. MASHBURN: By way of discussion, Ms. Smith, your
24 attorney has made an excellent presentation today and has
25 a good command of the facts and probably more command of

1 the facts of this particular case and this particular
2 election of anybody in Georgia, so this is more on the
3 state of a probable cause type hearing and not the -- not
4 the end of the case, but I agree that this a -- that a
5 prima facie case has been made, and there's enough
6 evidence here to refer this over to the Attorney General's
7 Office, and so that's why I seconded the motion and will
8 vote for it.

9 MS. SULLIVAN: Thank you. We have a motion and a
10 second. Is there any further discussion? All in favor of
11 the motion, please signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: Is there any opposed? That motion
14 passes. Moving on, the next case on the agenda is SEB
15 number 2017-070, and that is the City of Sylvester. Ms.
16 Watson?

17 MS. WATSON: On November 7th, 2017, it was reported
18 that Henry Hall Woodard Center, a precinct in the City of
19 Sylvester, experienced computer issues and subsequently
20 delayed opening of poll until 8:15 to 8:30. In response
21 to the report, we sent an investigator to the poll
22 location. We met with the poll manager and the Board of
23 Elections Vice Chair. It was found that the voter access
24 cards would not load. Provisional ballots were offered
25 until the issue could be corrected with 11 voters voting

1 provisionally during that time. There were three voters
2 that chose to leave and come back later, with two of those
3 returning to vote on the machine. The issue was resolved
4 with new memory cards by approximately 8:15 to 8:30. Our
5 recommendation is for a letter of instruction be issued to
6 Worth County Board of Election and Registration and Cherie
7 Olson [ph.], Election Supervisor, for SEB rule 183-1-12-
8 .07(7).

9 MS. THOMAS: And Brandy Harris is on the line for
10 Worth County.

11 MS. SULLIVAN: Mr. Harris, you may speak.

12 MS. THOMAS: It's Ms.

13 MS. SULLIVAN: I'm sorry, Ms. Harris.

14 MS. HARRIS: Good morning. Thank you for hearing me.
15 I'm the supervisor. I've been here for about three years,
16 and as you know, the express polls are no longer used, and
17 Cherie is no longer with us, but steps that I've taken in
18 order to prevent any issues: I usually have two people in
19 place, you know, for example, one person reading the
20 instructions and one person completing the task at hand.
21 I've also spoke with the county attorney, Judge Powell,
22 about contacting the superior court judge in order to
23 extend times if we need to. Thank you for hearing me.

24 MS. SULLIVAN: Thank you very much. Does anybody
25 have any questions for her from the Board? Does anybody

1 have questions for Ms. Watson? Okay. Now would be the
2 appropriate time for a motion.

3 MR. MASHBURN: The recommendation has been for a
4 letter of instruction?

5 MS. WATSON: Yes.

6 MR. MASHBURN: Okay. I move that a letter of
7 instruct -- of instruction be issued.

8 MS. SULLIVAN: Mr. Mash -- Mashburn has moved that a
9 letter of instruction be issued in this matter. Is there
10 a second?

11 MS. LE: Anh Le, I'll second that.

12 MS. SULLIVAN: We have a motion and a second. Is
13 there any further discussion? All in favor of the motion,
14 please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: Any opposed? The motion passes. The
17 next case is SEB case number 2018-007. This is City of
18 Atlanta runoff election December of 2017. Ms. Watson?

19 MS. WATSON: Following the December 2017 runoff
20 election in the City of Atlanta, we received the following
21 reported allegations: first, that Judith Richards [ph.]
22 copied 500 to 600 absentee ballots for the December 5th,
23 2017 City of Atlanta runoff, that her supervisor Mark
24 Henderson [ph.] advised her to make the copies. It was
25 determined through interviews with Ms. Richards and Mr.

1 Henderson that these were sample ballots that were used to
2 pass out at campaign events and they had wording grade out
3 diagonally across the ballot. Hundreds of voters were
4 cast in the -- votes were cast in the runoff election by
5 voters that did not reside in the City of Atlanta. This
6 included individuals who resided in areas of Fulton County
7 that were not validly annexed into the City of Atlanta.
8 This allegation was not substantiated.

9 That votes were cast by individuals using private
10 mailbox similar to a post office box or virtual mailbox
11 address to claim residency in the city and vote: in
12 regards to this allegation, it was confirmed that there
13 were registered voters who utilized the post office box to
14 register and listed this as a residential address. Of
15 those that were listed, there were 55 that voted in the
16 November 7th, 2017 and December runoff elections with 38
17 voting in November and 46 voting in the runoff. Research
18 conducted to determine if these voters had a residential
19 address within the City of Atlanta confirmed those that
20 voted did have a City of Atlanta residential address
21 associated to them at the time.

22 Some voters that no longer resided in the city
23 continued to vote in city elections. There was no list of
24 -- provided to us to follow up on to verify. This was
25 unsubstantiated. Some voter used a business address or

1 abandoned property address to claim residency in the City
2 of Atlanta for voting. There was no list provided by the
3 complainant. Some inactive voters were turned away from
4 the polls by poll workers. Again, no list was provided by
5 the complainants or complaints reported. Some voters who
6 should have been on the automatic absentee list did not
7 have their ballots mailed until December 2nd, 2017.

8 The rate at which absentee ballots were returned in
9 the runoff election was significantly lower than the rate
10 of return in the general election, that Fulton County had
11 cited chronic problems with Atlanta -- Atlanta Post Office
12 which could cause delays in receiving absentee ballots.
13 It appeared approximately 168 ballots were rejected for
14 being returned late and that nearly 700 ballots in the
15 City of Atlanta remained outstanding. There was no list
16 of voters' names that were provided that state they did
17 not receive their ballot in a timely fashion.

18 We received an allegation in talking with voters that
19 voted the week before December 5th. It was their
20 understanding an identification was generally required,
21 yet the database field ID required in the spreadsheet
22 indicated no. This was a misinterpretation of the
23 spreadsheet. The indication in that field indicates the
24 voter has already provided identification to the
25 registrar, not that the poll worker did not have to check

1 the voter's ID.

2 Many voters were told that if they did not vote in
3 the November 7th election that they were not eligible to
4 vote in the December 5th runoff. There was no names
5 provided for voters that were told that they could not
6 vote, and we received no other complaints of that
7 allegation.

8 That 615 voters voting in the O2J were not given
9 credit for voting: the investigation found the voters were
10 given credit, but the report for the municipal election
11 provided to the complainant did not have precinct O2J
12 selected to be included in the report. When selected, the
13 information populated in the report. The votes were
14 included in the tabulation totals all along.

15 Some voters had been bused by Marta to the north end
16 of Fulton County to affect the vote in the runoff. The
17 complainant never consented to an interview or provided
18 any proof or documentation to the allegation. The voter
19 list provided to Justin Whetamin [ph.] in August of 2017
20 did not match the list of voters for the December 2017
21 runoff. The changes are regularly made to the list of
22 registrations, and this is normal. Some poll workers
23 voted in place of actual voters during periods of heavy
24 rain and that some voter certificates had been forged.
25 There was no evidence provided or located during review of

1 the voter certificates to substantiate this allegation.

2 We did review all of the voter certificates and the voter
3 list to verify that information.

4 Chief Registrar Ralph Jones transported absentee
5 ballots in his personal car to mail out for delivery
6 without an additional elections official with him. This -
7 - this was found that there was occasions of -- that Mr.
8 Jones did take the ballots that were being mailed out to
9 the post office without a second person, and that was not
10 listed as a violation of the code as it was written.

11 Some of the DRE voting machine recap sheets had
12 incorrect information on them or the poll officer failed
13 to record voting information on the forms. We did receive
14 and evaluate all of the DRE recap forms. In regards to
15 this allegation, it was determined that election personnel
16 failed to record or reported incorrect information on 120
17 DRE recap forms after the December 7th, 2017 election.
18 For example, precinct O3T, O4J: votes cast at DRE tape
19 were listed as 82 but were incorrectly recorded on the
20 recap sheet as 182, causing the total to be off by a
21 hundred. In precincts O6I, O7E, O7J, O7N listed totals
22 for one DRE as zero, but the tape indicates there were 75
23 votes on that DRE, so the total was off by 75 on the recap
24 sheet as compared to the tapes. Other omissions on the
25 recap sheet included the time the last voter voted, the

1 number of registered voters in the precinct, after the
2 polls closed seal numbers, after the polls closed count
3 numbers, and some not signed in triplicate.

4 The City of Hapeville may have voted in the City of
5 Atlanta mayoral race. The ballot in Hapeville was
6 reviewed, and no ballot included the city mayoral race.
7 That 14 oath envelopes were missing from the December 5th,
8 2017 runoff: a review of all of the oath envelopes shows
9 that they were all accounted for. The Chairperson of the
10 Board of Elections and Registration could not sign the
11 consolidated municipal certification that returned from
12 the December 5th, 2017 runoff, that the Superintendent
13 must sign the document. This was found as not a
14 violation.

15 Candidate Keisha Lance Bottoms' campaign paperwork
16 and \$3,600 to R.J. Mays Consulting whose registered agent
17 is Ralph Jones, Sr.: Ralph Jones, Sr. is the Chief
18 Registrar for Fulton County Board of Registration and
19 Elections. Both Ralph Jones, Sr. and Ralph Jones, Jr.
20 were interviewed in the Fulton County internal
21 investigation conducted by an independent company
22 regarding the allegation, and it was reviewed. It appears
23 that Ralph Jones, Sr. was not aware of his name and
24 address listed on the company filing prior to the
25 allegation. Our investigation did not find a violation of

1 the election code.

2 The Fulton County internal investigation does list
3 that with Jones, Sr. being listed as a registered agent
4 for a consulting business being paid by a mayoral
5 candidate's campaign during Jones' service as the Chief
6 Registrar gives rise to at least the appearance of a
7 conflict of interest between his private interests and his
8 public responsibilities. The report does state that there
9 did not appear to be any involvement by Mr. Jones, Sr. in
10 the day-to-day activities of the company nor to have
11 profited from the company or to have knowledge of his
12 status as a registered agent. The company was
13 administratively dissolved.

14 During their investigation, it was learned that 16
15 electors were issued absentee ballots even though they
16 failed to sign their signature on their absentee ballot
17 application. Our recommendation is for Fulton County
18 Board of Election and Registration, Fulton County Election
19 Supervisor Richard Barron be referred to the Attorney
20 General's Office for 21-2-589(2), willful admission by
21 poll officers when election personnel failed to record or
22 recorded incorrect information on 120 DRE machine recap
23 forms and Fulton County Board of Registration and Election
24 and Elections Supervisor Richard Jones [sic], Fulton
25 County Chief Registrar Ralph Jones be referred to the AG

1 for 21-2-381(4)(b)(1), determination of eligi --
2 eligibility by ballot clerks when elections personnel
3 found 16 electors eligible to receive absentee ballots
4 even though they failed to sign their signature and make
5 the mark on application for official absentee ballot.

6 MS. THOMAS: And Cheryl Ringer, the Fulton County
7 attorney, and Ralph Jones are on the line.

8 MS. SULLIVAN: Ms. Ringer, you may speak. Thank you
9 for being here.

10 MS. RINGER: Yes, ma'am, and thank you, Board, for
11 letting us speak. I wanted to point out some things
12 particularly with regards to the allegations that were
13 sustained. As you can see, there were several allegations
14 on this matter. But with regards to the incorrect and
15 erroneous information or lack of information that was
16 included on the recap sheets, so the evidence shows that
17 there was an error or, you know, a failure to complete the
18 forms, but there's no evidence of intentional or
19 deliberate action. The actual code section at 21-2-589
20 speaks to willful action by the poll workers. That's not
21 what we had here. I mean, we had information, and Ms. --
22 the investigator, Frances, just stated that, you know, in
23 some instances it was solely an error. Instead of 182,
24 they wrote 82, instead of -- you know, they failed to sign
25 some of the documents in triplicate. That is not evidence

1 of willful omissions that any sort of penalty should be
2 levied on the county.

3 You know, we are the most numerous county. For that
4 reason, we have more registered voters, and that requires
5 us to have more polling places and more workers. Workers
6 are human. They make mistakes. Yes, you know, there are
7 some things that we have to, you know, try and do to make
8 sure that mistakes are limited, but, you know, they do
9 happen. This code section, OCGA 21-2-589, is not meant to
10 penalize errors but rather intentional and deliberate
11 conduct, willful conduct, and so for that reason, we would
12 ask that any allegations with respect to -- I believe that
13 was maybe allegation number 3 -- would be dismissed, at
14 the very least a letter of instruction with regard to poll
15 worker training.

16 And let me think. I'm sorry. Let me just see about
17 the other allegations. We'd also ask for a letter of
18 instruction with regards to 21-2-381(4)(b)(1). This
19 appears also to be a matter of training and not willful
20 conduct. That's all that I had. I'm not sure if Mr.
21 Jones wanted to add anything.

22 MR. JONES: Yes. For allegation number 20, --

23 MS. SULLIVAN: If you could speak up, please.

24 MR. JONES: Okay. Can you hear me now?

25 MS. SULLIVAN: Yes. Just if you can speak up just a

1 little bit louder, I'm sorry.

2 MR. JONES: Okay.

3 MS. SULLIVAN: That's perfect. Thank you.

4 MR. JONES: For allegation number 20, we just wanted
5 to touch bases to say that our procedures have changed
6 since then, and now we are actually looking at the
7 signature verification of the process of absentee. We
8 didn't in the past mainly because anyone could request an
9 absentee application on behalf of another person, and what
10 we always have always done was to validate the ballot upon
11 return with the voter registration application, so just
12 wanted to interject that. On allegation number 20,
13 procedures have been updated to validate the request also,
14 so...

15 MS. SULLIVAN: Thank you. Do any members of the
16 Board have any questions for Ms. Ringer, Mr. Jones? If
17 not, any questions for Ms. Watson?

18 MR. WORLEY: I had a question, Ms. Sullivan.

19 MS. SULLIVAN: Go ahead.

20 MR. WORLEY: Is -- or who is the complainant in this
21 case?

22 MS. WATSON: The complainants in this case were Mary
23 Norwood [ph.] and Vincent Russo [ph.] and Justin Whetamin.

24 MR. WORLEY: Okay. And Mr. Russo was Ms. Norwood's
25 lawyer in this matter?

1 MS. WATSON: I believe that is correct.

2 MR. WORLEY: Okay. And how many total allegations
3 were made?

4 MS. WATSON: I show twenty.

5 MR. WORLEY: And how many did you find evidence to
6 sustain?

7 MS. WATSON: Three.

8 MR. WORLEY: And those were the minor allegations.
9 The major allegations of voter fraud were all
10 unsubstantiated, correct?

11 MS. WATSON: Yes, sir.

12 MR. WORLEY: And is Ms. Norwood or Mr. Russo here to
13 present their case today?

14 MS. SULLIVAN: They are not. They have not signed
15 in.

16 MR. WORLEY: Those are the only questions that I had.

17 MS. SULLIVAN: Would you like to make a motion, Mr.
18 Worley?

19 MR. WORLEY: I would -- if Ms. Watson could repeat
20 for us the allegations that were substantiated, the number
21 of those allegations in the report?

22 MS. WATSON: One second, it's at the end of the
23 report. Allegation 3, allegation 15, and allegation 20
24 were the ones that were substantiated.

25 MR. WORLEY: I would make a motion that we dismiss

1 all of the allegations except for numbers 3, 15, and 20 as
2 being unsubstantiated.

3 MR. MASHBURN: And this is Matt Mashburn. Would you
4 consider a friendly amendment that we send those three to
5 the AG?

6 MR. WORLEY: Well, no. I would just like to save
7 that for another motion -- for another motion.

8 MS. SULLIVAN: So the motion is to dismiss all of the
9 allegations except for those three. Is there a second?

10 MR. MASHBURN: Yeah. I'd just like to do them all
11 together in one motion, David, if I could --

12 MR. WORLEY: Well, I'd like to vote separately on
13 them, so I don't accept your amendment. I appreciate the
14 spirit in which it was offered, but I would like separate
15 votes on these.

16 MS. SULLIVAN: So there is not a -- at this time, we
17 do not have a second for Mr. Worley's motion. Is there a
18 second? The motion --

19 MS. LE: This is Anh --

20 MS. SULLIVAN: I'm sorry. Go ahead, Ms. Le.

21 MS. LE: I was just trying to understand, get
22 clarification. So Mr. Worley, is it your motion that you
23 want to dismiss all allegations but 3, 15, and 20, and is
24 it Mr. --

25 MR. WORLEY: That's correct.

1 MS. LE: And Mr. Mashburn, you're in agreement with
2 dismissing those, except you want to move forward with a
3 motion on 3, 15, and 20 as well; is that correct?

4 MR. MASHBURN: Correct. I think we should handle it
5 all as one case, and we should dismiss all but the three,
6 and the three that you've mentioned should go to the AG,
7 so if -- if David's motion does not go forward for lack of
8 a second, I will follow that up with a motion to dismiss
9 as David has indicated plus send the three to the AG.

10 MS. LE: I would second that motion, if that's a
11 motion, Mr. Mashburn.

12 MS. SULLIVAN: Well, at this time, we still have a
13 motion on the table from Mr. Worley. It sounds like there
14 is not a second, so that motion will fail for a lack of a
15 second. At this time, I can entertain a second motion.

16 MR. MASHBURN: I -- this is Matt Mashburn. I move
17 that the cases -- the allegations -- what were they again?

18 MS. SULLIVAN: 3, 15, and 20.

19 MR. MASHBURN: 3, 15, and 20 be referred to the
20 Attorney General's Office and that all other allegations
21 be dismissed, which I believe is the recommendation of the
22 investigator, so I move that we adopt the recommendation
23 of the investigator.

24 MS. SULLIVAN: We have a motion. Is there a second?

25 MS. LE: This is Anh Le. Mr. Worley, it seems that

1 we're in agreement that we should dismiss those
2 allegations in Mr. Mashburn's motion, so -- and it looks
3 like we're adopting the recommendations to send to the
4 Attorney General's Office. I'm not sure if there's a
5 discussion as to your reservation for that, but if there
6 isn't, I would like to go ahead and second this motion.

7 MS. SULLIVAN: Thank you for your second. Now would
8 be the time for any further discussion.

9 MR. WORLEY: I'll support that motion as it now
10 stands.

11 MS. SULLIVAN: Thank you. Is there any further
12 discussion? We have a motion and a second on the table.
13 All in favor, please signify by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: And there are none opposed, and that
16 motion passes. At this time, we're going to take a 10-
17 minute break. We will be back at 10:45. Thank you.

18 (Meeting break)

19 (Meeting resumes)

20 MS. SULLIVAN: This is Rebecca Sullivan. Let's go
21 ahead. It's 10:45. We'll call this meeting back to
22 order. The next item on the agenda is SEB case 2018-039,
23 tab number 60. Ms. Watson?

24 MS. WATSON: Yes. 2018-039, a council member Koontz
25 stated when she was voting on May 22nd, 2018, she realized

1 something was wrong when the house representative she
2 wanted to vote for was not on her ballot. She then went
3 to the DeKalb County voter registration office and spoke
4 with an unknown person who advised her it was a mistake,
5 and she had been placed in the wrong district. Georgia
6 Representative Scott Holcomb, who represents House
7 District 81, reported scores of voters were moved out of
8 his district into House District 79 incorrectly.

9 Investigation revealed the DeKalb County
10 redistricting supervisor advised that in 2012 while
11 redrawing the district map in Doraville, she made a
12 mistake and overlooked moving 864 voters that were in
13 House District 79 into House District 81. The error was
14 not corrected until July 31st, 2018. There was 122 voters
15 that voted in the wrong district. The error did not
16 impact the election results. Our recommendation is for
17 DeKalb County Board of Election and Registration, Glenda
18 Woods, redistricting supervisor, be referred to the AG's
19 Office for 21-2-226 and also to dismiss the violation for
20 former Elections Supervisor Maxine Daniels.

21 MS. THOMAS: And on the line we have Irene Vander Els
22 and also Melanie Wilson.

23 MS. LE: Ms. Sullivan, this is Anh Le. Before we
24 proceed further, I'd like to recuse myself from this case,
25 please.

1 MS. SULLIVAN: Noted, thank you.

2 MS. VANDER ELS: Good morning. This is Irene Vander
3 Els. I'm here on behalf of DeKalb County, and I just
4 wanted to provide some information regarding our current
5 processes with regard to redistricting. First, as soon as
6 the matter was brought to the attention of the Board, an
7 extensive review was conducted to ensure that House
8 District 81 was the only area affected by this
9 redistricting issue. The districts were corrected
10 immediately upon the completion of an ongoing election at
11 the time, which was not affected by those issues. The
12 process now includes internal buffer deadlines to ensure
13 the staff has adequate time to review all districting
14 changes before they're finally implemented. The
15 redistricting will be made in teams of at least two people
16 to ensure that the changes are made correctly and reviewed
17 by management before they are finalized. And finally, our
18 current Elections Director Erica Hamilton as well as our
19 former Director Maxine Daniels and Ms. Glenda Woods are
20 all on the line if there are any questions.

21 MS. SULLIVAN: Was there anyone else who would like
22 to speak on this case?

23 MS. THOMAS: No, thank you.

24 MS. SULLIVAN: Do any of the Board members have any
25 questions? If not, now would be an appropriate time for a

1 motion. Ms. Watson, could you repeat the recommendation,
2 please?

3 MS. WATSON: Yes. The recommendation is to refer to
4 the Attorney General's Office DeKalb County Board of
5 Elections and Registration and Glenda Woods, redistricting
6 supervisor, for violation of 21-2-226 and dismiss
7 violation for Maxine Daniels, former Elections Supervisor.

8 MR. MASHBURN: Matt Mashburn, I move that we accept
9 the recommendation of the investigators.

10 MR. WORLEY: This is David Worley. I second that
11 motion.

12 MS. SULLIVAN: We have a motion and a second. Is
13 there any further discussion? All in favor of the motion,
14 please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: Any opposed? No. Let the record
17 reflect that Ms. Le recused herself from that case, and
18 the motion passes. Next is SEB case 2018-048, Sumter
19 County. Ms. Watson?

20 MS. WATSON: The complainant went to vote at the
21 Plains precinct at approximately 7:05 A.M. and left at
22 7:36 A.M. and still had not voted. The express polls
23 would not issue voter access cards. The complainant asked
24 for a provisional ballot. The poll manager called the
25 Elections Office to ask about issuing them and started

1 passing them out. She was asked about the provisional
2 envelopes, and the complainant reported the poll worker
3 did not have a clue. The manager looked in the supplies
4 and then called the elections office to ask about the
5 issue. There were no envelopes, and she then told them
6 that the Election Supervisor preferred that the voters
7 wait for him to get there to fix the express polls. In
8 addition, there were only six provisional ballots, and the
9 voters who were waiting would have used all of them. Four
10 of the voters left without voting.

11 It was determined that two express polls had gotten
12 placed back in the incorrect precinct case and was
13 delivered to the wrong precinct. Once they were switched
14 out, the express polls, voting was able to start as
15 normal. The precincts were on opposite ends of the county
16 and took until approximately 9:30 A.M. to complete the
17 change of polls for both precincts. The poll manager for
18 the Plains voting precinct advised that this was their
19 first election as the poll manager, and she recalls that
20 one express poll was working, and the other was not. She
21 stated that she could not recall if she could not locate
22 the provisional envelopes or if they did not have any.
23 She stated she issued only one provisional ballot. The
24 poll manager for the Plains precinct stated it took
25 approximately 45 minutes to resolve the issue and that she

1 did not feel that the one-hour training that she received
2 was adequate training for a poll manager.

3 Voter Mr. Duhall [ph.] reported that he completed
4 what he believed to be a paper ballot, and the poll
5 manager reported issuing a provisional ballot, but there
6 is no record of a provisional ballot being counted. Our
7 recommendation is for Sumter County Board of Elections and
8 former Elections Supervisor Robert Brady be referred to
9 the Attorney General's Office for violation of SEB rule
10 183-1-12-.02(4)(d), OCGA 21-2-403, 21-2-328(a), and 21-2-
11 418(a)(8).

12 MS. THOMAS: And Hayden Hooks is on the line to speak
13 on behalf of Sumter County.

14 MS. HOOKS: Can y'all hear me well?

15 MS. SULLIVAN: We can. Go ahead.

16 MS. HOOKS: Okay. Good morning. I'm Hayden Hooks,
17 and I'm the attorney for Sumter County Board of Elections,
18 and the Board and I just join the others who have thanked
19 y'all for your volunteer efforts this morning, and while
20 the Board does not dispute the majority of the facts that
21 Ms. Watson presented, we would ask that instead of a
22 recommendation for referral to the Attorney General that
23 the Board would issue either a letter of instruction or
24 dismiss this case.

25 Since this is from 2018, this complaint involves the

1 old voting machines, and I think, as Ms. Watson mentioned,
2 it is also the actions of the Board's former supervisor of
3 elections. When the Board was preparing for the primary
4 runoffs in July of 2018, the express poll cards were
5 placed into boxes -- into the wrong labeled boxes and that
6 meant that the poll cards for one precinct went to the
7 wrong -- the two precincts were switched, and so -- and
8 the poll manager involved in this complaint was a new
9 employee. The regular poll manager for the precinct was
10 not able to work the runoff, and so she -- she was new
11 that day and so that may speak to her lack of training,
12 but since then, both the former supervisor and the current
13 supervisor have trained employees on the importance of
14 tracking equipment and ensuring that the correct equipment
15 arrives at each precinct, and it is my understanding that
16 no employee of the Board has committed a similar error
17 since this election. While I have not contacted the
18 voters identified directly, the former supervisor did, and
19 it's his understanding that rather than the four
20 individuals who could not vote, there was only one
21 individual who was unable to vote due to these errors.

22 I spoke to Ms. Watson last week, and she explained
23 that her recommendation for a referral to the Attorney
24 General's Office rather than a letter of instruction was
25 based on an error in the January -- a similar error in the

1 January 2021 runoff election. In that election, a
2 representative of Dominion who was assigned to assist the
3 Board distributed the poll pads to two precincts
4 incorrectly, and so -- and when she was doing that, the
5 representative relied on the number that had been assigned
6 to each precinct rather than the name of the precinct, and
7 so to avoid that problem happening again, the supervisor
8 has labeled the new poll pads with the precinct name
9 rather than number and that led to a successful use last
10 election in March with no problems with equipment.

11 And again, because this complaint involves the old
12 voting equipment and the actions of a former employee and
13 because these remedial measures and training have been
14 implemented, I ask that the Board would honor the Sumter
15 County Board of Elections' request for a lesser sanction
16 than a referral to the Attorney General. And we're
17 available for any questions. I think Mr. Brady was trying
18 to participate as well, but I'm sure if he's still on the
19 line.

20 MS. SULLIVAN: Okay. Thank you. Mr. Brady?

21 MR. BRADY: Yes, ma'am.

22 MS. THOMAS: Mr. Brady, you're unmuted. You can
23 speak if you'd like to.

24 MR. BRADY: No, ma'am. I really don't have anything
25 to offer to this. This was something that was a one-off

1 error and a combination of errors. There wasn't any
2 intent to do anything incorrectly, and I really don't have
3 anything to comment beyond that. Thank you for the
4 opportunity.

5 MS. SULLIVAN: Do any Board members have any
6 questions?

7 MR. MASHBURN: This is Matt Mashburn. I don't have
8 any questions, but I think the attorney made a very good
9 presentation, excellent presentation, with the case, and
10 I'm sympathetic with the hardworking people who try to do
11 their very best to put on the elections. The only -- the
12 problem is -- is that they're the two worst things that
13 could possibly happen is the voter that presents
14 themselves at the poll to vote doesn't get to vote, and
15 the second equally worse thing is that somebody who
16 shouldn't be voting is allowed to vote. So you've got one
17 of the two here and so I don't think it's appropriate to
18 handle this with a letter of instruction. I think just
19 because of the gravity of the -- of sending a voter away
20 who presented themselves, and -- and not to respond to
21 public opinion but to reflect that this -- this potential
22 is treated very seriously by the Board, I think that we
23 should refer this to the Attorney General and make a
24 motion that we do so.

25 MS, SULLIVAN: Right. We have a motion on the table

1 to refer this matter to the Attorney General. Do we have a
2 second?

3 MR. WORLEY: I will second that motion for the same
4 reasons Mr. Mashburn expressed.

5 MS. SULLIVAN: We have a motion and a second. Is
6 there any further discussion? If not, all in favor of the
7 motion, please signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MS. SULLIVAN: Any opposed? The motion passes. The
10 next case on our agenda is SEB case 2018-088, Bulloch
11 County.

12 MS. WATSON: In November of 2018, we received a
13 complaint alleging Bulloch County Election Supervisor
14 Patricia Jones failed to comply with the court order
15 injunction filed on October 25th, 2018. The court order
16 concerned absentee ballot applications and absentee
17 ballots where there was a rejection solely due to a
18 signature mismatch. Investigation revealed 30 voters were
19 identified that would be subject to the federal court
20 order filed during the November 6th, 2018 general
21 election. Four of those were identified as having voted
22 in person, leaving 26 voters. The remaining 26 had no
23 records of voting during the November 6th, 2018 election.
24 Out of the 13 that could be contacted, only 3 remembered
25 receiving a rejection letter, and two remembered receiving

1 an absentee ballot.

2 The Election Supervisor Patricia Jones advised she
3 could not recall if any additional letters or ballots were
4 sent to those voters who were rejected based on signature
5 mismatch. Patricia Jones stated that when they receive an
6 absentee ballot request with issues, they call or send
7 letters and do everything in their power to make sure
8 every vote counts. The county attorneys stated the
9 county's practice was to send out letters and do so prior
10 to the court order being filed. The election
11 documentation was reviewed, and no rejection letters were
12 located for three voters with rejected absentee ballot
13 applications. The rejection letters on file were all
14 dated prior to the date of the federal court order. Our
15 recommendation is for Patricia Jones, the Elections
16 Supervisor, and Bulloch County Board of Elections and
17 Registration be referred to the AG's Office for 21-2-381
18 (b)(3), for failing to promptly notify three voters in
19 writing that their application for absentee ballot had
20 been rejected due to a signature mismatch issue.

21 MS. SULLIVAN: We have no one on the line to speak
22 regarding this matter. Do any of the Board members have
23 any questions for Ms. Watson?

24 MR. MASHBURN: This is Matt Mashburn. I don't have
25 any questions, but I move that we ad -- adopt the

1 recommendation of the investigators and proceed
2 accordingly.

3 MS. SULLIVAN: Is there a second?

4 MR. WORLEY: I would --

5 MS. LE: Anh Le, second.

6 MS. SULLIVAN: Ms. Le has seconded the motion. Is
7 there any further discussion?

8 MR. WORLEY: Only that I found this a very disturbing
9 report in that the Superintendent seemed to be willfully -
10 - acting willfully, so I would concur in referring it.

11 MS. SULLIVAN: Thank you. We have a motion and a
12 second. All those in favor, please signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MS. SULLIVAN: Is there any opposed? Motion passes.
15 Next case on the agenda is SEB case number 2018-109, and
16 this is Fulton County.

17 MS. WATSON: On November 6th, 2018, Nan Harmon [ph.]
18 advised that while voting at the Hopewell Baptist Church,
19 she filled out the initial form, and her information was
20 entered into the computer. She was asked if she had also
21 requested an absentee ballot. She stated that she had not
22 requested one. In researching the circumstances, it was
23 found that an absentee ballot application was submitted in
24 the complainant's name dated October 15th, 2018. The
25 signature appeared to be that of the complainant. The

1 complainant was shown the signature and acknowledged that
2 the signature is hers. The complainant voted via absentee
3 and then again in person during the November 6th, 2018
4 election. Our recommendation is for Nan Caroline Harmon
5 to be referred to the AG's Office for violation of 21-2-
6 572 and for Fulton County Board of Registration and
7 Elections, Elections Superintendent Richard Barron, and
8 Kenneth Sanford [ph.], the poll -- poll manager, be
9 referred for violation of SEB rule 183-1-14-.09 and also
10 for 21-2-590.

11 MS. SULLIVAN: There is no one here to speak on
12 behalf of this matter. Does any Board member have any
13 questions for Ms. Watson? If not, now would be the
14 appropriate time for a motion.

15 MS. LE: This is Anh Le. I move to adopt the
16 recommendation and send this to the Attorney General's
17 Office.

18 MR. MASHBURN: Second.

19 MS. SULLIVAN: We have a motion by Ms. Le and a
20 second by Mr. Mashburn. Is there any further discussion?
21 All those in favor, please signify by saying aye.

22 THE BOARD MEMBERS: Aye.

23 MS. SULLIVAN: And there is none opposed. That
24 motion passes. The next case is case number 2019-048,
25 City of Waynesboro.

1 MS. WATSON: In this case, the complainants were
2 candidates during the November 5th, 2019 municipal general
3 election in the City of Waynesboro. They alleged there
4 were 148 unaccounted absentee ballots. They believed some
5 absentee ballots were intentionally mailed late. They
6 alleged the number of voters on Election Day were fewer
7 than the number reported.

8 Investigators revealed the absentee ballot
9 documentation did not substantiate the specific listed
10 allegations. It was verified that many voters were mailed
11 absentee ballots, but they were never returned. The list
12 provided by the complainant of voters that she had
13 concerns about were investigated. 58 were mailed an
14 absentee ballot, and it was not returned, 9 were rejected,
15 and 5 voted. It was verified that 22 absentee ballot
16 requests were not processed and mailed within 3 business
17 days of receiving the applications.

18 The complainant also stated that the number listed as
19 voting on Election Day was not accurate. The number was
20 much less than what was listed. The investigator reviewed
21 the voter certificates from Election Day, and the number
22 was confirmed as reported as 487. Our recommendation is
23 for Burton County Board of Election and Registration and
24 Supervisor Laverne Sellow be referred to the Attorney
25 General's Office for SEB rule 183-1-14-.11, failing an

1 issuance of ballots, in that they failed to make a
2 determination and mail or issue absentee ballots to
3 eligible applicants with 3 days -- business days after
4 receiving the absentee ballot application, 22 counts.

5 MS. SULLIVAN: Thank you, Ms. Watson. No one has
6 signed up to speak regarding this case. Do any of the
7 Board members have any questions for Ms. Watson regarding
8 her recommendation or the investigation?

9 MR. MASHBURN: No questions, but I move that we adopt
10 the recommendation.

11 MR. WORLEY: Second.

12 MS. SULLIVAN: We have -- we have a motion and a
13 second by Mr. Worley. Any further discussion? All in
14 favor, please signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: And there are none opposed. The
17 motion passes. Moving on, the next case is 2019-049, City
18 of Palmetto.

19 MS. WATSON: On November the 12th, 2019, we opened an
20 investigation concerning a complaint that the City of
21 Palmetto changed its municipal polling location without
22 notice. The investigation showed the assigned polling
23 location for Coweta -- Coweta County residents who reside
24 in the City of Palmetto is the Palmetto City Hall. The
25 assigned polling location for the City of Palmetto

1 residents that are in Fulton County is the Palmetto
2 Library, which is the same as their county's polling
3 location. The municipal elections are always held at City
4 Hall in Palmetto. The Election Net system was checked to
5 verify who made the change for Fulton County residents in
6 the City of Palmetto from the City Hall location to the
7 library location.

8 It was determined that Fulton County Elections
9 employee W. Moss [ph.] had made the change in Election Net
10 on March 11th, 2016. Ralph Jones with Fulton County
11 responded that they would have made the change in the
12 system if the Fulton County Board of Elections and
13 Registration approved it. Mr. Jones further stated that
14 no municipality has a different location in their
15 municipality than we have for the county. Mr. Jones
16 further stated that the municipalities were told that if
17 they have a different poll location than what they had for
18 other elections, they run the risk of disenfranchising
19 voters by confusing them as voters go to another location
20 for municipal elections. Mr. Jones further stated that
21 Wandrea Moss would have made the change at his direction.

22 The City of Palmetto wishes to keep the City Hall
23 location for listed municipal elections. The voter
24 registration cards issued to the City of Palmetto
25 residents that live in Fulton County list the incorrect

1 poll location, creating confusion among voters in the City
2 of Palmetto during the November 5th, 2019 election. Our
3 recommendation is to refer to the Attorney General's
4 Office Fulton County Board of Registration, Richard
5 Barron, Director of Fulton County Registration and
6 Elections, Ralph Jones, Chief Registrar, and Wandrea Moss
7 for 21-2-226, duties of county boards in the duty to place
8 in proper precinct.

9 MS. THOMAS: And Cheryl Ringer and Ralph Jones are on
10 the line.

11 MS. SULLIVAN: Ms. Ringer, go ahead.

12 MS. RINGER: Yes, Madam Vice Chair. We did not
13 receive the investigative report for case number 2019-049
14 or the previous matter that was discussed for Fulton
15 County. I just was slow to the queue. And so we would
16 ask that this matter would be continued until the next SEB
17 meeting date such that we could receive the information
18 and be prepared to respond. Mr. Jones, did you have
19 anything you want to say?

20 MR. JONES: No, thank you.

21 MS. SULLIVAN: Is there a motion to postpone this
22 case to the next meeting pursuant to the request?

23 MR. WORLEY: I'll make that motion.

24 MS. SULLIVAN: Is there a second?

25 MS. LE: Anh Le, I'll second it.

1 MS. SULLIVAN: Okay. We've got a motion and a second
2 to postpone 2019-049 until the next meeting. Any further
3 discussion? All in favor, please say aye.

4 THE BOARD MEMBERS: Aye.

5 MS. SULLIVAN: Any opposed? Then, that motion
6 passes, and we will continue that case. Next on the
7 agenda is case 2020-031, DeKalb County.

8 MS. WATSON: Yes --

9 MS. LE: This is Anh.

10 MS. WATSON: June 10th, 2020 --

11 MS. SULLIVAN: Just a second. Yes, Ms. Le? Ms. Le,
12 did you have something?

13 MS. LE: Yes. I'm sorry. I would like to recuse
14 from this case, please.

15 MS. SULLIVAN: Okay. We'll note it for the record.
16 Please go ahead, Ms. Watson.

17 MS. WATSON: Okay. On June 10th, 2020, a DeKalb
18 County poll manager reported an incident that occurred
19 during the 2020 primary election. It was alleged that a
20 voter at the First Baptist Church precinct in Clarkston
21 had arrived after 7 P.M., but the voter, James Emerson
22 [ph.], became irate that he was offered a provisional. He
23 then asked to use a table where a poll worker was
24 assisting another voter and was asked to wait. He then
25 kicked over the table and began cussing at the poll

1 worker. The voter completed the process and left while
2 the poll worker attempted to contact the Elections Office
3 for advice. The voter was contacted and stated that he
4 did kick over the table out of frustration. The voter
5 alleges that the poll worker told him to stay back and
6 pushed him as he attempted to use the table. The poll
7 worker was contacted for further detail and a response as
8 to the voter's account. She advised she was no longer
9 interested in participating in the investigation.

10 Other poll worker statements support the report that
11 Mr. Emerson kicked over the table and was cussing at the
12 poll worker. Our recommendation is for James Emerson to
13 be referred to the Attorney General's Office for a
14 violation of 21-2-566.

15 MS. THOMAS: And Trina Lipscomb is on the line to
16 speak on this case.

17 MS. SULLIVAN: Ms. Lipscomb, go ahead.

18 MS. THOMAS: Ms. Lipscomb, you may unmute yourself.
19 Ms. Lipscomb, you can unmute yourself using your toolbar.

20 MS. SULLIVAN: Does anyone have any questions
21 regarding this matter for Ms. Watson?

22 MR. MASHBURN: I don't have any questions. This is
23 Matt Mashburn. I don't have any questions, but so many
24 times on so much of these is us doing -- and taking care
25 of matters accused -- of poll workers doing something

1 wrong. I think this is an important case for us to let
2 the poll workers know and everybody out there that the
3 Election Board thanks them for their service, and there's
4 been a lot of stories about this recent election of people
5 being intimidated and threatened and death threats and
6 having their pictures put on the Internet, doxed, so I
7 think my motion will be to refer this to the Attorney
8 General's Office but also to make a comment at the time of
9 doing so that we want to make sure that the poll workers
10 who are doing this, a lot of them, out of the goodness of
11 their hearts -- that we have their back. So I move that
12 we refer this to the Attorney General as recommended.

13 MS. SULLIVAN: Thank you, Mr. Mashburn. I second
14 your motion as stated. Is there any further discussion?

15 MR. WORLEY: I would agree with Mr. Mashburn's
16 comments, and I -- I found this case to be very
17 disturbing. We don't often get reports like this from the
18 polls, and I think the Attorney General's Office, if
19 they're able to enter into a consent order with the
20 Respondent, should only do so if they have a -- along with
21 the imposition of a strong fine.

22 MS. SULLIVAN: Thank you. Ms. Lipscomb, it looks
23 like you were able to unmute yourself. Would you like to
24 speak at this time?

25 MS. THOMAS: You're unmuted. You can go ahead and

1 start speaking.

2 MS. SULLIVAN: Okay. The motion on the table is to
3 refer this matter to the Attorney General's Office. We
4 have a second, and if there's no further discussion, all
5 in favor please vote by saying aye.

6 THE BOARD MEMBERS: Aye.

7 MS. SULLIVAN: Were there any opposed? None. And
8 Ms. Le recused herself regarding that matter, and the
9 motion passes. The next case is 2020-032, Greene County.

10 MS. WATSON: Yes. Kathleen Mayers, the Election
11 Supervisor of Greene County Board of Elections and
12 Registration, reported that voter Lester Smith became
13 enraged, got loud and disruptive after he was informed he
14 had to cast a vote by provisional ballot due to a voter
15 registration issue during the June 2020 general primary
16 election. It was reported that Lester Smith and his wife
17 entered the poll to vote. Mr. Smith was informed that his
18 voter registration was in Franklin County. They offered
19 to register him in Greene, and he could vote by
20 provisional. Mr. Smith became outraged and began shouting
21 that he was registered in Greene County, had voted at that
22 location previously.

23 The voter's outburst created a situation in which the
24 poll manager stopped what she was doing and explained his
25 options which included returning to Franklin County to

1 vote. This made matters worse, and Mr. Smith advised he
2 had already voted, and he was not voting provisional, made
3 insults to the poll workers, and accused them of wrecking
4 the election. The poll manager went to call the sheriff's
5 office at which time Mr. Smith left the poll location. A
6 review of the voter history for Mr. Smith reveals his last
7 vote was in 2018 in Franklin County, Georgia. Going back
8 to 1996, there was no voter history for Mr. Smith in
9 Greene County. There was no history of a voter
10 registration being submitted for Mr. Smith in Greene
11 County.

12 Mr. Smith contacted me after receiving the notice for
13 this hearing, and after speaking with Mr. Smith, it would
14 appear he became defensive because he perceived the poll
15 worker called him a liar when he said he voted previously
16 in Greene County. He was at the voting location with his
17 wife that had some mobility and stability issues, and when
18 the poll worker told him to leave, he was adamant that he
19 was not leaving until his wife was through voting, and he
20 could escort her out. He did tell the poll worker that if
21 she wanted to call the police to go ahead. Having spoke
22 to the Respondent, I would recommend a letter of
23 instruction be issued to Lester Smith for 21-2-566(2), as
24 there appeared to be a conflict between him and the poll
25 manager, and he does realize that this was not the

1 appropriate response at that particular time but was
2 adamant that he was not going to leave without his wife.

3 MS. THOMAS: And Mr. Smith is on the line.

4 MS. SULLIVAN: You may speak, Mr. Smith.

5 MR. SMITH: Yes. Can you hear me?

6 MS. SULLIVAN: Yes. We can hear you. Please go
7 ahead.

8 MR. SMITH: Can you hear me?

9 MS. SULLIVAN: Yes. We can hear you. Can you hear
10 us?

11 MR. SMITH: Can you hear me?

12 MS. SULLIVAN: Yes. We can hear you.

13 MR. SMITH: Hello.

14 MR. MASHBURN: Can you hear us, Mr. Smith?

15 MS. SULLIVAN: Mr. Smith, we can hear you.

16 MR. SMITH: I am speaking.

17 MS. THOMAS: Go ahead. You can go ahead, Mr. Smith.

18 MS. SULLIVAN: He can't hear us.

19 MS. THOMAS: I'll write him and tell him that we can
20 hear him.

21 MR. SMITH: Can you hear me?

22 MS. SULLIVAN: Yes. We can hear you, but we believe
23 that you're unable to hear us.

24 MR. SMITH: Can you hear me?

25 MS. SULLIVAN: I'm sorry. You know what we'll do is

1 we'll go ahead and move on to the next case on the agenda,
2 if someone could let him know and try to work out that
3 problem. I'll like him to have the opportunity to speak
4 on his behalf in response to this case, so we will -
5 -

6 MS. THOMAS: He said all sound went away.

7 MS. SULLIVAN: Okay. So while we work out that --
8 that technical difficulty for that Respondent, we're going
9 to move back to SEB case number 2018-088, Bulloch County.
10 It's my understanding that there are two mem -- two people
11 that signed up to speak on that case that did not get an
12 opportunity to speak, and I would like to recognize them
13 now to do so.

14 MS. THOMAS: Pat -- Pat Jones is not on. Kathy
15 Anderson? No Kathy.

16 MS. SULLIVAN: Okay. While we look for -- try to
17 resolve those technical difficulties, we can go ahead and
18 move on to Floyd County, case 2020-041, and we will come
19 back to case 088, 2018-088 and 2020-032 later on in the
20 meeting. Ms. Watson, could you present 2020-041, Floyd
21 County?

22 MS. THOMAS: Is she under a phone number?

23 MS. WATSON: In May of 2020, Katie Dempsey and her
24 husband Frank Dempsey [ph.] reported that they received
25 multiple unsolicited applications for absentee ballots in

1 the mail. These applications reflected incorrect voter
2 registration numbers. After conducting research of their
3 voting records, Katie Dempsey made the following
4 allegations: Frank Lynn Dempsey has two voter registration
5 numbers, Katie Dempsey may have two voter registration
6 numbers, Katie and Frank Dempsey voted in the 2020
7 presidential primary in March and the presidential primary
8 selection also appeared on their 2020 primary election
9 ballot, Katie and Frank Dempsey requested absentee ballots
10 for the 2020 primary election, and their ballots were
11 mailed to Mrs. Dempsey's business address instead of their
12 home address as requested.

13 As to Frank Dempsey having two voter registration
14 numbers, it was found that the duplicate was created when
15 he completed a Department of Driver Services process and
16 listed his name as F. Lynn Dempsey, which was different
17 than Frank Lynn Dempsey, which generated a separate voter
18 registration number. Katie Dempsey was only found to have
19 one voter registration number in the system. As to Mrs.
20 Dempsey voting in the March presidential primary and then
21 receiving the presidential preference selections on their
22 June ballot as well, it appears that the credit for early
23 voting was not listed in Election Net for Mrs. Dempsey for
24 the March presidential primary until June 23rd, 2020,
25 after the June elections. This would have be listed as

1 eligible voters in the system for the March presidential
2 primary, allowing her to vote twice in the presidential
3 preference primary. As to Mr. Dempsey having the March
4 presidential preference primary listed again on the June
5 ballot, it was determined this occurred as a result of the
6 duplicate voter registration which allowed him to vote
7 twice in the March PPP.

8 The former Elections Supervisor Robert Brady advised
9 he recalled working with Mrs. Dempsey and locating and
10 entering the credit for voting for her for the March
11 presidential preference but could not recall any specific
12 details. The 2020 PPP in person applications for absentee
13 ballots for the Dempseys could not be located by Floyd
14 County elections staff. Our recommendation is for Floyd
15 County Board of Election and Registration and former Floyd
16 County Chief Clerk of Elections Robert Brady be referred
17 to the AG's Office for Board rule 183-1-12-.19, when his
18 office failed to enter 2020 presidential preference
19 primary election data into Election Net in a timely
20 manner, and 21-2-73, preparation of primary election
21 results when the County was unable to find two 2020
22 presidential preference applications for in person
23 absentee ballots and two 2020 primary election
24 applications for absentee ballots.

25 MS. THOMAS: And Virginia -- Virginia Harman is on

1 the line for Floyd County.

2 MS. SULLIVAN: Ms. Harman, go ahead.

3 MS. HARMAN: Yes, thank you. I am the Floyd County
4 attorney. I only came into this position in July, so my
5 personal knowledge about what happened at the time is
6 based on my conversations with our interim Elections Chief
7 Clerk, Ms. Vanessa Wadell, who's also on the line, and our
8 current Chair of our Board of Elections and Registration,
9 Dr. Melanie Conrad, who's also participating.

10 It does appear that Mr. Dempsey's duplicate
11 registrations had their genesis in his getting a new
12 driver's license. As we all know, the requirements for
13 those licenses changed, and as we began to use a
14 consistent name, Mr. Dempsey, who is a friend of mine and
15 who's a longtime friend, has gone by Lynn Dempsey for most
16 of his life, and so I think his initial registration used
17 his first initial, F, and then his name, Lynn, that he
18 goes by, Dempsey. And when he got his new driver's
19 license, it was changed, of course, to Franklin Lynn
20 Dempsey, which is his full name.

21 I -- I don't know why that wasn't caught earlier. I
22 do know as soon as it came to the attention of our current
23 interim Chief Elections Clerk, Vanessa Wadell, she
24 corrected those records, and I think -- believe she has
25 located the complete records that Investigator Watson was

1 just speaking of. I have not -- I did not receive a copy
2 of any recommendation from the investigator's office, so I
3 would like the opportunity to supplement the record, if
4 need be, to -- to add those records to the investigative
5 file. I believe that my Board and my current Elections
6 Chief have done everything that they could to address
7 these issues. I would ask on their behalf that if you
8 choose to go forward that a letter of instruction be
9 provided.

10 No intentional wrongdoing has been -- I don't know if
11 Mr. Brady is still on the line. He is our former Chief
12 Elections Clerk. I don't know what happened with the PPP
13 record of voting that's been address, but I do know that
14 our current Board and our current interim Elections Chief
15 Clerk are addressing any and all issues that have occurred
16 in regards to this matter, and perhaps, Vanessa, if you're
17 on, you might want to supplement that as well.

18 MS. SULLIVAN: Thank you, Ms. Harman. Is there
19 anyone else on the line that is asking to speak?

20 MS. THOMAS: No one is asking to speak, but Mr. --

21 MS. HARMAN: Dr. Melanie Conrad, I know is on the
22 line.

23 MS. SULLIVAN: She has not asked to speak. Do any of
24 the Board members have any questions for Ms. Harman?

25 MR. MASHBURN: I don't -- this is Matt Mashburn. I

1 don't have any questions. I'm -- I'm persuaded by the
2 attorney's argument here. I think it was an excellent
3 argument and would be inclined to accept their request for
4 a letter of instruction or their suggestion of a letter of
5 instruction, so I move that we adopt and issue a letter of
6 instruction in this case. Also, Katie Dempsey is a state
7 representative and was the one who brought the matter to
8 the Board's attention, and so I just want to just state
9 for the record clearly that she is in no way being accused
10 of having done anything wrong in any way other than to
11 have reported this issue, so I just wanted to be very
12 clear on the record with that. She's served in the
13 General Assembly in an exemplary fashion, so with that, I
14 move that we issue a letter of instruction as requested by
15 the county's attorney.

16 MS. SULLIVAN: Mr. Mashburn has made a motion that a
17 letter of instruction be issued in this case. Is there a
18 second?

19 MS. LE: This is Anh Le.

20 MR. WORLEY: I will -- I'm sorry, Anh.

21 MS. LE: Sorry. Go ahead, Mr. Worley.

22 MR. WORLEY: I -- I would second that.

23 MS. SULLIVAN: Okay. Mr. Worley has seconded Mr.
24 Mashburn's motion. Is there any further discussion?

25 MS. LE: This is Anh Le. I --

1 MS. SULLIVAN: Go ahead.

2 MS. LE: I was just going to make the comment that
3 given that the mistakes resulted in double voting, I'm
4 just more inclined to send this to the Attorney General's
5 Office with a request that, you know, any agreement or
6 consent that they come to with the county election
7 officials, that it includes training and clear evidence of
8 it, only because the error resulted in double voting of
9 electors. I do appreciate the attorney's presentation
10 today to articulate the changes that have been made, but I
11 do want to understand that they've put sufficient training
12 in place and evidence of it with the AG's Office.

13 MR. WORLEY: I -- I will withdraw my second and make
14 a motion that we send it to the Attorney General's Office,
15 based on Ms. Le's argument.

16 MS. SULLIVAN: Okay. The motion -- the second's been
17 withdrawn. The motion fails for lack of a second, and at
18 this point, I will make a -- entertain a second motion,
19 Mr. Worley.

20 MR. WORLEY: So moved to refer to the Attorney
21 General's Office because of double voting.

22 MS. SULLIVAN: Do we have a second?

23 MS. LE: This is Anh Le. I'll second that motion.

24 MS. SULLIVAN: Okay. We have a motion and a second
25 to refer the matter to the Attorney General's Office. Is

1 there any further discussion? All in favor, please
2 signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: Any opposed? None opposed, and that
5 motion passes. The next case is 2020-045. I'm sorry.
6 Just a moment.

7 MS. THOMAS: We're going to go back to Bulloch
8 County, 2018-088.

9 MS. SULLIVAN: I understand that we're ready to go
10 back to the Bulloch County matter, which is 2018-088. I
11 believe we have two people on the line to speak, and I
12 apologize that you did not get the opportunity to speak
13 earlier. We would like to recognize you now.

14 MS. ANDERSON: Hello, this is Kathy Anderson, and I
15 apologize as well. I think that the technology failure
16 was also on our side. I do appreciate the opportunity to
17 come back to this case. I would like to say that here
18 with me personally are Patricia Lanier Jones, Election
19 Supervisor for Bulloch County. We also have Hadley
20 Campbell, Chair of Bulloch County Board of Elections and
21 Registration, and Jeff Akins, who is also a Bulloch County
22 attorney and whose name is how we're signed into this
23 meeting, and we sincerely appreciate you coming back to
24 this case. We would respectfully request that the Board
25 reconsider referring this matter to the AG's Office. We

1 couldn't speak, but we could hear that the concern was the
2 appearance of willfulness as far as this violation goes,
3 and I'm going to respectfully submit that there was
4 nothing willful about these errors.

5 We are requesting a letter of instruction for the
6 following reasons, and I will be brief. We have no
7 evidence to offer the Board disputing the claims that we
8 failed to send rejection letters to certain voters or to -
9 - or that we failed to comply with the court order
10 regarding sending provisional ballots and notices of the
11 right to cure. We're not going to dispute that because we
12 don't have evidence to present that would do so, but we
13 will say that the failure, any failure, to send such
14 material -- materials or in the alternative, the failure
15 to document that such materials were sent was absolutely
16 int -- unintentional. It was a result of the County's
17 election staff being stretched to its absolute limit.

18 Mrs. Jones, the Supervisor, had to oversee a remote
19 polling location at Georgia Southern University for three
20 days and was thus unable to be physically present in her
21 office for that period of time. Compounding the pressure
22 was the fact that the Secretary's directive regarding
23 Judge Mays' order was handed down less than two weeks
24 before the election and after early voting had already
25 started, and then on top of that, we had a staffer quit

1 just before the order came down, which stretched the
2 office's already strained capacity. I also want to say on
3 a personal note that Ms. Lanier Jones was dealing with
4 some personal issues as far as her mother having been
5 diagnosed with stage 4 cancer and the death of a sister
6 that lived in -- in Atlanta. And in addition to Georgia
7 7, we also had a satellite polling location known as the
8 Honey Polling, you know, that had to be staffed.

9 I will say that we did attempt to adjust and adapt
10 when the court order came down, but it appears we
11 neglected to adjust our procedure retroactively, meaning
12 that it looks like we did not go back and see the required
13 notices to pursuance with ballots rejected prior to the
14 date of the court order. None of this is an excuse. I
15 want to be clear on that. It is solely intended to show
16 that the failure here was not deliberate or willful, but
17 the result of human beings doing their best under
18 difficult circumstances and falling short. This isn't an
19 offer to justify the error but to explain it, and we will
20 do better, and we have done better.

21 This is the first complaint that Bulloch County has
22 had since the primary election in 2010, and we want to do
23 all that we can to make sure it never happens again. We
24 believe that procedures have been put in to accomplish
25 that purpose. Training -- staff has been trained to deal

1 with all of the absentee ballot applications and the --
2 and the ballots. To the best of our knowledge, there were
3 no issues of the sort that we had in 2018 for any cycle of
4 elections since then, so for that reason, we submit that a
5 letter of instruction is appropriate.

6 And in closing, I would just like to add that Mrs.
7 Jones has, in various capacities, run or helped to run
8 Bulloch County elections for three and a half decades.
9 She is resigning from her position as Elections Supervisor
10 as of June 30th to pursue other interests. She is a
11 valued public servant. We are sorry to see her go and
12 wish her well. We appreciate any and all guidance and
13 assistance the Board wishes to provide, but for all of
14 these reasons, we respectfully request that the Board
15 reconsider and issue a letter of instruction. Thank you.

16 MS. SULLIVAN: Thank you, Ms. Anderson, for your
17 comments. Unless there is any member of the Board that
18 would like to make a motion for reconsideration, we have
19 made -- voted to refer this matter to the Attorney
20 General's Office, but we appreciate you being able to
21 state your position for the record. Thank you very much.
22 We now will move on to SEB case number 2020-045. Ms.
23 Watson?

24 MS. LE: Madam Vice Chair, this is Anh Le. I just
25 want to recuse from this -- want to state for the record

1 that I'll recuse from this case as well, please.

2 MS. SULLIVAN: Okay. Thank you.

3 MS. WATSON: Between May and June of 2020, we
4 received 15 complaints regarding the processing of
5 absentee ballots during the DeKalb County 2020 primary --
6 presidential preference and primary election. According
7 to the complainants, voters did not receive their absentee
8 ballots in the mail, they received the incorrect ballot,
9 or they returned their absentee ballot to the DeKalb
10 County Board of Voter Registration and Elections Office
11 and they were not counted. The majority of the complaints
12 were not substantiated.

13 However, three individuals submitted their absentee
14 ballot applications via email and provided documentation
15 of the submission. The email address they emailed was not
16 the main or official absentee ballot address for DeKalb
17 County, but the voter registration submission email. The
18 email is actively monitored, and those absentee ballot
19 requests found submitted to the incorrect email were
20 forwarded when discovered. DeKalb County could not locate
21 the absentee ballot requests for the three individuals.

22 It was also determined that a voter, Max Markovitch
23 [ph.], submitted an absentee ballot request for the June
24 election and requested the ballot be mailed to a temporary
25 out-of-state address. The request was submitted on May

1 27th, 2020. The absentee ballot was mailed to his Atlanta
2 address. The absentee ballot application was located and
3 confirmed the address on the application for mailing was
4 the out-of-state address. The application was not dated
5 or time-stamped by the County. Our recommendation is for
6 DeKalb County Board of Voter Registration and Elections
7 Office and Erica Hamilton, the Director of Elections and
8 Registration, be referred to the Attorney General's Office
9 for a violation of 21-2-381(4)(b)(2), when the Elections
10 Office failed to issue absentee ballots to four eligible
11 voters during the 2020 primary election.

12 MS. THOMAS: And Irene Vander Els is on the line for
13 DeKalb County.

14 MS. VANDER ELS: Thank you, and good morning again.
15 With respect to the absentee ballot process for the
16 primary last year, DeKalb County received over a hundred
17 thousand applications for the June primary and due to the
18 pandemic conditions at the time had fewer in person staff
19 at the office as well as space constraints at the time,
20 which impacted their ability to process applications, but
21 did so successfully with regard to the vast majority of
22 applications received. They have worked with a non-profit
23 absentee voting consultant throughout the rest of the 2020
24 election cycle to improve their procedures, including
25 having designated staff monitoring these email accounts

1 and implementing procedures to ensure that all email
2 applications are processed to prevent any issues like this
3 in the future and also will implement a procedure to
4 ensure that any ballots that are to be sent to an address
5 other than the permanent address of the voter are
6 segregated out to ensure an additional look over or review
7 so that those ballots are sent to the correct address.
8 And for these reasons and given the volume of applications
9 processed and that two of the voters were able to cast
10 votes, we'd ask that a letter of instruction be issued
11 with regard to this case.

12 MS. SULLIVAN: Thank you. Do any of the Board
13 members have any questions for Mr. Van -- Ms. Vander Els?
14 Any questions for Ms. Watson? If not, now would be the
15 appropriate time for a motion. Ms. Watson, if you could
16 remind us of your recommendation.

17 MS. WATSON: Yes. The recommendation is to refer
18 DeKalb County Board of Voter Registration and Elections
19 and Erica Hamilton, the Director of Elections and
20 Registration, for a violation of 21-2-381(4)(b)(2).

21 MR. MASHBURN: We're going to refer allegations 2, 3,
22 8, and 10 and dismiss the others. Is that the
23 recommendation?

24 MS. WATSON: I don't have them separated according to
25 the -- the specific ones listed -- the ones for Karen

1 Goodlett [ph.], Hayden Brayette Brently [ph.], Thomas
2 Henderson [ph.], and Max Markovitch.

3 MR. MASHBURN: Matt Mashburn and I will move that we
4 accept the recommendation of the inspector and proceed
5 accordingly and refer that to the Secretary -- to the
6 Attorney General.

7 MS. SULLIVAN: We have a motion to accept the
8 recommendation. I'll second that motion, and is there any
9 further discussion? All in favor, please signify by
10 saying aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: And there are none opposed. Let the
13 record reflect that Ms. Le recused herself from that
14 matter. The next case on our agenda is 2020-068, Harris
15 County.

16 MS. WATSON: Harris County failed to start advance
17 voting on Monday, July 20th, 2020 for the August 11th,
18 2020 general primary runoff election for the Republican
19 County Commission District 4 seat. Two candidates, a
20 Richie Grantham and Bobby Irions, who were running for
21 County Commission District 4 Republican runoff election.
22 The Elections Supervisor was contacted and confirmed that
23 they did not start on time as she did not realize that
24 since they did not have a federal candidate on the ballot
25 that they needed to start on July 20th, 2020 for the

1 August 11th, 2020 general primary runoff. The advance
2 voting started the next day on July 21, 2020. I believe
3 there was a total of 138 votes cast in that entire
4 election, and there were only three votes that were cast
5 on the second day of early voting. We are recommending
6 Harris County Board of Election and Registration and
7 Sherrail Jarrett, the Election Supervisor, be referred to
8 the AG's Office for violation of 21-2-385(b)(1)(b).

9 MS. THOMAS: And Sherrail Jarrett is on the line for
10 Harris County. Ms. Jarrett.

11 MS. SULLIVAN: Ms. Jarrett, please go ahead.

12 MS. JARRETT: Yes. Our county attorney was supposed
13 to be on here as well, but yeah, it is true. We did not
14 start. I got that code section mixed up with the other
15 part where after a general election, that it's as soon as
16 possible, so I -- because it was just a local race,
17 Commission District 4, we -- I had planned on doing just
18 two weeks of early voting, but as soon as Robin Carr
19 [ph.], our liaison, contacted me, we -- I got in touch
20 with both of the candidates, got in touch with the local
21 paper, and put it on our website that we would start the
22 following day, and like Ms. Watson said, we only had three
23 people show up the second day. No one called. No one
24 came in the first day to ask if we were voting, and so as
25 far as, you know, last year, of course, as everybody

1 knows, was just a crazy year. I had some personal issues
2 going on as well, which doesn't excuse me, but, you know,
3 we had -- I have now made sure that I go back on each of
4 the code sections that it refers to for everything and
5 double check instead of just going by memory and would
6 like to have the case dismissed or at least just a letter
7 of instruction. Thank you.

8 MS. THOMAS: And Mr. Russell Britt is on the line as
9 well.

10 MS. SULLIVAN: Mr. Britt, go ahead.

11 MS. JARRETT: Mr. Britt, thank you for --

12 MR. BRITT: Yes.

13 MS. SULLIVAN: Go ahead, Mr. Britt.

14 MR. BRITT: Yes, thank you. Can y'all hear me?

15 MS. SULLIVAN: We can.

16 MR. BRITT: Great. Thank you, Madam Vice Chair and
17 members of the Board. I am the county attorney for Harris
18 County, and I appreciate being here today. I will just
19 reiterate beyond what Ms. Jarrett indicated. There is no
20 evidence that anybody who wanted to voted -- or who wanted
21 to vote couldn't because of the one-day delay in early
22 voting, and Ms. Jarrett, as soon as she recognized the
23 error, immediately corrected it, and as she indicated, she
24 is now moving forward with corrective measures, so because
25 of that, because one, most importantly, there was no harm

1 caused by this error, and two, because Ms. Jarrett
2 immediately accepted responsibility and corrected the
3 error, and three, because she's taken steps to ensure it
4 won't happen again, we respectfully request that the Board
5 dismiss this case or in the alternative, issue a letter of
6 instruction.

7 MS. SULLIVAN: Do any of the Board members have any
8 questions for Ms. Jarrett or Mr. Britt?

9 MS. LE: Ms. Jarrett or Mr. Britt, thank you for
10 being here today. This is Anh Le. Can you please clarify
11 what corrective actions have been put in place?

12 MS. JARRETT: Yes. In -- in the future, I will -- I
13 have planned to go back and check each code section
14 referring to the particular election going on at the time,
15 like this one being a primary, we'll go back and double
16 check the regulations on when you'll be starting advance
17 voting and make sure that it is done accurately and by the
18 code section.

19 MS. LE: Thank you for the clarification.

20 MS. JARRETT: Thank you.

21 MR. MASHBURN: This is Matt Mashburn. I think
22 there's evidence here that there was a violation, but I'm
23 persuaded by the attorney's presentation and the County's
24 presentation, so I move that we accept the County's
25 suggested letter of rec -- letter of instruction.

1 MS. SULLIVAN: Mr. Mash -- Mashburn has made a motion
2 to issue a letter of instruction in this matter. I will
3 second that motion. Is there any further discussion? All
4 in favor of the motion, please signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: And there are none opposed, and that
7 motion passes. Thank you. Case number 2020-077 has been
8 continued, so we will move on to case 2020-111, Douglas
9 County.

10 MS. WATSON: In this case, Roger Bruce, a candidate
11 in District 61, was handing out snacks at the door of the
12 courthouse wearing his political shirt. Emails were sent
13 to the Secretary of State's Office with several pictures
14 of Roger Bruce giving out snacks and talking to voters
15 while in line at the courthouse. The District 3
16 Commissioner Tarenia Carthan was handing out snacks to
17 persons waiting in line to vote. The photographs were
18 reviewed and depict Roger Bruce in a shirt with Roger
19 Bruce, State Representative in big letters on the upper
20 left quadrant of the front of the shirt. The photographs
21 depict Representative Bruce and District 3 Commissioner
22 Tarenia Carthan carrying a tray containing various snacks
23 on the tray, offering them to those standing in line to
24 vote. Representative Bruce advised that nothing on his
25 clothing stated to vote for me and that he was unopposed

1 on the ballot.

2 The measurements were documented as to the location
3 of Representative Bruce and the photographs in relation to
4 the poll. The distances were all within a hundred and
5 fifty feet of the no campaigning area. Representative
6 Bruce violated the statute at the Douglas County
7 Courthouse, the Wolf Creek Library, and the Southwest Arts
8 Center. Representative Bruce stated that they took the
9 photos and did not believe they were violating the code
10 and were only trying to help those waiting in line. He
11 states he had been told by a voter that they had to wait 7
12 hours in line, and when his wife left to get them
13 something to eat, she had lost her parking space.

14 An investigator did find evidence that Commissioner
15 Tarenia Carthan violated 21-2-570, when she assisted
16 Representative Roger Bruce in passing out snacks to voters
17 in line at the Douglas County Courthouse. Our
18 recommendation is for Roger Bruce and Tarenia Carthan to
19 be bound over to the AG's Office for violation of 21-2-570
20 and for Roger Bruce for violation of 21-2-414(a)(1)(3), 3
21 counts, for handing out snacks wearing campaign attire at
22 the Douglas County Courthouse, Wolf Creek Library, and the
23 Southwest Arts Center.

24 MS. SULLIVAN: No one is on the line to speak
25 regarding this matter. Do any members of the Board have

1 any questions for Ms. Watson?

2 MR. MASHBURN: This is Matt Mashburn. I have no
3 questions, but I move that we refer this to the Attorney
4 General.

5 MS. SULLIVAN: We have a motion. Do we have a
6 second?

7 MS. LE: Anh Le, I'll second it.

8 MS. SULLIVAN: We have a motion and a second. Is
9 there any further discussion? All those in favor of the
10 motion, please sig -- signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: And there are none opposed, and the
13 motion passes. Now, we're moving on to case number 2020-
14 126, Houston County.

15 MS. WATSON: In October 2020, a concerned citizen
16 reported Liz's Restaurant, located at 1746 Watson
17 Boulevard in Warner Robins, Georgia was offering a chance
18 to win a free gift basket for those who registered to
19 vote. The concerned citizen reported there were people
20 sitting by the table filling out paperwork where the gift
21 baskets were displayed. The complainant requested
22 anonymity. Complainant reports seeing three gift baskets
23 on a table at Liz's Restaurant being offered as incentive
24 to register to vote. If you completed the voter
25 registration or requested an absentee ballot, you would be

1 entered to have a chance to win one of the baskets.

2 The owner, Liz Hall [ph.] stated she was encouraging
3 voting registration to customers and her employees but
4 denied offering the gift baskets. An investigator
5 observed displayed on one of the tables a sign that said
6 elections are coming soon November 2nd, 2020, and it's
7 time to complete your census form. Houston County, let's
8 make history together, and a poster that stated get your
9 absentee ballot here. The complainant stated she saw the
10 offer of the gift baskets twice when picking up food. The
11 owner denied the offer of the gift baskets to begin with
12 but later advised that she did, in fact, offer the drawing
13 for the gift baskets to those who registered to vote or
14 applied for an absentee ballot. Our recommendation is for
15 Lizzie M. Hall to be referred to the Attorney General's
16 Office for violation of 21-2-570.

17 MS. SULLIVAN: We have no one on the line who has
18 signed up to speak in this -- for this case. Are there
19 any questions by any of the Board members?

20 MR. MASHBURN: This is Matt Mashburn. I have no
21 questions, but I move that we adopt the recommendation and
22 refer this to the Attorney General.

23 MS. SULLIVAN: We have a motion to refer this to the
24 Attorney General by Mr. Mashburn. Is there a second?

25 MR. WORLEY: This is Mr. Worley. I'll second that.

1 MS. SULLIVAN: Motion and a second. Is there any
2 further discussion? All in favor, please vote by signi --
3 signify by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MS. SULLIVAN: Any opposed? And none opposed, and
6 that motion passes. The next case is 2020-131, Bacon
7 County.

8 MS. WATSON: On October 21, 2020 during early voting,
9 a voter wearing a Trump Train hat came into the polling
10 place. The Elections Supervisor caught it at the scanner.
11 When the voter was asked to remove it and the law was
12 explained, the voter refused, using profanity. He said
13 there was nothing posted when there were several signs on
14 the front door. The voter was told the Elections Office
15 would be contacting the State for failure to comply. The
16 voter refused to remove the hat, scanned his ballot, and
17 then left.

18 Investigation -- investigators interviewed Bacon
19 County Elections Supervisor Ann Russell and Respondent
20 Kenneth King [ph.] and determined that Mr. King went to
21 vote during early voting on October 21st, 2020 wearing a
22 hat that had Trump Train on it. Ms. Russ -- Russell said
23 it was not discovered until Mr. Russell [sic] was about to
24 put his ballot into the scanner. She asked him to take
25 the hat off, but Mr. King refused to do so, scanned the

1 ballot, and then left the polling place. Ms. Russell
2 wrote a report of what happened and then reported it to --
3 to our office. Mr. King told the investigator that he did
4 not see any signs posted in the polling place that stated
5 he could not wear his hat, and he wore the hat because it
6 is a free county.

7 After notices of the hearing were mailed out, I
8 received a statement from Mr. King that stated he was
9 unaware of the law and had not worn the hat intentionally
10 but just grabbed the hat as he went out the door that day.
11 Mr. King states that he decided to early vote while he was
12 out and did not consider which hat he was wearing. He
13 states he had gone through the check-in process at the
14 polling location, and no one had mentioned the hat until
15 he was about to scan his ballot. Mr. King reports that
16 the poll worker did not come over to him and ask him to
17 remove the hat but yelled across the room at him, which he
18 thought was rude and embarrassing. Mr. King did call the
19 commissioner's office to complain about the rudeness after
20 leaving the poll.

21 Our recommendation is for a letter of instruction be
22 issued to -- to Mr. King, as he now states that now that
23 he is aware of the code that he will make sure that he
24 complies with it in the future.

25 MS. SULLIVAN: There is no one here signed up to

1 speak regarding this matter. Are there any questions by
2 any Board members? If not, now would be a -- go ahead,
3 Mr. Worley.

4 MR. WORLEY: I don't have any questions, but based on
5 the past precedents that this Board has established and
6 the fact that the Respondent was asked to remove his hat
7 and did not do so, I don't think we have any choice but to
8 refer this to the Attorney General's Office and so move.

9 MS. SULLIVAN: We have a motion. Is there a second?

10 MR. MASHBURN: David, -- David, this is Matt
11 Mashburn. I -- I think on our previous case where we had
12 the MAGA hat, we issued a letter of instruction in that
13 case. Is that -- is that your recollection or not?

14 MR. WORLEY: That is not my recollection, but even if
15 that were the case, I don't believe in that case the
16 person had refused to follow the poll worker's
17 instructions.

18 MR. MASHBURN: Yeah, that is true. In that case, the
19 person was compliant and did -- did as they were told, and
20 I -- I got to say I am very disturbed by this trend of
21 just outright belligerence at the -- at the polls, so I'm
22 going to join -- I'm going to join you on this one and not
23 because, necessarily, because of the hat, but because, you
24 know, the poll workers are -- are doing the best they can
25 and should be treated with dignity and respect, and when

1 they give an instruction, that -- that should be complied
2 with, so I'll -- I'll join you in this.

3 MS. SULLIVAN: Is that a second?

4 MR. MASHBURN: Second. Sorry.

5 MS. SULLIVAN: We have a motion and a second. Are
6 there -- is there any further discussion? All those in
7 favor, please signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MS. SULLIVAN: And there's none opposed. That motion
10 passes. The next case is 2020-141 against Cobb County
11 [sic - case 2020-137].

12 MS. WATSON: Janine Eveler received a complaint that
13 Mr. Louis Hunter who lives in Pickens County voted in
14 three elections in Cobb County. Ms. Eveler also received
15 an additional complaint that a voter received a precinct
16 card along with election-related flyers addressed to a
17 Lucinda Bleichner [ph.], but no such person resides at
18 that address. Investigation revealed Mr. Hunter stated he
19 did use an address that he no longer lives at on his Cobb
20 election application for early [sound distortion] dated
21 October 19th, 2020. The address he used is 3034 Andora
22 Drive Southwest, Marietta. Mr. Hunter stated he sold his
23 house on June 1st, 2020. Mr. Hunter stated he chose not
24 to fill out a change of address when he voted. Mr. Hunter
25 voted in the August 11th, 2020 general primary runoff and

1 the November 3rd, 2020 general election.

2 Mr. Hunter advised the investigator that he receives
3 his mail at 239 Heathersett Drive, Marietta, Georgia, but
4 does not stay there every night. Mr. Hunter advised that
5 he is a Cobb resident and has never tried to defraud
6 anyone in a voting situation. Mr. Hunter advised that his
7 daughter and grandson also reside at the Heathersett Drive
8 address. Hunter advised he resides between two locations,
9 the Heathersett Drive location and 442 Cutthroat Ridge in
10 Jasper, Georgia. Mr. Hunter advised when he completed the
11 absentee ballot application on October 19th, 2020 that he
12 had not yet been able to change his driver's license due
13 to COVID-19 but does not have a good excuse. The voter
14 registration address was changed to the Heathersett Drive
15 address on October 26th, 2020. Mr. Hunter is the owner of
16 the condo located at Heathersett Drive and paid the taxes
17 in 2019 and 2020.

18 Mr. Hunter works in Cobb County and states he
19 considers Cobb his county of residence even though he owns
20 other property in Bent Tree. One property was purchased
21 in June of 2020, and Mr. Hunter stated he is spending time
22 at that location to fix it up, and then will decide if he
23 will rent it or keep it.

24 Lucinda Bleichner fraudulently used an address that
25 she has never resided at on her vot -- voter registration

1 card dated September the 8th, 2020 and September 17th,
2 2020, and she also voted in the November 3rd, 2020 general
3 election using that address. Attempts to contact Ms.
4 Bleichner have been unsuccessful.

5 Our recommendation is for Louis Hunter -- Hunter be
6 bound over to the Attorney General's Office for a
7 violation of 21-2-562(a)(1) and 21-2-218 and for Lucinda
8 Bleichner be referred to the Attorney General's Office for
9 a violation of 21-2-562(a)(1).

10 MS. THOMAS: And Mr. Hunter and his attorney, Nathan
11 Wade, are on the line.

12 MS. SULLIVAN: You may go ahead.

13 MR. WADE: Good morning. Can you all hear me?

14 MS. SULLIVAN: We can.

15 MR. WADE: Thank you for your time and considering
16 Mr. Hunter's situation, and even thank you for the
17 recommendation. However, I would just ask that the Board
18 take the time to consider the situation in its entirety.
19 Mr. Hunter did indeed -- or had, in fact, sold the
20 property at the 3034 address a month or so prior to the
21 election. What he hadn't done is changed over his voter
22 registration or corrected the address on his driver's
23 license or anything of the sort. Now, he also hadn't re-
24 registered to vote in any other jurisdiction. We're just
25 asking that because there was no malicious intent behind

1 Mr. Hunter's action -- he only voted one time. He never
2 attempted to vote more than once, and he never attempted
3 to even gain voter status in any other jurisdictions.
4 We're asking that the -- the recommendation be
5 reconsidered and that Mr. Hunter be allowed to receive a
6 letter, as opposed to the case being bound over to the AG
7 for further consideration.

8 Also, I think it's important to note that the
9 complainant in the action, there have been a lot of prior
10 difficulties between that complainant and the agency in
11 which Mr. Hunter was employed at the time, that being the
12 Cobb County Sheriff's Department. So with that, Mr.
13 Hunter, do you have anything you want to add?

14 MR. HUNTER: Well, I'd just like to say that this was
15 a mistake on my part, but there was absolutely no intent
16 to defraud the state or the county in any way. At one
17 time, I had -- I was in possession of an absentee ballot
18 and chose to vote in person. I took that to the polling
19 place and turned it in and watched while they got a
20 supervisor to come over and cancel out that ballot, and as
21 my attorney said, records will show that I never voted
22 more than one time in any election, and it was an
23 oversight on my part, which I'm very sorry, and I take it
24 very seriously, so seriously that I didn't vote in the
25 January 5th election in order to be sure that all of this

1 is cleared up and handled in a manner that -- that's
2 proper. It was never my intent to in any way defraud in
3 this situation.

4 MS. SULLIVAN: Thank you for being here. Is there
5 anyone else on the line to speak to this matter? Do any
6 of the Board members have any questions?

7 MR. MASHBURN: This is Matt Mashburn. I don't have a
8 question, but I move that we issue a letter of instruction
9 to Mr. Jordan...

10 MS. SULLIVAN: Hunter, Mr. Hunter.

11 MR. MASHBURN: Mr. Hunter and that we refer Ms.
12 Bleichner to the Attorney General.

13 MS. SULLIVAN: Mr. Mashburn has made a motion. Is
14 there a second?

15 MS. LE: This is Anh Le. I'll second that.

16 MS. SULLIVAN: We have a motion and a second. Is
17 there any further discussion?

18 MR. WORLEY: I'm going to vote against the motion
19 because I think both cases should be referred.

20 MS. SULLIVAN: Okay. All those in favor of the
21 motion, please signify by saying aye.

22 THE BOARD MEMBERS (except Mr. Worley): Aye.

23 MS. SULLIVAN: Are there any opposed?

24 MR. WORLEY: No.

25 MS. SULLIVAN: Motion passes. We're going to go

1 ahead and take a break for lunch right now. We're also,
2 during this time, going to enter into executive session
3 for the purposes of discussing pending litigation. I
4 think we will take about a 40-minute break, but we will be
5 back here at 12:45. Is there a motion to enter into
6 executive session?

7 MR. MASHBURN: So move.

8 MR. WORLEY: So move.

9 MR. MASHBURN: Second.

10 MS. SULLIVAN: We have a motion and a second. All in
11 favor, signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: And there are none opposed, we will
14 exit into executive session, and we will return at 12:45.
15 Thank you so much.

16 (Meeting break)

17 (Meeting resumes)

18 MS. SULLIVAN: I'm going to go ahead and call this
19 meeting back to order. The Board did meet in executive
20 session during lunch time. No action was taken by the
21 Board. At this time, I would request a motion to exit
22 executive session.

23 MR. WORLEY: So move.

24 MR. MASHBURN: So move. Second.

25 MS. SULLIVAN: We've got a motion and a second. All

1 in favor, say aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: Any opposed? None. Okay. We are out
4 of executive session. We're going to go ahead and go back
5 to case number 2020-032, Greene County. We had -- Mr.
6 Smith was having difficulty being heard by the Board and
7 also Ms. Mayers would like to speak on this case, so let's
8 try it one more time. Mr. -- this case has already been
9 presented. Mr. Smith, can you hear us?

10 MS. WATSON: Is he on?

11 MS. SULLIVAN: Ms. Mayers, can you hear us?

12 MS. THOMAS: Ms. Mayers, you can unmute yourself.
13 Yeah, Mr. Lester has logged off. Yeah, he's logged off.

14 MS. SULLIVAN: Okay. We will come back to this case
15 later since we are unable to speak to the Respondents. We
16 will now pick up with case number 2020-141, Cobb County,
17 tab number 76.

18 MS. WATSON: In October of 2020, we received a
19 complaint regarding vote buying in Cobb County. According
20 to the complaint, Adventure Outdoors offered the chance to
21 win a free rifle to anyone who presented their I Voted
22 sticker for the 2020 general election. According to the
23 complaint, they posted an online ad offering the chance to
24 win to anyone who presented the I Voted sticker.

25 A view of the online ad showed the business

1 encouraged citizens to vote and offered a chance to win a
2 free M&P 15 Sport 2 rifle after presented the I Voted
3 sticker at their Smyrna, Georgia location. A follow-up at
4 the business location revealed the online ad was a
5 marketing tool to bring customers to the store. There was
6 a message posted on the front door of the business stating
7 voting was not required to enter the raffle for the free
8 rifle and anyone of legal age and able to pass a
9 background check may enter the raffle for the free rifle.
10 Our recommendation is for Jay Wallace [ph.] be bound over
11 to the Attorney General's Office for a violation of 21-2-
12 570, and I did receive a request from someone to be able
13 to speak.

14 MS. THOMAS: Bob Barr?

15 MR. BARR: Yes, ma'am.

16 MS. SULLIVAN: Please go ahead.

17 MR. BARR: Okay. Thank you so much. This is Bob
18 Barr. I represent Adventure Outdoors including Jay
19 Wallace, who is the proprietor. We would ask for a
20 dismissal of the case with a letter of instruction. As
21 the findings by the investigator make clear in the final
22 sentence of the second paragraph there was a message on
23 the door of the business stating that there was no
24 requirement to have voted, that anybody with a -- who was
25 of legal age and able to pass a background check could

1 enter the raffle.

2 While the establishment has had similar raffles in
3 the past, we recognize certainly that in today's
4 environment, balloting and voting come under legitimately
5 increased scrutiny, and I've already spoken with Mr.
6 Wallace, and in the future if they do, in fact, use a
7 similar method of encouraging people to come into the
8 store, they need to be a lot more careful and explicit in
9 any online representations so that there is, in fact, no
10 confusion that the -- you know, that there's no
11 requirement that you vote in order to enter the raffle.
12 Even though the notice on the board -- or on the door made
13 that clear, we feel that it is incumbent on us and would
14 comply with a letter of instruction to make that even
15 clearer and include it in the online representations that
16 there is, in fact, no requirement that the person vote or
17 have voted in order to enter the raffle. We would
18 respectfully make that request of this Board.

19 MS. SULLIVAN: Thank you for your comments. Do any
20 Board members have any questions?

21 MR. WORLEY: I had a question. Well, a couple of
22 questions. You say that this had been done in the past.
23 Do you mean that they had offered prizes for people
24 registering to vote or voting in the past?

25 MR. BARR: No. That they had -- that they had made a

1 similar representation that -- similar to this one, but
2 there was never in any prior year or in 2020 any language
3 that they used that required the person to have voted.
4 It's -- it's simply a matter, Mr. Worley, that they have
5 done this in the past. There's been no problem, but
6 certainly, you know, last year and moving forward in the
7 environment where, you know, there is greater scrutiny on
8 all aspects of voting, they recognize that they need to be
9 more careful, and if the Board elects to submit a letter
10 of instruction to that regard, they certainly will do
11 that, and they have already instructed me to say that they
12 are making those adjustments if there is any, you know, if
13 they do that in the future.

14 MR. WORLEY: One more question. You seem to
15 distinguish between what they posted online and what was
16 on the door of the establishment?

17 MR. BARR: No. There's -- oh, I'm sorry.

18 MR. WORLEY: What was online?

19 MR. BARR: Online was -- as I -- and I do not have it
20 in front of me. I asked Mr. Wallace to go back and try
21 and retrieve what was online. They were unable to. Mr.
22 Worley, by the way, it's very good to be with you again,
23 but they indicated that the same thing was online that was
24 on the door. On the door, they posted it simply to make
25 clear that anyone coming into the store for the purposes

1 of entering the raffle that there was no requirement to do
2 so other than being of legal age and passing a background
3 check.

4 MR. WORLEY: Thank you.

5 MR. BARR: Yes, sir.

6 MS. LE: This is Anh Le. I may have missed this, but
7 did you say how many rifles ended up being given out or
8 none?

9 MR. BARR: I'm not sure whether that -- whether -- I
10 don't know the answer to that, Ms. Le. I can certainly
11 find out, but I don't -- I don't have that information. I
12 just inquired of Mr. Wallace what were the specifics of
13 the online posting and to confirm with him that the notice
14 as found by the investigator was, in fact, posted on the
15 door.

16 MS. SULLIVAN: What's the pleasure of the Board?

17 MR. WORLEY: Well, I -- I think there appears to be
18 from the investigative report probable cause that a
19 violation occurs, so I would refer this to the Attorney
20 General's Office.

21 MS. SULLIVAN: I'm sorry. You faded out there
22 towards the end. Your motion is to refer to the AG's
23 Office; is that correct?

24 MR. WORLEY: Yes. That is correct.

25 MS. SULLIVAN: Is there a second?

1 MS. LE: This is Anh Le. I'm teetering on, you know,
2 the decision because this is the -- an enterprise that has
3 articulated that they've -- I've not sure how many guns
4 actually ended up being -- or rifles ended up being given,
5 but it seems like they've articulated that they've learned
6 their lesson, will not be doing this again. I'm wondering
7 what would be the benefit of sending it to the Attorney
8 General's Office, you know, other than to come to some
9 consent order to never do it again in a formal written
10 consent agreement, but --

11 MR. WORLEY: And that's why I want it sent to the
12 Attorney General's Office [sound distortion] in order to
13 formalize this agreement which seems somewhat vague at
14 this point.

15 MS. LE: So your motion is to send it to the Attorney
16 General's Office not for prosecution but for a consent
17 order to refrain from making any other violations?

18 MR. WORLEY: Well, I -- I wouldn't be opposed to the
19 Attorney General's Office considering an appropriate fine,
20 but I would just like the formality of a consent order.

21 MS. LE: I -- I think -- I'm sorry, Mr. Worley, do
22 you mind saying the last sentence again? I think it went
23 out. I didn't hear it.

24 MR. WORLEY: I'm sorry. I would not be opposed to
25 the Attorney General's Office considering a fine, but at

1 the very least, I would like a consent order so that the
2 company formally recognizes that this would not happen
3 again.

4 MS. SULLIVAN: So we have a motion. Do we have a --
5 Ms. Le, would you like to second that motion?

6 MS. LE: I would second that motion if the Attorney
7 General's Office could consider a consent order
8 formalizing the, you know, formalizing the entity's
9 agreement to comply with election law in the future and
10 refrain from making these violations again.

11 MS. WATSON: I think we have a motion and a second to
12 refer to the Attorney General's Office with some
13 additional commentary there which can be considered by the
14 AG's Office. Is there any discussion regarding this
15 matter? Any further discussion? All right. We have a
16 motion and a second. All those in favor, please signify
17 by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: Any opposed? There are none opposed,
20 and that motion passes. Thank you so much. And moving on
21 to the next case has -- on the agenda has been continued,
22 which is 2020-148, so we will move on to 2020-156,
23 Stephens County. Ms. Watson?

24 MS. WATSON: Yes. Between November 2020 and January
25 2021, we received multiple complaints regarding the

1 administration of election duties by the Stephens County
2 Elections Office. The allegations include Stephens County
3 Chief Registrar Eureka Gober self-reported that her office
4 had not been able to complete entering all of the 2020
5 general election early voter data into Election Net prior
6 to the deadline. It was reported that Stephens County
7 Election Office did not process two applications for
8 absentee ballots for the 2020 primary and general
9 election. A Stephens County voter did not receive credit
10 for voting during the 2020 general election. Stephens
11 County Elections Office failed to register three voters in
12 a timely manner, which resulted in one voter not being
13 able to cast a ballot in the 2020 general election. It
14 was alleged that Stephens County election staff violated
15 ballot handling, collection, and transportation codes. It
16 was reported that Stephens County Elections Office did not
17 report the accurate number of mailed electronic absentee
18 ballots for the Georgia GOP during the 2020 general runoff
19 election. Stephens County Elections Office failed to
20 respond to open records requests in a timely manner. It
21 was reported that Rebeckah Bennet photographed her ballot
22 during the 2020 general runoff election at the polls.

23 Investigation reveals records indicate that Stephens
24 County did not meet the deadline in entering credit for
25 voting in E-net by the deadline of October 30th, 2020.

1 The former Elections Supervisor Eureka Gober contacted our
2 office to report the issue, and data continued to be
3 entered after the deadline but as of 11/04/2020, there was
4 still approximately 800 voters that had not been given
5 credit in the system for early voting. After the
6 election, the County worked with the liaison in their
7 office to get the credit for voting entered.

8 Michael Wacash [ph.] and his wife Mary reported that
9 they did not receive their absentee ballots from Stephens
10 County. They went to vote in person. As a result, it was
11 determined that Mr. Wacash and his wife were on the
12 rollover list and had not received their absentee ballots.
13 Eureka Gober, the Elections Supervisor, could not provide
14 an explanation.

15 As to failing to process voter registrations, it was
16 determined that Billy Stephens and his wife Sherry
17 Stephens [ph.] registered to vote at the Elections Office
18 in Stephens County on November 5th, 2020 with Eureka Gober
19 assisting them. On December 6th, 2020, Mr. Stephens
20 checked the status of his voter registration on the
21 MyVoter page online and found that he was still registered
22 in White County, Georgia. On December 7th, 2020, Mr.
23 Stephens went to the Elections Office and met with Nora
24 Waters [ph.] who advised that he still was registered in
25 White County with an absentee ballot issued to him for the

1 January 5th, 2021 runoff. Mr. Waters contacted the White
2 County Elections Office, requested the absentee ballot be
3 canceled, then the voter registrations were completed on
4 December 7th, 2020, allowing them to vote in the January
5 runoff election in Stephens County.

6 Brenda Dimetrick [ph.] advised that Stephens County
7 failed to register her son Jeffrey Dimetrick [ph.]. She
8 had brought her son to the Elections Office on September
9 the 30th, 2020 to register. On November 30th -- 3rd,
10 2020, when Jeffrey attempted to vote, a poll worker
11 advised that he was not registered. He was offered a
12 provisional ballot, which he voted. On January 13th,
13 2020, Eureka Gober advised Jeffrey in an email that his
14 registration was completed and his provisional would be
15 counted. Election Net records show Jeffrey being entered
16 as registered on November 23rd, 2020.

17 Rebeckah Bennett reported observing an absentee
18 ballot on the desk of Eureka Gober on November 4th, 2020.
19 She inquired as to why the ballot was on her desk and
20 whether it had been counted. Eureka advised she did not
21 know why it was there and that it had not been counted.
22 The ballot was then processed and included in the totals.
23 Rebeckah requested to review the absentee ballot drop box
24 footage and noticed that on August the 10th, 2020, Eureka
25 Gober collects absentee ballots by herself from the box at

1 70 North Alexander Street in Toccoa [ph.] .

2 The drop box collection logs were requested by the
3 investigator for the August 2020 runoff, the November
4 general elections, and the January runoff elections. No
5 logs were located for the August primary runoff election.
6 It was found that the drop box collection logs provided
7 were incomplete, with the section intended for the
8 registrar designee being not completed. It was noted that
9 Michael Nesbit [ph.] and James Odom [ph.] are listed as
10 part of the collection team but are not election
11 employees. Neither took an oath or signed an oath. The
12 January 2021 general runoff election collection logs were
13 completed in full and all collection teams were sworn poll
14 workers.

15 Eureka Gober states that she did collect the absentee
16 ballots on one day by herself because they were short
17 staffed, but it only happened once. As to the storage of
18 absentee ballots, Eureka advised that she stores absentee
19 ballots in her office from June 2019 through November
20 2020, with the door being locked at night, and she states
21 she was the only one with the key. They began using the
22 vault to store the absentee ballots again after the county
23 commissioners moved out of the building in November of
24 2020.

25 The Stephens County returns indicates 2,108 votes on

1 Election Day with Election Net showing 2,111 votes. This
2 discrepancy could not be explained by elections staff.
3 Rebeckah Stephens [ph.] filed a complaint that Stephens
4 County was not responding to open records in a timely
5 manner. It was determined that two requests had not been
6 completed and were not to have been provided to that
7 acting supervisor. Once notified, the acting supervisor
8 stated she would provide the information.

9 It was reported to our office that Rebeckah Bennett
10 had posted on Facebook that she took a photograph of her
11 and her mother's ballots at the polls. Rebeckah advised
12 she did take the photographs to ensure that her vote was
13 not changed or altered. She was aware of the code but
14 still because the media was allowed to photograph and film
15 the election process that she believed that to be a double
16 standard.

17 Our recommendation is for Stephens County Board of
18 Elections, Eureka Gober, the former Elections Supervisor,
19 be referred to the Attorney General's Office for violation
20 of 21-2-381(4)(b)(2)(a), when the Elections Office failed
21 to issue absentee ballots to eligible voters during the
22 June 2020 primary and general election, Election Board
23 rule 183-1-6-.01, when the Elections Office failed to a
24 qualified voter during the 2020 general election, 21-2-
25 386, safe-keeping of absentee ballots when elections staff

1 failed to properly secure an absentee ballot which was
2 left on a desk and open to the public during the 2020
3 general runoff election, Election Board rule 183-1-14-.06-
4 .14, when the absentee ballot collection team did not
5 consist of two sworn poll officers during the 2020 primary
6 runoff and the 2020 general election, 21-2-73, when the
7 Elections Office failed to maintain absentee ballot drop
8 box logs for the 2020 primary runoff election and the
9 ballot recap sheet for the 2020 general runoff election,
10 21-2-72, when the Elections Office failed to reply to two
11 open records requests during the 2020 general runoff
12 election, and SEB rule 183-1-12-.1(9)(3), when the office
13 failed to enter 2020 general election early voter data
14 into Election Net by the October 30th, 2020 deadline, 21-
15 2-500, when she failed to deliver the 2020 election cycle
16 records to the Stephens County Superior Court for storage,
17 and GOP member Rebeckah Bennet being referred to the AG
18 for 21-2-413(e), when she photographed her ballot during
19 the 2020 general runoff election.

20 MS. THOMAS: And Bill Stephens and Rebeckah Bennet
21 are on the line to speak on this case.

22 MS. SULLIVAN: Mr. Stephens, go ahead.

23 MR. STEPHENS: Can you hear me?

24 MS. SULLIVAN: Yes, we can hear you. Mr. Stephens,
25 you can go ahead.

1 MR. STEPHENS: Good evening, Board members. My name
2 is Bill Stephens. Billy Stephens is my legal name. My
3 wife is Sherry Stephens. We moved to Stephens County in
4 October of 2020. On November the 5th, I contacted the
5 Elections Registrar, Eureka Gober, asking what we needed
6 to do to register in Stephens County. She said come up
7 and fill out the registration form. We went up. We had a
8 little dog in our truck, so I went in first, left my wife
9 in the truck, and I filled out the registration form and
10 let her make a copy of my license, sitting in her office
11 in front of her desk, which her office looked like the
12 county dump. Anyway, while she's making a copy of my
13 license -- ma'am, my wife's in the truck with the little
14 dog. I'll go out. Let her come in. You can just give
15 her my license. My wife went in, filled out the
16 registration form in front of Ms. Gober and made a copy of
17 her license and gave her my license. My wife came out and
18 remarked as she came out my God, that office was awful.
19 She said no organization. I said, yeah, there's stuff on
20 the floor stacked knee-high.

21 Anyway, on December the 6th, a commercial came on TV
22 saying that deadline to register to vote in the January
23 5th runoff would be December the 7th at 12 midnight. My
24 wife looked at me, sitting in the living room, and said
25 you think everything's okay? I said, honey, it should be.

1 We went and registered. I logged on the Secretary of
2 State voter site, put in my information. It showed I was
3 still registered in White County. I done the same thing
4 with my wife. It showed White County.

5 Next morning, Monday morning, this is where Ms.
6 Watson is not correct on some things. I did not go to the
7 Election Office on Monday morning, December the 7th. I
8 called the Election Office. Nora Waters answered. I -- I
9 told her that it was saying I was registered in White
10 County. She looked and she said we don't have your
11 registration. I said you do because I've come up there
12 and done it. She said you're going to have to vote in
13 White County. I said, ma'am, I can't. We're residents of
14 Stephens County. We done changed our driver's license.
15 Everything was changed before we come registered up here
16 with y'all. Well, we don't have no records of you
17 registering. I said, ma'am, do you remember me coming in
18 telling you at the front window before I went in Ms.
19 Gober's office that my dog was in the truck. I would
20 register first, and then -- oh, yeah. I remember that
21 now. But she couldn't find those paperworks [sic].

22 I contacted the GOP Chair with Stephens County. She
23 was in a meeting at the sheriff's office. An hour later,
24 she went to the Registrar's office. They contacted me on
25 a three-way call, could not find my registration papers

1 nowhere, and my wife's neither. We got hit with identity
2 fraud back 15 years ago. It took us a year and a half to
3 straighten that mess out with law enforcement, Social
4 Security, credit bureaus. That -- when you register, your
5 registration and driver's license should be protected and
6 secure in an election office. We should have faith and
7 confidence in that.

8 Therefore, while we're on the phone, Ms. Waters and
9 Ms. Bennett contacted White County. They took me off the
10 voter roll. Then, Ms. Waters worked to get us on the
11 voter roll. I don't know. It was after lunch on December
12 the 7th before we finally got registered to vote in the
13 January 5th runoff.

14 MS. SULLIVAN: Mr. Stephens, sorry. This is Ms.
15 Sullivan. So you did register and you were able to vote?

16 MR. STEPHENS: Yes. On December the 7th, she
17 intentionally tried to disenfranchise us.

18 MS. SULLIVAN: I just wanted to make sure and confirm
19 that you were able to vote.

20 MR. STEPHENS: Finally, yeah. Okay. Then, I
21 contacted the county commissioners. I learned that there
22 had been a lot of issues since December 2018 in Stephens
23 County Elections Office. I contacted the county
24 commissioners on deaf ears. I started talking to them.
25 It was deaf ears with them. They didn't want to do

1 nothing to correct none of this.

2 I learned about Jeffrey Dimetrick. Here's a young
3 man. I know when I turned 16, I looked forward to getting
4 my driver's license. When I turned 18, I looked forward
5 to voting. Jeffrey, I found out about Jeffrey Dimetrick.
6 I contacted him and his mother. An 18-year-old who turned
7 18 in July of 2020, registered on September the 30th of
8 2020, went to vote on November 3rd of 2020, he was told he
9 wasn't registered. They let him vote a provisional
10 ballot, promising him that his vote would count. Well,
11 that night, at the Election Registrar's office, the
12 Election Board threw his -- threw his ballot out because
13 they said he wasn't registered.

14 Then, we all got together and started doing an
15 investigation to pull up open records. We met with the
16 district attorney, Mr. George Christian. We've had two
17 meetings with him and many, many phone calls. He is
18 waiting on y'all's decisions today before he takes action.
19 While we're sitting in the district attorney's office on
20 December -- they still hadn't found our paperwork.
21 Finally, on December the 17th, Eureka Gober finds mine and
22 my wife's paperwork. It was upstairs above her office
23 where the voting machines was, laying on the scanner,
24 unprotected. Then, they found -- on December 23rd, they
25 found Jeffrey's paperwork where he had registered back on

1 September the 3rd -- 30th. He had to go back then on
2 November the 23rd and register again for the January 5th
3 runoff.

4 Then, we're sitting in the district attorney's
5 office, the four of us, in a meeting with the district
6 attorney because he is familiar with all these illegal
7 activities, and we're sitting in his office in January. I
8 don't remember the exact date. I think it was January the
9 12th. Yeah, January the 12th. While we're talking to Mr.
10 Christian, the district attorney, Jeffrey, sitting there
11 too, gets an email on his iPhone from Eureka Gober saying
12 that his vote did count in the November 3rd election when
13 it did not count, Board members.

14 Then, we had a second meeting with the district
15 attorney. We've had, like I said, numerous phone calls.
16 It is a federal crime in a federal election to --

17 MR. MASHBURN: Mr. Stephens, this is Matt Mashburn
18 with the Board.

19 MS. SULLIVAN: Mr. Stephens, --

20 MR. STEPHENS: Yes?

21 MS. SULLIVAN: Thank you for your comments. One of
22 the Board members has a question for you, Mr. Mashburn.

23 MR. STEPHENS: Sure.

24 MR. MASHBURN: What I understand you're saying is
25 that you -- you feel that there's a lot of evidence

1 available for this Board to recommend this case over to
2 the Attorney General's Office; correct?

3 MR. STEPHENS: I am asking, sir, that this -- all
4 these cases because there's more wrongdoing that went on
5 in this office that ain't been investigated. I'm asking
6 that all of this be turned over -- all about me and -- me
7 and my wife and Jeffrey Dimetrick and, like, on the
8 January -- when they opened the ballots, Mr. Mashburn, on
9 absentee ballots, the first time they started opening them
10 for the January 5th election, I went up there and watched
11 and observed, and she had it listed that they had 1200 --
12 I'm sorry. Yeah, that they had 1297 ballots, absentee
13 ballots, but there was only 1100. That's another issue.
14 I was sitting there observing that.

15 MS. SULLIVAN: All right. Thank you, Mr. Stephens.
16 For the sake of time, we need to --

17 MR. STEPHENS: Let me -- let me say one thing to Mr.
18 Mashburn. Mr. Mashburn, I'm asking you Board members to
19 refer it to the Attorney General and the local district
20 attorney here where he can take actions. He's aware of
21 this. He's been working with us on my and my wife's case
22 and on Jeffrey Dimetrick's case. Please, sir.

23 MR. MASHBURN: Okay. Well, now, I appreciate your
24 comments, and I'm going to take them into my consideration
25 of making a motion in just a minute, but there might be

1 other people on this case that we need to hear from.

2 MR. STEPHENS: Yes, sir.

3 MS. SULLIVAN: I believe we have someone else. Thank
4 you, Mr. Stephens. Who else do we have?

5 MR. STEPHENS: All right. Thank you.

6 MS. THOMAS: Rebeckah Bennett.

7 MS. SULLIVAN: Ms. Bennett, you may speak now.

8 MS. BENNETT: I am just here as additional support
9 for Mr. Stephens if he was to need something from you guys
10 in regards to how I interfaced when the voters called me.
11 I think I have supplied a ton of data and have been very
12 compliant with the SOS's Office as to the disarray and the
13 continued issues that actually started in our county back
14 during qualifying of February 2020 before COVID hit, so
15 the office itself has had massive complaints in handling
16 from qualification of a sheriff all the way through to the
17 last election with protocol and processes.

18 MR. MASHBURN: This is Matt Mashburn. So I hear you
19 saying ditto -- ditto to Mr. Stephens; right?

20 MS. BENNETT: Correct.

21 MR. MASHBURN: Okay.

22 MS. SULLIVAN: Thank you. Is there anyone from
23 Stephens County here to speak?

24 MS. THOMAS: There's -- there's two people that have
25 their hands raised right now, Eric Wallace and Brenda

1 Newton. If you are wanting to speak on this case, please
2 write that in the Q&A box. I'm not sure by raising your
3 hand, so if you need -- if there's a case that you're here
4 to speak on, please write it in the Q&A box.

5 MS. SULLIVAN: I don't believe there are any more
6 people here to speak on behalf of this case.

7 MR. MASHBURN: And Ms. Bennett. Sorry to interrupt,
8 Rebecca.

9 MS. BENNETT: It's fine.

10 MR. MASHBURN: Ms. Bennett, do you want to say
11 anything about this photographing the ballot? Was that
12 you?

13 MS. BENNETT: It is.

14 MR. MASHBURN: Okay. Do you want to speak on that?

15 MS. BENNETT: I do. While I posted on Facebook that
16 I did, again, when Parish [ph.] asked me to actually send
17 him said photograph, I obviously don't have said
18 photograph and did not send to him. My issues and
19 concerns are every time the county voters -- and every
20 time they contacted me would send me screenshots of their
21 MyVoter page, none of the dates were matching up. In
22 fact, I even went and looked to see when I went and voted.
23 My mother is handicapped, so we both -- I have to take her
24 to the polls. Mine showed 10/18, and hers showed 10/27,
25 and we voted literally within a minute and a half of each

1 other.

2 MR. MASHBURN: So did you take --

3 MS. BENNETT: Wait just a minute.

4 MR. MASHBURN: I'm sorry to interrupt.

5 MS. BENNETT: Okay.

6 MR. MASHBURN: I'm sorry to interrupt, but did you
7 take this picture at the poll in the precinct?

8 MS. BENNETT: No. I did not -- I did not actually
9 take a picture.

10 MR. MASHBURN: Oh. Oh.

11 MS. BENNETT: I said that I did, but I did not
12 actually -- obviously, I couldn't -- Parish asked me to
13 send him a picture. I don't have a picture to send him.
14 Sorry.

15 MR. MASHBURN: Okay. So your -- your statement is
16 that you didn't take a picture at all. You just said that
17 you did, right?

18 MS. BENNETT: I said that I took a picture, but I do
19 not have a picture to send.

20 MR. WORLEY: This is Mr. Worley. I'm confused here.
21 Why did you say that you took a picture?

22 MS. BENNETT: Because it had been an issue within the
23 -- during the RLA and then during part of the voting
24 process where the media had been allowed to come in and
25 continually film and be intrusive, and the voters were

1 consistently coming to me, saying they felt like there was
2 not the correct privacy or booth-type materials within
3 Stephens County to allow them to vote in privacy and had
4 many issues with the poll workers who were standing over
5 their shoulders or looking or this, that, and the other,
6 and so I was really more or less looking for somebody to
7 come back and say something on my feet about one way or
8 the other about things that they had experienced there at
9 the polls based on the massive complaints that I was
10 having to handle. So not proper wordage per se, but --

11 MR. WORLEY: Well, --

12 MS. BENNETT: -- definitely just fielding issues that
13 were just continual and in a grievous manner all the way
14 through the 2020 process in Stephens County.

15 MR. WORLEY: I -- I just want -- I just want to be
16 absolutely clear. You're charged with a violation of the
17 election code. You're saying that -- I mean, who did you
18 tell that you took the picture? You just posted it online
19 or you actually told an investigator.

20 MS. BENNETT: He asked me did I -- he asked me did I
21 take a picture. I said I said I took a picture, and he
22 said can you send it to me? I said I don't have a picture
23 to send you. I don't know what more to tell you. I mean,
24 I don't have a picture to actually send you, which is what
25 he asked me to do.

1 MR. WORLEY: Well, I'm just interested in whether you
2 told the truth to the investigator.

3 MS. BENNETT: That was what he asked me. Did I say I
4 took a picture --

5 MR. WORLEY: Well, is the answer yes -- I'm sorry.
6 Is the answer yes or no? Did you tell the truth the
7 investigator?

8 MS. BENNETT: He asked me did I take a pic -- did I
9 say I took a picture. I said yes. I posted that I took a
10 picture. He says can you send that to me. I don't have a
11 picture to send him. I don't know how -- how differently
12 to state that. I mean, he asked me to send him something
13 that I don't have.

14 MR. WORLEY: Well, all I'm -- all I'm asking is
15 whether you actually told the truth to the investigator.

16 MS. BENNETT: He did ask me did I -- did I say that I
17 had taken a picture, and I said yes because I did post on
18 Facebook that I took a picture, but I do not have a
19 picture.

20 MR. WORLEY: Okay. Thank you. You've answered the
21 question.

22 MR. MASHBURN: So I think -- I think where David's
23 going is you might be able to say I don't have a picture
24 because I've deleted it, or I don't have a picture because
25 I never took one, and I wasn't telling the truth when I

1 said I took a picture of it, so that's just what we're
2 just trying to get to.

3 MS. BENNETT: Okay. Sorry. Yes. I lied on Facebook
4 and said I took a picture. I do not have a picture.

5 MR. WORLEY: But you did not lie to the investigator?

6 MS. BENNETT: He -- I mean, I don't know what you're
7 -- he asked me did I say that, and I said yes I did post
8 that, so I mean, it's not online --

9 MR. WORLEY: So -- according to you, you're answering
10 the question truthfully. You answered his question
11 truthfully.

12 MS. BENNETT: Based on what he asked me, yes.

13 MR. WORLEY: Okay.

14 MR. MASHBURN: Yeah. And here -- and here's why it's
15 important is because I wish it were, but it's not illegal
16 or against the election code to lie on Facebook, and if it
17 were, there would be a lot of people in a lot of trouble,
18 so that's why it -- that's why it makes a difference. It
19 is illegal to lie to the investigator, so that's why --
20 we're not just picking at small details for no reason,
21 it's that the essential matter of whether you committed a
22 violation or not, so do you see -- do you see what we're
23 asking?

24 MS. BENNETT: No. I mean, I agree. I mean, I guess
25 I'm trying to say I don't know how you -- I mean, he asked

1 -- Investigator Parish did ask me did you state you had
2 taken a picture of your ballot, and I can't say that I
3 didn't because there's a post on Facebook that says that I
4 did.

5 MR. MASHBURN: But you didn't post a ballot --

6 MS. BENNETT: So am I not telling him the truth?

7 MR. MASHBURN: You didn't post the ballot with that -
8 - with that statement, right?

9 MS. BENNETT: No. I don't have a ballot to actually
10 post.

11 MR. MASHBURN: Okay. But you never took a picture of
12 a ballot?

13 MS. LE: Ms. Bennett, --

14 MS. BENNETT: I have sample ballots that I posted,
15 but I do not have my ballot that I posted.

16 MR. MASHBURN: But your statement is that you never
17 took a picture of a ballot, correct?

18 MS. BENNETT: Correct.

19 MR. WORLEY: Ms. -- Ms. Bennett, this is Mr. Worley
20 again. Am I correct in understanding that you're a member
21 of the Stephens County Election Board?

22 MS. BENNETT: No, I am not.

23 MR. WORLEY: Okay. All right.

24 MS. SULLIVAN: Okay. Thank you. I think we probably
25 need to move on. There is no one else here to speak

1 regarding this matter, correct? And please remind me of
2 the recommendation, Ms. Watson.

3 MS. WATSON: To refer to the Attorney General the
4 listed violations.

5 MS. SULLIVAN: Now would be an appropriate time for a
6 motion if one of the members would like to make one. I
7 will move that we accept the recommendation of the
8 investigator -- of the investigator.

9 MR. WORLEY: I will second that.

10 MS. SULLIVAN: We have a second from Mr. Worley. So
11 we have a motion and a second. Is there any further
12 discussion regarding this matter? All right. Well, all
13 in favor, please signify by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: Is anyone opposed? All right. The
16 motion passes. The next case on our agenda is case 2020-
17 158.

18 MS. WATSON: Yes. Danny Housley [ph.] reported there
19 was no controller -- this was on 11/03/2020 -- for the
20 machines so people with physical and visual disabilities
21 could not access the ballot at the Peachtree Hills
22 Recreation Center polling location. Four additional
23 polling locations were discovered by Secretary of State
24 investigators to be deficient of equipment for voters with
25 visual and physical disabilities.

1 Investigation revealed Mr. Housley advised he arrived
2 at Peachtree Hills Recreation Center at 9:15 A.M., and the
3 controller could not be located to allow him to vote. It
4 was determined that there was not one at the location. A
5 request was made for one in about 45 minutes. He was
6 advised it could be as long as two hours or more to wait
7 before one was delivered. He waited and after two and a
8 half hours, he was able to vote.

9 On November 3rd, 2020, there was no ATI located at
10 the Wolf Creek Library polling location. The poll manager
11 had requested one at 7 A.M. and again at 11:43 A.M., which
12 was documented in the notes for the precinct request was
13 for scanner keys, ATI control headset, and provisional
14 numbers list. On November 3rd, it was found that the
15 American Legion, JC Environmental Campus, and Northeast
16 Rural Oaks Library polling locations did not have an ATI
17 device present at the opening of polls. Devices were
18 requested by poll managers.

19 Derek Gilstrap [ph.] with Fulton County advised that
20 during the November election, every precinct had an ATI.
21 He states headphones were missing at two or three of the
22 precincts, but no ATI. This is contradictory to the poll
23 managers' statements, requests, and investigator
24 observations at these locations during site inspections on
25 November 3rd. We're recommending Fulton County Board of

1 Registration and Elections, Fulton County Elections
2 Director, Richard Barron, be referred to the AG's Office
3 for violation of 21-2-379(7)(b)(4) for five counts.

4 MS. THOMAS: And on the line we have David Lowman
5 with Nadine Williams and Ralph Jones on the line.

6 MS. SULLIVAN: Mr. Lowman, you can go ahead.

7 MR. LOWMAN: Yes. I would like Ms. Williams, who is
8 the Chief of Elections, to speak to this issue.

9 MS. SULLIVAN: Sure, go ahead.

10 MS. WILLIAMS: Good morning. Oh. Good afternoon,
11 Board. All precincts in the November 2020 election were
12 equipped with ATIs as required. Some of the precincts
13 were given two dual unit carriers. However, only one of
14 the carriers was equipped with an ATI. We believe that
15 some of the poll managers -- managers or poll workers
16 mistakenly thought that each dual unit was supposed to
17 have an ATI installed, which was not the case. In the
18 future though, we will ensure that each of our two-unit
19 carriers has ATI to avoid poll manager confusion, but we
20 believe that all the equipment -- all the equipment was --
21 all sites had ATIs. They were just looking in the -- in
22 the wrong carrier.

23 MS. THOMAS: Mr. Lowman, did you want to say
24 anything?

25 MR. LOWMAN: Yes. I will say that because we believe

1 that the correct ATI equipment was provided at each
2 precinct, we would ask that this case be dismissed or in
3 the alternative receive letters of instruction
4 specifically guided towards the poll workers and poll
5 managers so that they understand where the equipment would
6 be located. I think Ms. Williams has indicated that that
7 might not even be necessary since the ATIs will be
8 provided with both carriers from now on. Thank you.

9 MS. SULLIVAN: Are there any questions from any other
10 members of the Board?

11 MR. WORLEY: I'm -- I'm a little unclear here. Are
12 you saying that the equipment was at all the poll but not
13 all the poll workers were properly instructed on the
14 equipment?

15 MS. WILLIAMS: They were instructed on the equipment
16 and how to use the equipment. What they did not realize
17 is that they had more than one two-unit carrier, so that
18 it was in a -- in a different carrier. So we will ensure
19 that it's in every single carrier so actually the polls
20 end up having more than one ATI in the future, if they
21 have dual units -- more than one dual unit carrier.

22 MR. WORLEY: Okay. And just to be clear, could you
23 explain what you mean by dual unit carrier?

24 MS. WILLIAMS: I'm sorry. Our BMDs, because our
25 county is so big that if we have tabletop BMDs, it would

1 take up a lot of room inside of each of the polling
2 places, so we have purchased carriers. Some of them house
3 four BMDs, and the others are made to house two BMDs,
4 which has the one that is handicap accessible. Inside
5 that two-unit carrier, it holds two so that it's made to
6 where the handicap accessible units would be in that
7 carrier. Some of the precincts have more than one two-
8 unit carrier, so when they looked into -- unless they
9 looked into the one with the two-unit carrier with two
10 BMDs in it, you didn't see the ATI so you reported you had
11 no ATI, but if you looked -- would have looked in the
12 other two-unit carrier, they would have found it.

13 MR. WORLEY: Okay. And have -- have -- has poll
14 worker training been changed to make sure that poll
15 workers are now aware of this?

16 MS. WILLIAMS: Yes. We will ensure that the poll
17 workers en -- know where all their equipment is located.
18 We will ensure that the techs that are on site also are
19 knowledgeable of that, and just to avoid that altogether,
20 we're just going to have an ATI in every two-unit carrier,
21 so they'll just have additional ATI. If you have a two-
22 unit carrier, you'll just have two handicapped units at
23 your location.

24 MS. LE: And this is Anh. Just for a clarification,
25 did you -- were there -- how many voters were affected?

1 MS. WILLIAMS: I do not see where the number of
2 voters that were affected -- I see on the report there was
3 4 locations, but I think it was one voter on the report
4 that I see that we were given.

5 MS. SULLIVAN: Was that voter able to vote?

6 MS. WATSON: Yes.

7 MS. WILLIAMS: Yes.

8 MS. SULLIVAN: Are there any further questions? The
9 recommendation is to refer this matter to the Attorney
10 General's Office; is that correct?

11 MS. WATSON: That is correct.

12 MR. WORLEY: Madam Chair, this is David Worley. I --
13 given that problem appears to be fixed and the County is
14 undertaking training of the poll workers on where the
15 equipment actually is and that, in fact, the equipment was
16 present --

17 MS. SULLIVAN: Mr. Worley, you keep fading out. If
18 you could repeat yourself. I'm sorry.

19 MR. WORLEY: I'm sorry. I would make a motion that a
20 letter of instruction be sent because Fulton County has
21 corrected the problem, and I don't really see what else
22 would be gained by referring it to the Attorney General's
23 office.

24 MR. MASHBURN: David, this is Matt Mashburn. I
25 agree. Would you be amenable to a -- an amendment to add

1 a \$250 fine just for the inconvenience of the voter to
2 show that the Board takes his inconvenience seriously?
3 Would you accept that?

4 MR. WORLEY: Well, I would accept -- I would accept
5 that penalty, but I -- if we're going to consider a
6 penalty, I would refer it to the Attorney General's Office
7 because I think it's important that the Attorney General's
8 Office compare the penalty in this case to similar
9 penalties in other cases so that we can ensure --

10 MR. MASHBURN: I'll second your motion as stated, as
11 you stated it. I'll second it.

12 MS. SULLIVAN: So the motion on the table is to issue
13 a letter of instruction; is that correct? And it was
14 seconded by Mr. Mashburn.

15 MR. MASHBURN: Correct.

16 MS. SULLIVAN: Okay. Is there any further
17 discussion? All in favor, signify by saying aye, please.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: There is no one opposed. That motion
20 passes. The next case is 2020-174.

21 MS. WATSON: Yes. Election Supervisor Lisa Garrison
22 [ph.] for the City of Sale, Georgia reported their city
23 held an election on November 3rd, 2020. Lisa Garrison
24 advised they had a voter who was allowed to vote twice,
25 once during early voting and again on Election Day. The

1 investigation revealed that during the November 3rd, 2020
2 special election held in Sale City that Joseph Sessions,
3 Senior [ph.] voted twice in the same election. Joseph
4 Sessions, Senior voted during early voting on October the
5 19th, 2020, and he was a repeat voter on Election Day on
6 November 3rd, 2020. Joseph Sessions, Senior did not
7 remember voting two times in the special election. Our
8 recommendation is for Lisa Garrison, City Elections
9 Superintendent, Lynn Eckeridge [ph.] the poll manager be
10 referred to the AG's Office for 21-2-431 and Joseph
11 Sessions, Senior be referred to the AG's Office for 21-2-
12 572.

13 MS. SULLIVAN: There is no one here to speak
14 regarding this case. Does anybody have any questions?

15 MR. MASHBURN: I don't have any questions, and I move
16 that we accept the recommendation.

17 MS. SULLIVAN: I'll second that motion. We have a
18 motion and second to refer this to the Attorney General's
19 Office. Is there any further discussion? All in favor,
20 please signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MS. SULLIVAN: None opposed. That motion passes.
23 The next case is 2020-175, DeKalb County.

24 MS. WATSON: Yes. This investigation was opened
25 after Sandy Romps [ph.] who alleged her -- a deceased

1 voter fraud perpetuated against her father-in-law John
2 Romps [ph.], who passed away on September the 19th, and
3 Louis Trammel [ph.], who passed away on April 30th, 2020.
4 According to the complainant, her father-in-law's Georgia
5 voter registration status was changed from deceased to
6 active after his date of death, and the address of record
7 was changed from Paulding County to a DeKalb County
8 address. The complainant also learned that another
9 deceased voter registration status was changed from
10 deceased to active and that the deceased voter's address
11 was changed to the same fraudulent address that was listed
12 for her father-in-law.

13 The investigation confirmed that deceased voters John
14 Romps and Louis Trammel were victims of identity theft and
15 that fraudulent Georgia driver's licenses were issued in
16 their names online. Because Georgia has automatic
17 registration through the Georgia DDS, an application for
18 voter registration was automatically generated and sent to
19 the queue for the rep -- reportedly new county of
20 residence. The investigation did not uncover any evidence
21 as to whether there was any election fraud and a query of
22 the Georgia voter registration system revealed that none
23 of the deceased individuals had votes cast under the
24 registration number after their date of death. The
25 investigation identified several criminal violations that

1 fell under the purview of the Georgia Department of Driver
2 Services, which were being investigated by the Department
3 of Driver Services.

4 However, it appears the DeKalb County Board of
5 Elections and Registration failed to perform its due
6 diligence when it did not conduct further inquiry on voter
7 registration numbers for the registration status as noted
8 in the Georgia voter registration system as deceased. Had
9 due diligence been performed, DeKalb County Board of
10 Elections and Registration could have challenged the
11 application or could have contacted the former county for
12 clarification. We're recommending DeKalb County Board of
13 Elections and Registration be bound over to the Attorney
14 General's Office for two counts of 21-2-217(b).

15 MS. THOMAS: And Irene Vander Els is on the line.

16 MS. LE: Ms. -- Ms. Sullivan, this is Anh Le. I'd
17 like to recuse myself from this case, please.

18 MS. SULLIVAN: Certainly. Ms. Vander Els, please go
19 ahead.

20 MS. VANDER ELS: Thank you, Board members. With
21 respect to our voter registration process, our permanent
22 and long-term temporary staff will be retrained and
23 refreshed on this registration process and will be
24 instructed to elevate to election supervisors any
25 applications that come through for a voter whose

1 registration has previously been canceled so that
2 additional research can be conducted at the supervisor's
3 level to ensure that issues like this don't occur in the
4 future, and our Elections Director Erica Hamilton is also
5 on the line, I believe, if you have any questions. And
6 because of these new procedures, we'd ask that a letter of
7 instruction be issued in this case rather than a referral
8 to the Attorney General.

9 MS. SULLIVAN: Do any Board members have any
10 questions? Are these new processes -- did you say that
11 are in place or will be in place?

12 MS. VANDER ELS: Well, these -- I believe these are
13 in place now, but they are going to do an updated
14 training, I think, in conjunction with the new law that
15 will ensure that these new procedures are -- that everyone
16 is made aware of them with respect to registration going
17 forward.

18 MR. MASHBURN: I don't have -- this is Matt Mashburn.
19 I don't have any questions. I would move that it be
20 referred over to the Attorney General's Office.

21 MS. SULLIVAN: We have a motion to refer this matter
22 to the Attorney General's Office. Is there a second?

23 MR. WORLEY: I will second that.

24 MS. SULLIVAN: We have a motion and a second. If
25 there's no further discussion, everyone who would like to

1 vote -- vote in favor of that motion, please say aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: And there are none opposed. Ms. Le
4 recused herself from that vote. That motion passes.
5 Okay. We are going to go back to 2020-141. This is the
6 Cobb County case which we have referred this to the
7 Attorney General's Office, but the complainant was not
8 able to speak and would like an opportunity to address the
9 Board, so we will do that now. Mr. Wallace, you have the
10 opportunity to speak.

11 MR. WALLACE: Okay. Can everybody hear me now?

12 MR. WORLEY: Yes.

13 MR. WALLACE: Okay. Thank you. We were having
14 technical difficulties, but I wanted to hopefully answer
15 any questions that possibly the Board had and hope for
16 some type of reconsideration, but I just wanted to say
17 that we've -- we've done -- had promoted this marketing
18 plan for the past 20 years, and we've done it the same way
19 and never had a problem before, and we've made it very
20 clear in all of our advertising that this was -- that this
21 was available or anyone was eligible if they could pass a
22 background check for this sweepstakes or raffle. We've --
23 we've never stated that someone was required to vote or
24 not vote to be a part of this raffle. We had about twenty
25 people come in the store to register. There was one rifle

1 that was given away to -- to someone. We don't know if
2 they voted or didn't vote.

3 And in our marketing, we often use current events to
4 attract attention to try to get new customers, and this is
5 just something that we were doing at the time. But -- and
6 it was very -- the actual complaint is a little -- is
7 misleading and really untrue because we never said that
8 someone has to vote to be eligible, and the print that was
9 on the sign on the front door that the investigator came
10 out, and I spoke with him personally, and he took a
11 picture of it. It said that you are not required to vote.
12 You are not required to not vote and for an issue or not
13 for an issue and that anyone is -- anyone is eligible of
14 legal age and that could pass a background check, and
15 there was one rifle given away.

16 MS. SULLIVAN: Mr. -- Mr. Wallace, this is Rebecca
17 Sullivan. I believe that the investigation materials
18 state that the online ad did say that you had to register
19 to vote or vote --

20 MS. WATSON: Show the I Voted sticker.

21 MS. SULLIVAN: -- show the I voted sticker in order
22 to enter the rifle, but it was at the store where you
23 advertised that no one was required to vote.

24 MR. WALLACE: Well --

25 MS. SULLIVAN: Is that a correct statement of the

1 facts?

2 MR. WALLACE: No, not totally. Because the online
3 ads, it was very general and generate where it just said
4 vote, win a rifle. See store for details, which we had
5 that on the ad. It did reference bring in a Georgia voter
6 sticker, but in no way did it say that they were required
7 to vote or not vote, and then we made that very -- it said
8 on the online ad see store for details because in our
9 marketing and advertising, we're not able to put all of
10 the -- of the rules of the marketing campaign, so that's
11 why we put it, you know, in print on the front door, where
12 it says see store for details.

13 MS. SULLIVAN: Thank you, Mr. Wallace.

14 MR. MASHBURN: This is -- this is Matt Mashburn. Mr.
15 Wallace, in retrospect looking back, you can now see how
16 vote, win a rifle is problematic, can't you?

17 MR. WALLACE: Well, in nature. I mean, we were using
18 that as a current event to, of course, you know, we try to
19 market to our customers out there possibly, but we often
20 use current events as part of our advertising, and this
21 was a current event at the time. Sometimes it could be,
22 you know, considered controversial, but that's what, you
23 know, gets attention, and we're just trying to get out
24 there and promote to, you know, new customers. Our real
25 intent was to get new customers in the door, collecting

1 addresses, and they fill out a, you know, a form with
2 their name and -- name and email address, and they have a
3 chance to, you know, win a rifle.

4 MR. MASHBURN: I appreciate your explanation. Thank
5 you.

6 MR. WALLACE: Yes, sir.

7 MS. SULLIVAN: Do any other Board members have any
8 questions? Thank you, Mr. Wallace, for being here. The
9 next case on our agenda is SEB case number 2020-181, Bell
10 Hi -- Ben Hill County.

11 MS. WATSON: In November of 2020, it was reported to
12 the investigations division that Ben Hill County failed to
13 hold a runoff following the June 9th, 2020 primary
14 election for the Board of Education race. Investigation
15 substantiated that there were three candidates in the race
16 for the Ben Hill County Board Education District 6 race.
17 There was no candidate that received a majority of the
18 vote. The Ben Hill Elections Supervisor advised that she
19 believed that the School Board race was decided by
20 plurality and not majority. The Elections Supervisor
21 Cindi Dunlap contacted the county attorney and the current
22 Board of Education to verify if the race was decided by
23 majority or plurality and was advised it was plurality.

24 Later, Cindi Dunlap received documents for the runoff
25 election from the Secretary of State and Center for

1 Elections on multiple times, at least one email on June
2 17th, 2020, at which time she responded that Ben Hill did
3 not have a runoff election. On August 5th, 2020, Cindi
4 Dunlap was informed that a runoff was required. A court
5 order was sought by Ben Hill to determine the date to hold
6 the runoff. Candidates were notified of the hearing and
7 the runoff. The court determined the runoff would be held
8 on December the 1st, 2020. Our recommendation is to issue
9 a letter of instruction for Cindi Dunlap, the Elections
10 Supervisor for Ben Hill County, and the Ben Hill County
11 Board of Elections and Registration for violation of 21-2-
12 501(a), as Cindi Dunlap did seek advice from the county
13 attorney and the Board of Education in reference to
14 whether a runoff was required.

15 MS. THOMAS: And we have four people here to speak on
16 this case. First is Cindi Dunlap and Tom Sawyer [sic].

17 MS. SULLIVAN: Ms. Dunlap, go ahead. Go ahead, Ms.
18 Dunlap. Can you hear us?

19 MS. THOMAS: You're unmuted. You can go ahead and
20 speak. Mr. Sawyer?

21 MS. SAWYER: Hi, can you hear me?

22 MS. SULLIVAN: Yes, we can hear you now.

23 MS. SAWYER: Actually, it's Ms. This is Toni Sawyer.
24 How are you doing?

25 MS. SULLIVAN: Okay. Ms. Sawyer?

1 MS. SAWYER: Yes, ma'am.

2 MS. SULLIVAN: Yes, thank you.

3 MS. SAWYER: Well, I represent the Ben Hill County
4 School District, and first and foremost what we would like
5 to express is that the school district nor the Board of
6 Education has any involvement in any election, you know.
7 Not only is it our charter that we are elected under the
8 Georgia election law, but there's nothing in the election
9 law that provides that the school district gets involved
10 in these elections. Our Board members qualify with the
11 Board of Elections. The Board of Elections holds these
12 elections for us, and actually, under Title 20 and Title -
13 - Title 20, which is the education law, and Title 21,
14 which is, of course, the election law, states that the
15 Board of Elections and Registration is the entity in Ben
16 Hill County that will hold the election and certify the
17 results locally and to the Elections Board -- I meant to
18 the State Board of Elections.

19 So with that being said, I would like to first advise
20 that there's been some misinformation. Unfortunately, Ms.
21 Dunlap did not contact the Board of Education as it
22 relates to how our members are elected. We were not
23 notified of anything until August 5th when Ms. Dunlap
24 actually contacted me after a conversation or a telephone
25 call that was made to her by Mr. Chris Harvey advising her

1 that she was supposed to have a runoff the next week.
2 That was the first contact that was made about this runoff
3 and how members are elected. Now, it has been said by Ms.
4 Dunlap that three of our Board members were asked, and our
5 Board members in the petition to hold the election -- to
6 hold the missed election -- provided affidavits stating
7 that that never occurred.

8 So, you know, I'm -- the State Board of Elections,
9 you know, it's up to you as to what you want to do, but we
10 just wanted to make it clear on behalf of the Board of
11 Education that one, we have no involvement in the
12 elections. Two, we were never contacted and never asked
13 until August 5th. My understanding is that the county
14 attorney was not contacted until much later, after the
15 August 5th communication with Mr. Harvey, and, you know --

16 MS. SULLIVAN: Thank you. The Board of Education is
17 not a Respondent in this case, correct?

18 MS. SAWYER: Correct. Correct. We just --

19 MS. SULLIVAN: Okay.

20 MS. SAWYER: -- wanted to clarify misinformation that
21 was provided.

22 MS. SULLIVAN: Thank you. Thank you. Is Ms. Dunlap
23 able to speak? Ms. Dunlap?

24 MS. DUNLAP: Can you hear me?

25 MS. SULLIVAN: We can hear you now, yes.

1 MS. DUNLAP: Okay. Actually, Nick Kinsley, our
2 county attorney, is on to speak for Ben Hill County.

3 MS. SULLIVAN: Okay.

4 MS. DUNLAP: Which, I mean, I'll answer any questions
5 if anybody has any for me.

6 MS. SULLIVAN: Sure. He's unmuted and give him the
7 go ahead.

8 MR. KINSLEY: Thank you. And we received the letter
9 and so the factual findings that I had were a little
10 briefer than the ones that were discussed at the hearing,
11 and -- but I think I typically agree with it. You know,
12 we're happy to answer any questions, but if it's the
13 Board's desire to issue a letter of instruction, you know,
14 we don't object to that. Thank you.

15 MS. THOMAS: All right. And then we also have
16 Kenneth Palmer on the line as well.

17 MS. SULLIVAN: Mr. Palmer, you may go ahead.

18 MS. THOMAS: You can unmute yourself using the
19 toolbar.

20 MR. PALMER: Yeah. On the night of the election when
21 I arrived, I guess after the election was over, I was
22 informed that, you know, I had won the election, so I
23 asked for a copy of the results, and it was effectively --
24 I had to discover myself that, in fact, that I had not won
25 the election that night. And so it -- there was banter

1 about, you know, I guess, people just trying to appease
2 me. Okay. Well, it ended up in a plurality. Is there a
3 runoff? Or -- or, you know, what's supposed to take place
4 now? Because, you know, I arrived and was greeted and
5 congratulated that hey, I had won this election, only to
6 have to, you know, get the election results myself and
7 then go back and inform them that hey, you know, if my
8 math is correct, you know, the incumbent had ten more
9 votes than I had, and it was, like, okay, well, okay.

10 Well, there was a brief pause and a separation.
11 Then, I was informed that okay, yeah, they had -- they had
12 had votes, I guess, that came in, absentee ballots must
13 have come in. And, you know, then, I guess -- in an
14 effort, I guess to -- you know, I wasn't -- I wasn't
15 upset, you know. I was willing to accept the results of
16 whatever -- for whatever they were, but at the time, I
17 guess, you know, there was still uncertainty of if this
18 was a plurality or if there were -- if there was supposed
19 to be a runoff when you have more than -- if you don't
20 have fifty percent of the vote, and -- and that never
21 occurred.

22 I didn't hear anything about a runoff until someone
23 contacted me about a local tele -- television station, I
24 guess, announcing, I guess, the runoff the next day. And
25 actually, you know, it was -- it was me having to contact

1 the Elections Office to find out, and then later, we go
2 to, you know, a trial, hearing, so forth and so on. It's
3 just that at that time, I guess, if there was uncertainty,
4 I mean, it should have been investigated, you know, then
5 to avoid, I guess, the confusion, I guess, it may have
6 caused later down the line. Thank you.

7 MS. SULLIVAN: Thank you, Mr. Palmer. When you say
8 they informed you that you won, who are you -- who told
9 you that you won the election at this point?

10 MR. PALMER: Well, when I walked in, I think I
11 remember the sheriff. I guess he was there, I guess, to,
12 you know, as security, you know, congratulated by him, and
13 there were, I think -- there were -- maybe I can't
14 remember the lady's name that was leaving as I came in. I
15 think she had -- I think she was in the other district,
16 and she had got her results.

17 MS. SULLIVAN: So that would just be members of the
18 public, not the actual County telling you that?

19 MR. PALMER: I think, you know, there were
20 congratulations from -- I think -- I don't know what their
21 name is. Maybe Heather, I think, or just the whole -- the
22 whole -- just the whole, you know, everybody that was
23 there, I guess, you know, for the most part, you know, was
24 in turn, you know, issuing congratulations and like I say,
25 I was set to walk out, but I asked for a copy of the

1 actual results to see the numbers, and when I get, you
2 know, to the door looking at the numbers and, you know, I
3 was ten votes, you know, behind the incumbent, and I'm
4 like, okay, hey, I'm not a math major, but, you know, if
5 he has ten more votes than me, then, you know, somewhere
6 there's a mistake. And I think somebody, you know, went
7 back and I guess got with the -- I guess whoever was
8 counting the votes, and they came back and said, you know,
9 I guess there was a mistake, and it must have been some
10 absentee -- absentee ballots came in, and then, you know,
11 just I don't know who or what -- how it was said, you
12 know, but I guess, you know, --

13 MS. SULLIVAN: I think we have sufficient -- we have
14 sufficient information regarding that. Thank you, Mr.
15 Palmer. Does any Board member have any questions for any
16 of our speakers or Ms. Watson?

17 MR. WORLEY: I have a question, Ms. Sullivan. I have
18 a question for Ms. Dunlap. Why was a runoff not held?

19 MS. DUNLAP: Okay. Well, it -- it kind of goes back
20 to what Ms. Sawyer said. This is going to get into a he
21 said, she said. I did ask a couple of the Board members
22 that night. One -- well, one particular that was in the
23 runoff if it was majority or plurality. I had left the
24 County and came back. I didn't know if there had been any
25 changes. There was a few contacts. They say we did not

1 contact them. You know, it's really not a matter of
2 getting he said or she said. Ultimately, it comes down to
3 me. I did take that word of plurality, contacted a few
4 others. I did contact the State through email, my
5 liaison, twice between the actual election and June 17th,
6 and numerous times -- or those two times through email
7 stated that we did not have one, and we didn't have one
8 through plurality.

9 I also had conversations with Dominion and No, Inc.
10 When they contacted me for information, I told them we did
11 not have one. It was -- nothing was, you know, ever said
12 or done. And then, it came about later on that it was
13 supposed to be done. It was by majority, and we
14 immediately petitioned the court to get a date.

15 Now, nobody in my -- affiliated with my office
16 congratulated Mr. Palmer. We actually didn't -- we don't
17 know the final results. We're so busy. There's only
18 three of us in the actual office to do the end of the
19 night stuff. We're so busy. We actually don't physically
20 sit down and look at everything until the day after. He
21 was correct. It was, I think, the sheriff, and there were
22 some other people that came in to get results. I make
23 sure all candidates get results. I hand them off to other
24 people to give to them. If Mr. Palmer didn't get one, I -
25 - you know, I do apologize for that. We also give our

1 media Election Night results as well and also statements
2 of votes cast if they request them.

3 MR. MASHBURN: This is Matt Mashburn. I'm sorry to
4 interrupt you. This is Matt Mashburn. So there's a court
5 -- there was a court suit, a lawsuit, that happened,
6 right?

7 MS. DUNLAP: No, sir. There was no lawsuit.

8 MR. KINSLEY: This is Nick Kinsley. May I explain
9 that?

10 MR. MASHBURN: Okay. I thought you were saying there
11 was a suit.

12 MR. KINSLEY: This is Nick Kinsley. May I explain
13 that?

14 MS. SULLIVAN: You may.

15 MR. KINSLEY: So -- so what happened was immediately
16 after Mr. Harvey called Ms. Dunlap, and she had spoken
17 with the liaison and whatnot, she called my office, and we
18 determined that, you know, there should have been a
19 runoff. We actually spoke with Ms. Harvey -- Mr. Harvey
20 with the county attorney office and, you know, decided the
21 best option was to -- to petition the court for another
22 date for a runoff, so we did that, and the -- Mr.
23 Herlovitch [ph.] and Mr. Palmer were both served and
24 attended the hearing, and at the hearing, we presented all
25 the information. There was no real arguments. We

1 suggested the November election just to save money and
2 just so -- since we were already holding another election
3 it would be easy. They preferred December, so we had no
4 problem with that. We did not object, and so the court
5 issued an order that a December election was held. So at
6 the December election, we didn't receive any complaints.
7 The -- the winner was Mr. Palmer, and he was able to take
8 his seat with the Board of Elections [sic - Education] so
9 the only, you know, difference was there was a delay from
10 let's say August to December. There was no actual harm,
11 and there were no complaints, and so, you know, in our
12 opinion, you know, remedial steps were taken.

13 MR. MASHBURN: Instead of a runoff, y'all just had a
14 new election, right?

15 MR. KINSLEY: Say that again. I was talking over
16 you. I apologize.

17 MR. MASHBURN: In place of the missed runoff, you
18 just had a new election?

19 MR. KINSLEY: That's correct. We -- we held it in
20 December instead of August. Correct.

21 MR. MASHBURN: Okay. Thank you.

22 MR. KINSLEY: You're welcome.

23 MS. SULLIVAN: What is the pleasure of the Board?

24 MR. WORLEY: Ms. Sullivan, this is David Worley. I -
25 - I cannot accept the investigator's recommendation of a

1 letter of instruction. This is -- this is the most basic
2 thing that election officials do which is to have an
3 election when you're supposed to have an election, and,
4 you know, this idea that well, we'll take a letter. It's
5 fine. No problem. No harm, no foul. That's -- that's
6 not how it works, in my opinion, so I would make a motion
7 that we refer this to the Attorney General's Office.

8 MS. SULLIVAN: I'll second your motion. Is there any
9 further discussion? All in favor of the motion to refer
10 this matter to the Attorney General's Office, signify by
11 saying aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: No opposition. That motion passes.
14 The next case -- thank you all for being here. The next
15 case on the agenda is 2020-191, Forsyth County.

16 MS. WATSON: [sound distortion] the Secretary of
17 State received multiple complaints regarding the
18 processing of absentee ballots and possible voter
19 registration fraud during the Forsyth County 2020 primary,
20 general, and general runoff election. The first
21 allegation was Forsyth County Voter Registration Office
22 did not process an absentee ballot that was placed inside
23 an absentee ballot drop box during the 2020 general
24 election. There was insufficient evidence to substantiate
25 that allegation.

1 The Forsyth County Voter Registration Office did not
2 process UOCAVA absentee ballot requests in a timely manner
3 during the 2020 general election. This was also
4 unsubstantiated. Elena Roderick [ph.] is a dental student
5 in Augusta living in -- just over the line in South
6 Carolina. She's registered to vote in Forsyth County, and
7 she requested an absentee ballot for the 2020 general
8 election. Danice Wang is a resident of Utah. She's
9 registered to vote in Forsyth County, and she regis --
10 requested an absentee ballot for the 2020 general runoff
11 election. Someone filed a fraudulent application for
12 absentee ballots for Robin and Robert Cookson for the 2020
13 primary election.

14 Investigation shows in allegation 3, the homeowner at
15 4650 Alistair Drive, Cumming, Georgia, reported that Elena
16 Roderick [sound distortion] resident. It was reported
17 that Elena Roderick is a student in dental school in
18 August, Georgia but resides in South Carolina. The voter
19 registration date at this address was October 16th, 2020.
20 An absentee ballot application was submitted for the 2020
21 general election and was issued to the South Carolina
22 address but was not voted or returned. Records indicate
23 Elena to have resided in South Carolina for the past two
24 years. Elena stated she has been living in South Carolina
25 for the last two years while attending dental school and

1 that her husband's family -- I believe it was her fiancé's
2 family owned a house in Forsyth prior to her moving which
3 was two years prior and not at the time that she
4 registered at that address.

5 As to allegation 4, Danice Wang, it was verified that
6 Wang moved from Forsyth to Utah in 2018 after graduating
7 college. Wang voted in the 2020 general election in Utah
8 and then requested an absentee ballot for the 2020 general
9 election runoff in Georgia. The ballot was not voted or
10 returned. Records indicate she is a resident at 3854 Sage
11 Meadow Drive, South Jordan, Utah and owns a vehicle that
12 is also registered at this address in Utah, and she has a
13 voter registration and voted in Utah in 2020. On December
14 15th, 2020, [sound distortion] her Georgia voter
15 registration.

16 As to allegation 5, Robert and Robin Cookson stated
17 that they believe someone had fraudulently submitted an
18 absentee ballot application in their name for the 2020
19 primary election. The application for the absentee ballot
20 listed the address for the Cooksons in North Carolina with
21 the street number being off by one number. Applications
22 for the Cooksons was obtained, and they verified the
23 applications were not submitted by them. Further
24 investigation determined the Cooksons had been associated
25 with a North Carolina address since 2014 and have vehicles

1 registered in North Carolina and registered to vote in
2 North Carolina in 2016 and voted [sound cuts out]
3 electors.

4 MS. THOMAS: And we have four people here to speak.
5 First is Bryan Sells on behalf of Elena Roderick.

6 MS. SULLIVAN: Mr. Sells, go ahead.

7 MR. SELLS: Thank you. Good afternoon, Madam Vice
8 Chair and members of the State Election Board. I'm Bryan
9 Sells. I represent Elena Roderick, one of the Respondents
10 in case number 2020-191. The complaint against Ms.
11 Roderick should be dismissed because she is not a resident
12 of South Carolina, and she certainly did not know that she
13 is a resident of South Carolina when she registered to
14 vote and requested an absentee ballot in 2020. Staff
15 alleges that Ms. Roderick violated section 21-2-561,
16 relating to voter registration, and in 21-2-573, relating
17 to absentee voting, by registering to vote and requesting
18 an absentee ballot in the 2020 election while she was a
19 resident of South Carolina. Both statutes require a
20 knowing violation. In other words, Ms. Roderick must have
21 known that she was a resident of South Carolina when she
22 registered to vote and requested an absentee ballot, but
23 Ms. Roderick is not a resident of South Carolina. She is
24 a resident of Georgia, and she has been since she was four
25 years old.

1 Since 2018, Ms. Roderick has been a full-time student
2 at the Dental College of Georgia, which is part of Augusta
3 University in Augusta, Georgia. Prior to her
4 matriculation at the Dental College of Georgia, Ms.
5 Roderick and her husband lived with her husband's parents
6 in Forsyth County. She intends to return to Forsyth
7 County following her graduation from the Dental College of
8 Georgia next year, and she's already begun looking to
9 purchase a piece of land to build a home in Forsyth
10 County, and she's been looking for an existing dental
11 practice to purchase in Forsyth County. Georgia law
12 provides that quote no person shall be deemed to have
13 gained or lost a residence by reasons of such person's
14 presence or absence while enrolled as a student at any
15 college, university, or other institution of learning in
16 this state. That's, of course, 21-2-217, subsection
17 (a)(8), the residency statute.

18 Ms. Roderick would be a Georgia resident in any event
19 because she has never left Georgia without an intention to
20 return, just like the physician from New York, Sumeet
21 Bahl, that the State Election Board considered this
22 morning --

23 MS. SULLIVAN: I think we've lost you. Mr. Sells, we
24 cannot hear you.

25 MR. SELLS: You can't -- what was the last -- can you

1 hear me now?

2 MR. WORLEY: I can hear Mr. Sells.

3 MS. SULLIVAN: We cannot hear you. We only see you
4 on the closed captioning, though.

5 MR. SELLS: I -- my microphone is working according
6 to my Zoom.

7 MS. SULLIVAN: He says his microphone's working. Is
8 there a problem with the phone?

9 MR. WORLEY: Ms. Sullivan, this is David Worley. I
10 can hear Mr. Sells just fine. Can you hear me?

11 MS. SULLIVAN: We are checking things are our end.
12 We cannot hear you.

13 MR. SELLS: I -- my words are showing up in the live
14 transcript.

15 MS. THOMAS: Mr. Worley, can you say something really
16 quickly?

17 MR. WORLEY: Sure. I can hear Mr. Sells, but I
18 cannot -- I can hear Mr. Sells.

19 MS. SULLIVAN: Okay. So it does appear to be on our
20 end.

21 MR. SELLS: Okay. Just let me know when I can
22 resume.

23 MS. SULLIVAN: Thank you. We'll take a ten-minute
24 break while we try to figure out the issue, the technical
25 issue. We'll be back in -- we'll be back by 2:20.

1 (Meeting break)

2 (Meeting resumes)

3 MS. SULLIVAN: This is Rebecca Sullivan. I believe
4 we've resolved our technical difficulties. Mr. Sells, I
5 apologize that that occurred in the middle of your
6 statement. If you're able to -- ready to resume, we are -
7 - should be able to hear you.

8 MR. SELLS: Madam Vice Chair, I am ready to resume.
9 Can you hear me?

10 MS. SULLIVAN: We can. Thank you, and I, again,
11 apologize for that.

12 MR. SELLS: Great. So I think there's a little bit
13 of uncertainty about when I may have dropped off, so I'm
14 going to recap a little bit, and I apologize if you're
15 heard it before.

16 MS. SULLIVAN: That's fine. Go ahead.

17 MR. SELLS: But my main point here is that Ms.
18 Roderick is not a resident of South Carolina. She's a
19 resident of Georgia, grew up in Cobb County, and has been
20 a Georgia resident for almost all of her life. Since
21 2018, she's been a full-time student at the Dental College
22 of Georgia in Augusta. Before her matriculation there,
23 she lived with her husband's parents in Forsyth County,
24 and she intends to return to Forsyth County after her
25 graduation from the Dental College of Georgia next year.

1 She's already looking to purchase a practice in Forsyth
2 County and is actively looking to buy a piece of land on
3 which to build a house in Forsyth -- Forsyth County.

4 Now, Georgia law provides that no person shall be
5 deemed to have gained or lost a residence by reason of
6 such person's presence or absence while enrolled as a
7 student at any college, university, or other institution
8 of learning in this state. That's 21-2-217, subsection
9 (a)(8), the residency statute. Ms. Roderick would be a
10 Georgia resident in any event because she has never left
11 Georgia without an intention to return, just like the
12 physician from New York, Mr. Sumeet Bahl, that the State
13 Election Board considered this morning, a long time ago
14 now, in case 2020-220. But Ms. Roderick also clearly
15 comes under the protection of the residency statute
16 because she has been enrolled at the Dental College of
17 Georgia since 2018. She cannot have lost her residency by
18 going away to school in Georgia, and she certainly could
19 not have had the level of knowledge required by the
20 statutes that Ms. Roderick is accused of violating.

21 The undisputed facts in this case simply do not add
22 up to a prima facie violation of either statute, and so we
23 respectfully ask the Board to dismiss this case as to Ms.
24 Roderick, and I'm happy to answer any questions that the
25 Board may have.

1 MR. WORLEY: Ms. Sullivan, I have some questions.

2 MS. SULLIVAN: Please go ahead.

3 MR. WORLEY: Mr. Sells, I appreciate what you're
4 saying, and I certainly agree with you as to Ms. Roderick
5 being a resident of Georgia, and I get your arguments
6 about the two statutes that she's been charged with. But
7 I had a question for you. The investigative report seemed
8 to indicate that Ms. Roderick registered to vote at an
9 address that had previously been owned by her parents; is
10 that correct?

11 MR. SELLS: Mr. Worley, it was previously owned by
12 her in-laws. That's correct.

13 MR. WORLEY: Okay.

14 MR. SELLS: And that's the address that was on her
15 driver's license at the time.

16 MR. WORLEY: Okay. But she was not a resident of
17 that location at the time she registered to vote; is that
18 correct?

19 MR. SELLS: Well, the history of her registration is
20 -- is quite convoluted. She, on September 6th, tried to
21 register in Cobb County, which is where her father lived
22 and still lives and where Ms. Roderick lived before moving
23 in with her in-laws and at the time fiancé. But after
24 they got -- but that registration did not, apparently, go
25 through in time under -- with the online voter

1 registration system, and she kept getting error messages,
2 and so she registered with the address that's on her
3 driver's license, and that went through.

4 MR. WORLEY: Which was no longer her in-law's
5 address?

6 MR. SELLS: At that time, no. They had sold that and
7 moved away.

8 MR. WORLEY: Okay. All right. There's a statute,
9 21-2-562, which says that any person who willfully inserts
10 or permits to be inserted any fictitious name, false
11 figure, false statement, or other fraudulent entry on any
12 registration card violates the law, so she may not have
13 been guilty of the two statutes in the report, but it
14 seems to me that she's certainly guilty of 21 -- of a
15 violation of 21-2-562, and I would make a motion that that
16 be referred to the Attorney General's Office.

17 MR. SELLS: May I respond to that?

18 MS. SULLIVAN: We have a motion on the table, and we
19 actually have a second.

20 MR. WORLEY: Ms. Sullivan, we do have a motion on the
21 table, but I think we should certainly let Mr. Sells
22 respond. I would hope the Board would let Mr. Sells
23 respond.

24 MS. SULLIVAN: Okay. So we have a motion and a
25 second. Right now, go ahead and -- you can go ahead and

1 speak.

2 MR. SELLS: Thank you. I'd like to make two points.
3 Number one, of course, is that we didn't have any notice
4 of that particular violation, and I would ask that if the
5 Board is inclined to move forward on that, that it
6 continue any discussion of that particular charge until a
7 future meeting so that I have time to prepare for that
8 particular charge.

9 But I also, Mr. Worley, I'm not sure that your --
10 that I agree with your interpretation of that statute.
11 And the reason for that is because it, in a way, conflicts
12 with the residency statute, and I think a fair reading of
13 the residency statute is such that, you know, if you're
14 someone in Ms. Roderick's position, and you go away to
15 school, and through no fault of your own, your -- your
16 parents sell the house, what are you to do? Are you to
17 register at the place or register at some other place? At
18 the very least, the law isn't clear on that, and I think
19 as a result of that there would be no clear violation of -
20 - of the statute that you referred to -- I think it was
21 562 -- in any event.

22 This is not an uncommon problem, I would suggest to
23 you, where kids go away to college, and their parents
24 move, and yet, they don't change their -- their driver's
25 licenses because they're away. They're not using them.

1 They don't come back. Arguably, Ms. Roderick should have
2 not tried to register in Forsyth County. She is currently
3 registered in Cobb County, but at the time that that
4 happened, it's not necessarily clear that what she did was
5 improper in my view.

6 MR. WORLEY: Well, yeah, I just happen to disagree.
7 I think it is improper. She shouldn't register at an
8 address that she no longer lives at or that no family
9 members live at. It would be a different situation if her
10 family still lived at that address, so I think this case
11 would benefit from an interpretation of these two possibly
12 conflicting laws from the Attorney General's Office, but I
13 appreciate the fact that you did not have an opportunity
14 to prepare for this particular issue, so I would withdraw
15 my motion to refer it to the Attorney General's Office and
16 instead ask that it be -- the case be sent back to the
17 investigative division for an analysis of whether a
18 potential violation of 21-2-562 [sound cuts out].

19 MS. SULLIVAN: All right. So you are withdrawing
20 your motion at this point in order to -- for it to be
21 reviewed again and for Mr. -- for Respondent to be placed
22 on notice of this new -- potentially this different charge
23 than she was originally placed on notice of; is that
24 correct?

25 MR. WORLEY: Correct. Yes.

1 MS. LE: Mr. Worley, is your motion just with respect
2 to Elena Roderick or is it the entire case?

3 MR. WORLEY: Yes. It's only with -- no. Only with
4 respect to Ms. Roderick.

5 MS. LE: Okay.

6 MS. SULLIVAN: So that is a motion to continue --
7 continue the case against Ms. Roderick as I understand it.

8 MR. WORLEY: Correct.

9 MS. SULLIVAN: Do we have a second of that motion?

10 MR. MASHBURN: Second.

11 MS. SULLIVAN: Seconded by Matt Mashburn. Any
12 further discussion? All in favor, please say aye.

13 THE BOARD MEMBERS: Aye.

14 MS. SULLIVAN: And that's none opposed, so that
15 matter regarding Ms. Roderick will be continued until the
16 next meeting.

17 MS. THOMAS: Next, we have -- next, we have Danice
18 Wang.

19 MS. SULLIVAN: Ms. Wang, you may go ahead and speak.

20 MS. WANG: Okay. Thank you. Hello. I requested the
21 absentee ballot in error. This is because I thought that
22 the runoffs were a different election from the general
23 election and because my Georgia registration was still
24 active, I thought that I could legally vote, so my mom
25 called the Secretary of State to clarify and told me this

1 is not true. Upon learning this, I corrected this by
2 cancelling my registration and by not returning the
3 ballot. I did not intentionally try to commit voter
4 registration fraud or anything like that, and I would
5 respectfully like to ask the Board to dismiss the case.

6 MS. SULLIVAN: Thank you, Ms. Wang, for being here.
7 So you did not actually return the ballot, correct?

8 MS. WANG: Correct.

9 MS. SULLIVAN: And did you receive that information
10 from the Secretary of State's Office clarifying the
11 information?

12 MS. WANG: Yes. Correct.

13 MR. MASHBURN: This is Matt Mashburn. And you admit
14 you're a resident of Utah, correct?

15 MS. WANG: Yes. But I thought, like, because my
16 registration in Georgia was valid that I could also vote
17 for a different election.

18 MR. WORLEY: How -- why would you think your
19 registration in Georgia would be valid if you already
20 voted in November in Utah?

21 MS. WANG: Oh, the website said it was still active.

22 MR. WORLEY: Well, I'm -- I'm sure that that's what
23 the website said that it's active, but as an actual fact,
24 when you register in one state, you're -- you're no longer
25 considered registered in the first state that you were

1 registered in, so just for your information.

2 MS. WANG: Okay. Thank you for the information.

3 MS. SULLIVAN: Has your registration in Georgia been
4 cancelled at this point?

5 MS. WANG: Yes, it has been.

6 MS. SULLIVAN: Thank you.

7 MR. MASHBURN: This is Matt Mashburn. I move that
8 this be referred to the Attorney General.

9 MS. SULLIVAN: We have a motion. Is there a second?

10 MR. WORLEY: I would second that.

11 MS. SULLIVAN: We have a motion and a second. Is
12 there any further discussion? All in favor, please
13 signify by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: And none opposed. That motion passes.
16 Do we have another -- go ahead.

17 MS. THOMAS: And then on the last part we have Robin
18 and Bob Cookson.

19 MS. SULLIVAN: Mr. and Ms. Cookson, you may speak.

20 MS. COOKSON: Okay. Thank you very much. I am Robin
21 Cookson. I am a 73-year-old grandmother with three
22 daughters and five biological grandchildren. I worked
23 with the Air Force, and I worked in the Forsyth County
24 Schools Special Ed Department from 2004 to 2013. I'm a
25 member of the Georgia Teachers' Retirement System, and I

1 have had a 40-year career as a special educator. My
2 husband Bob is with me. I am speaking for him. If you
3 need him to say -- to give me permission to speak for him,
4 he's coming to the mic right now.

5 MS. SULLIVAN: That's fine. You --

6 MS. COOKSON: Okay. You want to say your name?

7 MR. COOKSON: Yes. Robert Cookson. I am right here.

8 MS. SULLIVAN: Hi, Mr. Cookson.

9 MS. COOKSON: Give me permission.

10 MR. COOKSON: I give Robin permission because she
11 keeps up with the dates, and she can tell you better the
12 dates than I can. I'm 87-years-old, and I'm a little hard
13 of hearing.

14 MS. COOKSON: And having -- and very fragile
15 medically.

16 MS. SULLIVAN: Well, thank you for -- thank you for
17 being on the call. Ms. Cookson, you may proceed.

18 MS. COOKSON: Thank you. Bob is an 87-year-old
19 grandfather with two sons and four biological
20 grandchildren. He is a Navy veteran and worked for
21 Gillette from 1965 to 1996, when he retired in Georgia, as
22 a regional sales manager. His two sons and two of his
23 four grandchildren graduated from Georgia Tech. His two
24 sons currently live in North Metro Atlanta. Robin and Bob
25 moved to -- got married and moved to Cumming -- or Bob

1 moved to Cumming in 1988 from Roswell, and Robin moved in
2 in 2002 when they got married, and they've lived since
3 then -- their residency since then has been at 6248
4 Library Way in Cumming, Georgia.

5 In February of 2013, Robin's father, the late Major
6 General Albert John Boli [ph.], U.S. Air Force, passed
7 away, and she inherited -- or I inherited their home in
8 North Carolina, which was just a summer home. It wasn't
9 winterized. Both Robin and Bob are strong patriots and
10 would never knowingly break the law. They are shocked
11 after their patriotic effort to prevent voter fraud to end
12 up -- causing them to be accused of voter fraud. The
13 accusations are extremely detrimental to Bob's health,
14 which I hope the Committee will take under consideration
15 and will understand better as I continue to discuss this
16 case.

17 Bob and Robin have always paid their taxes in
18 Georgia, since 2002 joint files. Bob and Robin both have
19 their drivers' licenses in Georgia. Bob has congestive
20 heart failure and has had severe blockage of his bladder
21 from his prostate. Since December of 2019, Bob has had to
22 recover from two surgeries on his prostate, one -- one
23 which led him to sepsis and caused him to be hospitalized
24 in Watauga Medical Center in North Carolina for a month
25 and at the Foley Center in Boone. In 2020, in additional

1 to spending January in the Foley Center, he had stretched
2 due to swelling problems. He was admitted to the Watauga
3 Medical Center for depression and suicidal ideation and
4 worsening congestive heart failure, causing extreme
5 swelling. After -- after four days in the Watauga Medical
6 Center, he was transferred to [sound cuts out]

7 MS. SULLIVAN: Ms. Cookson, we are not able to hear
8 out.

9 MS. THOMAS: She stopped talking.

10 MS. COOKSON: You can't hear me?

11 MS. SULLIVAN: Now we can hear you.

12 MS. COOKSON: In December he was released from
13 hospice and given a pacemaker defibrillator. In October,
14 he had two clamps implanted in -- on his mitrobowel to
15 stop it from leaking. That was done at the Sanger Clinic
16 in Charlotte. In December, he had another new pacemaker
17 defibrillator implemented in Watauga Medical Center. In
18 February of 2021, he had a Watchman FLX implanted into
19 his heart and appendage and afterwards started cardio
20 rehab at Sea Coast Hospital in North Myrtle Beach which is
21 where we are now.

22 Throughout this time, Robin and Bob have been --
23 Robin has been Bob's primary 24/7 caretaker and is
24 constantly driving him between Watauga Medical Center in
25 Boone, Sanger Clinic in Charlotte, and Sea Coast Hospital

1 in North Myrtle Beach. All of the medical procedures --
2 these medial procedures and COVID have prevented us from
3 returning to our residency in Georgia, but we never
4 thought -- never thought that it would -- it would make
5 our residency invalid. Robin has had fibromyalgia since
6 childhood, has irritable bowel syndrome and dyslexia. She
7 was hospitalized with small intestine blockage and dep --
8 depression caused by the stress of being Bob's 24/7
9 caretaker. She --

10 MR. MASHBURN: Hey, Ms. Cookson? This is Matt
11 Mashburn on the Board. I'm sorry to interrupt you, but if
12 you could answer a question for me, I'd appreciate it. Is
13 it correct that y'all both registered to vote in North
14 Carolina in 2016?

15 MS. COOKSON: That is true. I'm getting to that
16 point right in just a second.

17 MR. MASHBURN: Okay. If you could jump -- if you
18 could jump ahead to that point, it'd be great.

19 MS. COOKSON: Okay.

20 MR. MASHBURN: Because that's what I'm really -- I'm
21 really interested in what happened to your Georgia
22 registration when you registered in North Carolina.

23 MS. COOKSON: Okay. When -- in 2013 -- in 2016, Bob
24 and I had planned -- let me just get my -- find my right --
25 -- we're jumping ahead, so I have to find my place. In

1 2016, Robin and Bob had planned to sell their house in
2 Georgia that summer and retire up into the mountains, and
3 on May 25th, she and -- the two of us decided to register
4 to vote in North Carolina, and we were putting our --
5 planning to put our house on the market in July with --
6 with Norman -- with Norman Realty, Harry Norman Realty,
7 and so that summer -- that summer, when we were getting
8 the house ready and doing everything, I learned that I had
9 to have my hip replaced, and that I would not be [sound
10 cuts out]

11 MS. THOMAS: Ms. Cookson, we can no longer hear you.

12 MS. COOKSON: -- North Carolina in the spring. We
13 went ahead and registered and figured it would sell. In
14 October, we were going to sell, but we learned we could
15 not sell and that we -- because I was going to have
16 surgery on November 7th, and so I couldn't -- I couldn't
17 make it down to Georgia, and I didn't know what was going
18 on with the residency so we just voted there, and I did
19 not know until now, today, listening once you register in
20 one state, you don't register -- you're not registered in
21 the other state. I didn't know that. So we went -- so we
22 went ahead and -- and voted in that next election in
23 Georgia because we did not know that we couldn't. At that
24 time, --

25 MR. MASHBURN: This is Matt Mashburn again. Sorry to

1 interrupt, but it was your understanding, or it didn't
2 occur to you that when you registered in North Carolina,
3 you should cancel your Georgia registration?

4 MS. COOKSON: Well, we were planning on doing that
5 but we -- everything got thrown up in the air with all the
6 medical problems we were dealing with, and to be very
7 honest with you, I just didn't even remember that we had
8 done that by the time 2020 came around or 2018. I mean, I
9 just -- it -- my -- I have to tell you that my brain at 73
10 isn't what it used to be, and I have been overwhelmed
11 taking care of my husband 24/7, so it did happen, but it
12 was not done intentionally. It was done without my memory
13 of knowing what I was even to do.

14 MR. MASHBURN: So what -- this is Matt Mashburn.
15 Sorry to interrupt you again, but I'm just trying to focus
16 in on -- on this particular issue, and that is when is the
17 last time you remember voting in North Carolina.

18 MS. COOKSON: I just did that one time in 2016. Oh.
19 No, yeah, in North Carolina. It was 2016. That was --

20 MR. MASHBURN: Okay. So you registered -- you
21 registered in North Carolina, and then you voted once.

22 MS. COOKSON: Yes. And we decided to go ahead and
23 vote there because we didn't think that we could be back
24 down to Georgia where we thought we were also registered
25 and get me able to -- with my hip being replaced getting

1 me to be able to vote, so we just said well, we're
2 registered here. We're going to -- we're going to sell
3 our house. We're going to be up there. We might as well
4 just vote there, and we really expected to sell our house
5 the following year, so we were not really thinking about
6 it. But the following year, in 2017, went -- things went
7 from bad to worse, and let me just get my notes here
8 because I don't want to lose track of this. It's a lot of
9 time to think. I put a calendar together. I spent a week
10 putting a calendar together to try and remind myself of
11 where we were when, and so in 2017 --

12 MR. MASHBURN: And so you -- I'm going to interrupt
13 you. I'll let you look, but I'll interrupt and see if you
14 can multi-task and do this one for me, but so you lived
15 part of the year in Newland, North Carolina, right?

16 MS. COOKSON: We spend what's called summer camp
17 there to get away from the heat. We do not spend winters
18 there. We spend winters in -- in either Florida or North
19 -- South Carolina on vacation. We -- so we spend about
20 four months every year on vacation there, and then we
21 spend a lot of time travelling to Charlotte and even me to
22 Australia because I have a daughter that lived over there
23 until 2018.

24 MR. MASHBURN: So -- so who has more -- I'm sorry to
25 interrupt. Who has more impact on your life right now?

1 The Mayor of Newland, North Carolina or the Forsyth County
2 Board of Commissioners?

3 MS. COOKSON: The Forsyth County Board of
4 Commissioners in our mind because we consider ourselves
5 member -- we have Georgia licenses. We pay Georgia taxes.
6 We care about Georgia. We have not at this point got any
7 ability to move or sell a house because we're -- our
8 health is still deteriorating, and so, you know, our
9 dreams back in 2016 just didn't come to fruition. So we -
10 - we're -- right now, we have no intention of doing --
11 we'd like to, if we were healthy, to sell our house, but
12 we -- we can't, and we have no intention of doing so. We
13 plan to as soon as we can return. Now, I will tell you
14 that in 2020, we ended up with -- being in North Myrtle
15 Beach for the first four months vacationing, and then,
16 let's see. Then, Bob ended up in the hospital with two
17 surgeries and five weeks in the hospital. I was in the
18 hospital for one week.

19 All of this -- we went -- and in May, we had to
20 decide where to go from here -- from Myrtle Beach, and we
21 knew that up in Avery County there was no COVID, and we
22 were very much at risk. We knew that there was a lot more
23 COVID in the Atlanta area and in Cumming, so we decided we
24 would go up there for a little while and see what would
25 happen with COVID, so that we were sort of hiding up

1 there. And then, Bob's medical problems became
2 overwhelming. He ended up, as I said, in hospice,
3 palliative care. He was -- he had five -- four surgeries.
4 He had -- he was four weeks in Sanger Clinic in Charlotte.

5 It was -- he was not movable, and neither was I, but
6 we thought that it was okay to vote because we were still
7 residents of Georgia. We had our Georgia licenses, and we
8 were registered, we thought, to vote in Georgia, so we
9 requested our Georgia absentee ballots. We didn't know --
10 I mean, I'm assuming you're -- when you're in lockdown and
11 you're sick and you can't move, that doesn't negate your
12 residency. I guess that was what we thought. And -- and
13 so --

14 MS. SULLIVAN: Thank you.

15 MS. COOKSON: -- what happened --

16 MS. SULLIVAN: Thank you. Thank you, Ms. Cookson. I
17 think we understand your position on this matter, and I'm
18 sorry for all the health problems you and your husband
19 have suffered.

20 MR. WORLEY: Ms. -- Ms. Sullivan, I would make a
21 motion that we send a letter of instruction to the
22 Cooksons.

23 MS. SULLIVAN: Is there a second? Mr. Worley has
24 made a motion to send a letter of instruction in this
25 matter. I think that I will second that motion. Is there

1 any further discussion? All in favor of the motion,
2 signify by saying aye.

3 THE BOARD MEMBERS (except Mr. Mashburn): Aye.

4 MS. SULLIVAN: And all opposed?

5 MR. MASHBURN: No.

6 MS. SULLIVAN: Okay. So motion is 3 to 1 and does
7 pass. Is there anyone else to speak regarding this
8 matter? Okay. Is that the end of the allegations in this
9 case?

10 MS. WATSON: Yes.

11 MS. SULLIVAN: Okay. Thank you. The next matter in
12 this case -- the next matter on our agenda is 2020-199,
13 Walton County.

14 MS. WATSON: Walton County discovered a memory card
15 that was not uploaded with additional votes, official
16 certified totals being different by eight votes, and an
17 absentee ballot invalid signature letter was received too
18 late. Investigation confirmed that the Walton County
19 Board of Elections and Registration failed to verify that
20 all memory card votes were uploaded into the election
21 management system. During the hand audit, it was found
22 that they were over in the total number of ballots
23 compared to the total uploaded. It was determined that
24 the number of ballots from the Between precincts did not
25 match, and a second card scanner had not been uploaded.

1 It was verified that a rejection letter was not mailed to
2 Clarence Batty [ph.], in violation of 21-2-386(c).

3 Our recommendation is for Jennifer Felts [ph.],
4 Director of Walton County Board of Election and
5 Registration, and Walton County Elections be referred over
6 to the Attorney General's Office for violation of SEB rule
7 183-1-12-.12(6), for failure to verify and upload all
8 memory cards in the election management system for
9 official tabulation and consolidation, and to dismiss the
10 violation that was listed in the report as 21-2-379.11(g),
11 as that procedure for tabulation of votes refers to the
12 DRE results, although the procedure outlined is the same,
13 and also for 21-2-38 -- 386(c), for failure to send a
14 rejection letter to elector Batty.

15 MS. THOMAS: And we do have Lori Wood on the line on
16 this case.

17 MS. SULLIVAN: Ms. Wood, please proceed.

18 MS. THOMAS: You may unmute yourself. Ms. Lori Wood,
19 the floor is open for you to speak on this case.

20 MS. WOOD: Okay. Thank you. Can you hear me?

21 MS. THOMAS: Yes, we can.

22 MS. WOOD: Okay. Sorry. We do acknowledge that one
23 of the Between cards did not get uploaded. We have -- we
24 put corrective measures in place for the January runoff.
25 We created a chain of custody log so at this point we

1 would have three signatures on each -- you know, returned
2 by, accepted by, uploaded by to ensure that each memory
3 card was uploaded. And I -- I just -- I do want to add
4 that, you know, we -- we did miss the card. The Dominion
5 tech missed the card. And our old system, you know, it
6 would -- it wouldn't let us submit anything until all the
7 cards were in, so I just wanted -- I just wanted that to
8 be -- to be heard.

9 Consider -- you know, talking about this absentee
10 ballot, we did call Mr. Batty, and we did send a letter.
11 He said he didn't receive it. He said he didn't receive
12 it, but, you know, we received -- we received his ballot
13 on the 3rd. We called and we sent a letter on the 3rd, so
14 we had until that Friday to get that back in, and we -- we
15 didn't receive, you know, the cured affidavit back by
16 then, so we did -- we feel like we did our due diligence
17 on that part.

18 MS. SULLIVAN: Do any members of the Board have any
19 questions? Is there anyone else to speak on this case?
20 Ms. Watson, could you restate the recommendation?

21 MS. WATSON: Yes. The recommendation was to refer to
22 the AG's Office for SEB rule 183-1-12-.12(6), for failure
23 to verify and upload all memory cards, and dismiss 21-2-
24 379.11(g), and refer over 21-2-386(c), for failure to send
25 rejection letter to elector Batty.

1 MS. SULLIVAN: What is the pleasure of the Board?

2 MR. MASHBURN: I move to accept the recommendation.

3 MS. SULLIVAN: We have a motion. Is there a second?

4 MS. LE: Anh Le, second.

5 MS. SULLIVAN: We have a motion and a second. Is
6 there any further discussion? All in favor, please
7 signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. MASHBURN: Did we lose David?

10 MS. SULLIVAN: Is there anyone opposed?

11 MS. THOMAS: No, he's there. He switched devices.

12 MS. SULLIVAN: I just heard two votes, so Ms. Le, did
13 --

14 MS. LE: That's an aye.

15 MS. SULLIVAN: Yes, and did Mr. Worley vote in favor
16 of that motion?

17 MS. THOMAS: Mr. Worley, are you able to unmute
18 yourself?

19 MS. SULLIVAN: Well, we will move on. We did have
20 three votes, so that motion did pass, and we'll move onto
21 the next case. Hopefully, we can work out whatever issue
22 is going on. The next matter is case number 2020-216.
23 Ms. Watson?

24 MS. WATSON: Yes. In Fayette County, 5 UOCAVA
25 ballots were not sent out by the deadline of 11/21/2020,

1 and allegation two, in Gwinnett County, 34 UOCAVA ballots
2 were not sent out by the deadline of 11/21/2020. The
3 Fayette County Registrar advised they missed the deadline
4 for 5 UOCAVA voters but did issue them on 11/23, two days
5 after the deadline to the voters, with three of the five
6 voting and returning them. Gwinnett County advised they
7 pulled the list for the 2020 election system and not the
8 2021 election cycle. That resulted in missing the 34
9 UOCAVA requests. All were issued on November 23, which
10 was two days after the deadline with 7 being returned, 4
11 of the voters voting in person, and 23 not returned. Our
12 recommendation is to refer Fayette County Board of
13 Elections and Voter Registration, Joy Jones [ph.], Agnes
14 Bridges [ph.] for 21-2-384(a)(2) and Gwinnett County Board
15 of Voter Registration and Kristi Royston, the former
16 Elections Supervisor for 21-2-384(a)(2).

17 MS. THOMAS: And we have Melanie Wilson and Patrick
18 Stough on the line. Ms. Wilson, you can go first.

19 MS. WILSON: Thank you. Good afternoon, members of
20 the Board, Madam Chair. I do appreciate Ms. Watson's
21 description of the facts in this matter. We do not
22 dispute the facts, but we are requesting a letter of
23 instruction in this case. I wanted to emphasize that this
24 simply -- well, simply isn't the right word. This was an
25 error. There was an official Election Board bulletin that

1 was sent out advising boards of registration and election
2 that they had to make -- in order to issue ballots, UOCAVA
3 ballots, in November for the January 2020 runoff, they
4 would have to select 20 -- the 2021 election cycle from a
5 drop down menu, and that didn't happen in this case. As
6 soon as the matter was brought to our attention, the staff
7 immediately ensured that the 34 ballots were issued.

8 Ms. Watson has directly -- correctly described that
9 11 people ultimately voted, and 23 people chose not to
10 vote. It seems to me that it's more likely than not that
11 the fact that they didn't vote is a function of their
12 choice as opposed to the delay, the two-day delay,
13 resulted in them being unable to vote, so I do think it's
14 important to emphasize because I know that the Board is
15 always concerned in ensuring that no one is
16 disenfranchised, and I respectfully submit that no one was
17 disenfranchised here. It was an error, and we would
18 respectfully ask that the Board issue a letter of
19 instruction.

20 MS. THOMAS: Okay. And then we also have Patrick
21 Stough on the line. You may speak now.

22 MR. STOUGH: Yes. Can you hear me?

23 MS. THOMAS: Yes.

24 MR. STOUGH: Okay. Patrick Stough with the Fayette
25 County attorney's office. Again, I echo what the previous

1 speaker spoke -- mentioned as far as this being an error.
2 I don't know the -- the actual facts of the error. The
3 employees that were involved are no longer employed with
4 the Fayette County Board of Elections. I do know that
5 three of the five ballots were eventually returned and
6 were counted, and we would respectfully request a letter
7 of instruction as well.

8 MS. SULLIVAN: Any of the Board members have any
9 questions for Ms. Wilson or Mr. Stough?

10 MR. MASHBURN: I -- I have a totally unfair question
11 for Gwinnett County, and it will catch you by surprise,
12 and I'm sorry, and I don't know what is the proper and
13 acceptable answer, but do you have a number of the total
14 absentee ballots in the county that were not returned?

15 MS. WILSON: Mr. Mashburn, I regret that I do not
16 have that information at my fingertips.

17 MR. MASHBURN: I'd be amazed if you did.

18 MS. WILSON: I will say that our county has
19 approximately 590,000 active registered voters. As you
20 well know, this is one of the largest counties in the
21 Metro area. We did have an exceptional turnout both at
22 the general and the runoff election. During the period in
23 November, I think that was a time around when the audit
24 was being conducted and/or the recount. This is not -- we
25 take pride in how we provide election services to our

1 citizens, and so this was certainly not up to our usual
2 standard, but we're confident this is not something that's
3 going to happen again. It's more than a teachable moment
4 for us because as I said, we do take great pride in the
5 service we provide, but it's critical for us to -- it's
6 critical that some recognition be made of the fact that --
7 the fact that the 23 people who did not vote, that should
8 not be attributed to the late mailing, respectfully.

9 MR. MASHBURN: So in your experience, in the County's
10 experience, it's not that uncommon for a ballot to be
11 unreturned.

12 MS. WILSON: Oh, certainly. It's always the voter's
13 right, having requested the ballot, to decide not to vote.
14 I mean, certainly amongst the list of people to whom the
15 ballots were issued on the 23rd, there were several people
16 who decided to vote in person, as is always their choice.

17 MR. MASHBURN: Thank you.

18 MS. WILSON: Thank you, sir.

19 MS. SULLIVAN: The recommendation is place was to --
20 I'm sorry, Ms. Le. Did you have something you wanted to
21 say?

22 MS. LE: Yes, I'm sorry. Can you refresh my memory
23 on how late it was sent out? I'm looking here, and I --

24 MS. WILSON: Two days.

25 MS. LE: Two days?

1 MS. WILSON: Two days. It should have been -- it
2 should have been sent on the 21st, and it was sent on the
3 23rd.

4 MR. STOUGH: And that's -- sorry.

5 MS. LE: And what was it -- what was it that caused
6 the miss in the first place and what has been done since?

7 MS. WILSON: So there's -- there's -- in generating
8 the UOCAVA report, they go into Election Net, and they
9 have to make a selection, and on the scr -- you can either
10 select for the -- in 2020 -- in November 2020, they should
11 have selected 2021 because the runoff was being held in
12 2021. As you appreciate, a runoff being held -- the
13 federal runoff was an unusual runoff, and typically,
14 runoffs would be held in the same year so it's almost a --
15 muscle memory kind of prompted the selection of 2020
16 because we were in the 2020 election cycle, but they
17 should have, in fact, selected 2021 because the federal
18 runoff was held in 2021.

19 MS. LE: So what has been done since? Because I do
20 appreciate muscle memory and how that could lead you to an
21 error, but I would hope that on major elections such as
22 these that there -- and even smaller ones because all of
23 them are important -- but that there will be checks and
24 reviews. What do you have in place to correct this and
25 catch this in the future?

1 MS. WILSON: There certainly will be -- so with
2 respect to review, we think that the review of the
3 election -- of the official election ballot by multiple
4 individuals and then before the ballot -- before the
5 report is actually done kind of pairing up with another
6 individual so that everyone is clear what has to be
7 pulled, so I think it's two things to make sure that the
8 appropriate management staff are aware of the contents of
9 official election bulletins as they are received and that
10 prior to something as important as the UOCAVA, running of
11 the UOCAVA ballots, that there be a pairing up to have
12 that work accomplished.

13 MS. SULLIVAN: What about -- has Fayette taken
14 actions as well?

15 MR. STOUGH: When this occurred in November of last
16 year, it was two days after our Director was placed on
17 administrative leave. The -- the Registrar at that time
18 was then thrust into the position of being the acting
19 Director, so I assume that any errors that occurred
20 occurred due to the workload that she was presented with
21 at that time. I don't know if any steps have been put in
22 place to prevent this in the future. We only found out
23 about this -- we being the Board of Elections itself --
24 only found out about this violation a few weeks ago when
25 we received the notice from the Secretary of State's

1 Office. But we certainly will look at putting in place
2 certain -- the steps necessary to prevent it from
3 happening again.

4 MS. SULLIVAN: Thank you. What's the pleasure of the
5 Board?

6 MS. LE: I recommend that -- this is Anh Le. I
7 recommend that we turn this over to the Attorney General's
8 Office for some review and consent order to the effect of
9 taking a closer look at the processes that get put in
10 place to make sure that -- that the counties would avoid
11 these errors in the future. I think that -- to Fayette
12 County's point, they have to take a look at this. We
13 don't have any procedures in place, so I would move to
14 refer this to the Attorney General's Office for a closer
15 look and a consent order.

16 MS. THOMAS: We do have Kristi Royston on that wants
17 to speak for Gwinnett about this case.

18 MS. SULLIVAN: Okay. So we do have a motion.

19 MR. MASHBURN: Second.

20 MS. SULLIVAN: And a second. We have one more person
21 who would like to speak, so we'll go ahead and take that
22 now. Who is that?

23 MS. THOMAS: Kristi Royston, you may speak now.

24 MS. SULLIVAN: Go ahead, Ms. Royston.

25 MS. ROYSTON: Thank you very much. I am Kristi

1 Royston, the former Elections Supervisor in Gwinnett
2 County. The only thing that I wanted to add to what Ms.
3 Wilson stated and what Ms. Le asked about was why the 2020
4 date was entered instead of the 2021 date. The January
5 election, even though held in 2021, is part of the 2020
6 election cycle, and so staff members pulled that. That
7 contributed to the error that was made in that, but again,
8 the OEB was received and just not followed, but I did want
9 to just comment that in addition to muscle memory, it's
10 because that election falls in the 2020 cycle. Thank you.

11 MS. SULLIVAN: Thank you, Ms. Royston. We have a
12 motion and a second. Any further discussion? All those
13 in favor, please say aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: Any opposed? That motion passes. Mr.
16 Worley, can you hear us? We cannot hear you. Okay.
17 Moving on, -- yeah. Go ahead.

18 MS. THOMAS: He doesn't have the audio option. He
19 says he has the option to do video.

20 MS. SULLIVAN: Okay. Moving on to the next case is
21 SEB case number 2020-218, Pike County.

22 MS. WATSON: On November 23rd, we received a
23 complaint alleging Pike County Registrar's Office failed
24 to mail out one UOCAVA ballot by the deadline. The
25 Respondent, Election Supervisor Lynn Vickers, failed to

1 mail out a UOCAVA ballot by the November 21st, 2020
2 deadline. The ballot was mailed on the 23rd of November
3 and was received by the voter and returned voted. Our
4 recommendation is for Pike County Board of Election and
5 Registration and Lynn Vickers, Pike County Elections
6 Supervisor, be referred to the Attorney General's Office
7 for one count of 21-2-384(a)(2).

8 MS. THOMAS: And Ms. Vickers is on the line.

9 MS. SULLIVAN: Ms. Vickers, you may go ahead. Ms.
10 Vickers, would you like to speak?

11 MS. THOMAS: Ms. Vickers, you're unmuted. You can go
12 ahead and speak. Ms. Vickers, you're unmuted right now.
13 You can go ahead and speak. She wants to speak. Yeah.

14 MS. SULLIVAN: We're trying to get in touch with Ms.
15 Vickers. She says her microphone will not unmute.

16 MS. THOMAS: I'm going to call her. Yeah. We're
17 calling her. Hi, Ms. Vickers. We have you on speaker, so
18 you can go ahead.

19 MS. VICKERS: Okay. I'm so sorry.

20 MS. THOMAS: You'll need to turn your computer volume
21 down.

22 MS. VICKERS: Gotcha. Okay. Yes. I was aware that
23 the UOCAVA did not get mailed when the State notified me,
24 my liaison notified me. I diligently worked that Friday
25 thinking I had gotten everybody, but I've only been in the

1 Election Supervisor position -- which is not an excuse --
2 but I've only been in that position for two and a half
3 years, and I pretty much just did not know or did not
4 think about doing an E-net report. I had all my UOCAVAs,
5 I thought, in a folder, and I thought I had got them all
6 out, but I did -- once I sent that ballot on the Monday
7 after the deadline, I did call the voter once I knew there
8 had been a delay, and she had received her ballot, and she
9 did return -- in fact, when I talked with her, she had
10 already returned it, and we received her ballot on
11 December the 18th, and it was counted, so in the future, I
12 know that I need to pull an E-net report to ensure that
13 all UOCAVA ballots are sent by the deadline.

14 So that's -- that's all I really have to say, but I
15 do appreciate the opportunity to speak in [sic] my behalf,
16 and just know that I'm listening to other people today and
17 during the Fayette County one, it just occurred to me, I
18 think I want to come up with some sort of a checklist so
19 that we can all know, you know, what our deadlines are
20 even though we have the calendars in place and all. If we
21 physically check off our list, hopefully that will prevent
22 us all from doing it in the future. Thank you.

23 MS. SULLIVAN: Thank you, Ms. Vickers. Does anyone
24 have any questions?

25 MS. THOMAS: Thank you, Ms. Vickers.

1 MS. VICKERS: Okay. Thank you.

2 MS. SULLIVAN: What is the pleasure of the Board?

3 MS. LE: This is Anh Le. I move to send this to the
4 Attorney General's Office for the same reason as our last
5 case, and perhaps the counties could share best practices
6 with one another through this process.

7 MR. MASHBURN: Second.

8 MS. SULLIVAN: We have a motion and a second. Is
9 there any further discussion? All in favor, please
10 signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: Are there any opposed? Motion passes.
13 The next case is 2020-254, Hancock County.

14 MS. WATSON: On December 7th, 2020, 20 ballots were
15 recovered inside a scanner from the November 3rd, 2020
16 general election. On December the 7th, Hancock Board of
17 Elections and Registration was conducting logic and
18 accuracy testing for the 2021 January 5th runoff. During
19 the process, 20 ballots cast in the November 3rd, 2020
20 election were recovered from scanners. The affiliated
21 precincts and respective numbers collected are as follows:
22 Mayfield precinct 7, Power of God 7, St. Mark's 5, and
23 Warren Chapell. Gerald McCown, Election Supervisor,
24 submitted a sworn statement and explained Hancock County
25 Board of Election and Registration Board Member Nancy

1 Stephens and a Dominion technician discovered the total of
2 20 ballots inside of 10 scanners used in the November 3rd,
3 2020 election. Mr. McCown stated this was an inexcusable
4 and preventable error and has since conducted remedial
5 training with poll workers and hopes to prevent
6 reoccurrence.

7 Also, it was determined that Mr. McCown has not
8 completed the required elections certification training
9 required by the Secretary of State, and he did not request
10 a waiver. Our recommendation is for Hancock County Board
11 of Elections and Gerald McCown -- McCown, Hancock County
12 Election Supervisor, be bound over to the Attorney
13 General's Office for 21-2-500(a), 21-2-101(a), and 21-2-
14 101(c)(1).

15 MS. THOMAS: And Mr. McCown and Adam Nelson are on
16 the line to speak for Hancock County.

17 MS. SULLIVAN: Please go ahead.

18 MR. NELSON: Good afternoon. This is Adam Nelson,
19 and thank you to the Board for the opportunity to speak.
20 On behalf of the Hancock County Board of Elections, we
21 essentially agree with the recitation of the facts. I do
22 want to point out a little bit of context though and
23 respectfully request that in lieu of our matter being sent
24 to the Attorney General's Office, a letter of instruction
25 be issued instead. Gerald Lawson [sic] is the recently

1 appointed -- I'm sorry. Gerald McCown is the recently
2 appointed Elections Superintendent for Hancock County. We
3 also have a new Board Chairman for that committee. Both
4 Mr. McCown -- upon learning that we did not have his
5 certification correct, the Board directed and he has
6 complied and completed training for his certification in
7 county elections, so we have undertaken that to -- to
8 avoid that problem in the future.

9 We have also, with respect to the machines and the
10 ballots that were find, as was pointed out, we have gone
11 through remedial training with our staff, with our
12 volunteers, to ensure that this doesn't happen in the
13 future. I will point out that these are newer machines.
14 My assumption is that as volunteers and staff become more
15 familiar with these machines, these issues won't come up
16 in the future, and what I would really implore to the
17 Board is that Mr. McCown and the Board of Elections and
18 Registration are accepting responsibility, and they're
19 accepting accountability in this case. I believe that
20 they have fixed these problems. They're ready to move
21 forward with avoiding these in the future.

22 I'll also note that Hancock County is not a stranger
23 both to this body and the AG's Office. I think it's
24 important to note that the Board Chairman and, frankly,
25 the Board of Commissioners is prepared to wipe the slate

1 clean and to get away from the ongoing problems and start
2 focusing on us conducting elections and not having to deal
3 with reporting to you guys for issues in the future, so I
4 do believe you will see a renewed sense from all the
5 elected officials in Hancock County in an attempt to avoid
6 to have to find ourselves here again. Thank you. And
7 also Mr. McCown is on the call and can address the Board
8 or answer any questions the Board may have.

9 MS. SULLIVAN: Thank you. Does anyone have any
10 questions? Are we able to get Mr. Worley on the phone?
11 Can you hear us, Mr. Worley? Can you speak?

12 MS. THOMAS: Yeah, he's unmuted.

13 MS. SULLIVAN: We're going to go ahead and take a
14 five-minute break. We'll be back in -- right around 3:20.
15 Thank you so much.

16 (Meeting break)

17 (Meeting resumes)

18 MS. SULLIVAN: This is Rebecca Sullivan. I will call
19 the meeting back to order. We are at the point of a
20 motion in the Hancock County case. Ms. Watson, the
21 recommendation in that case is to refer the matter to the
22 Attorney General's Office.

23 MS. WATSON: That's correct.

24 MR. MASHBURN: This is Matt Mashburn. I move that we
25 accept the recommendation.

1 MS. SULLIVAN: Is there a second?

2 MS. LE: Anh Le, second.

3 MS. SULLIVAN: Any further discussion? All in favor,
4 please signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: Ms. Le, did you vote on that?

7 MS. LE: Yes, I'm sorry. My mute button accidentally
8 came on. Yes. That was an aye.

9 MS. SULLIVAN: Thank you. Anyone opposed? Motion
10 passes. The next case is 2021-001, Forsyth County.

11 MS. WATSON: Yes. On January 4th, 2021, it was
12 reported that Edward Brine [ph.] posted on Facebook that
13 his company would provide a free termite inspection for
14 anybody who showed him that they voted for the two
15 Republican Senate candidates in the January 5th, 2021
16 election. The posting was verified. Attempts to contact
17 Mr. Brine by telephone, in person, email, and certified
18 mail have gone unanswered. Our recommendation is to refer
19 David Brine to the Attorney General's Office for 21-2-570.

20 MS. SULLIVAN: There's no one here signed up to speak
21 on this matter. What is the will of the Board?

22 MR. MASHBURN: I move that we accept the
23 recommendation.

24 MS. SULLIVAN: We have a motion to accept the
25 recommendation and refer this to the Attorney General's

1 Office. I'll second that motion. Is there any further
2 discussion? All in favor, please say aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: Any opposed? None opposed, and that
5 motion passes. Case number 2021-027, which is Cobb
6 County.

7 MS. WATSON: Okay. On December 26th, 2020, SOS
8 investigators responded to 4400 Lower Roswell Road,
9 Marietta, Georgia, where a voting precinct that is located
10 inside the building had an unsecured door leading to the
11 voting area. Cobb County police responded to check the
12 location and Georgia Secretary of State investigators also
13 responded. Officer Dehose [ph.] with the Cobb County
14 police department stated that when he arrived, he
15 discovered the doors to the polling station were unlocked
16 at which time he checked the rooms and discovered that no
17 others were inside the rooms. The investigator observed
18 the scanners, BMDs, and poll pads to all be secured in the
19 room with security seals in place.

20 The building is a governmental building that contains
21 a Cobb County police precinct with surveillance cameras in
22 place. It was originally reported that the door to the
23 room containing the polls were left unlocked for the
24 cleaning crew and that the poll workers did not have a
25 key. This was later reported to not be accurate and

1 documentation was provided indicating the door was, in
2 fact, locked and had been reported to have an issue with
3 the locking mechanism on December the 11th. That was
4 reported to have been corrected. After reviewing the
5 additional documentation provided, I would recommend a
6 letter of instruction as reasonable steps were taken to
7 secure the doors, and it appears to be a locking mechanism
8 failure that could not have been foreseen by the poll
9 officials. The doors were secured with a cable and a lock
10 until the locking mechanisms could be corrected. I'm
11 recommending a letter of instruction for Bo Gunn, Chief
12 Registrar Janine Eveler, Director of Cobb County Board of
13 Election and Registration.

14 MS. SULLIVAN: I believe Ms. Eveler has submitted a
15 written statement, but there is no one signed up to speak.

16 MS. THOMAS: She's on the call.

17 MS. SULLIVAN: No one has asked to speak regarding
18 this matter. The recommendation is a letter of
19 instruction be issued in this case. Do any Board members
20 have questions for Ms. Watson?

21 MR. MASHBURN: I don't have any questions, but I'll
22 move that we accept the recommendation.

23 MS. SULLIVAN: And I will second that motion. Any
24 further discussion? All in favor, say aye, please.

25 THE BOARD MEMBERS: Aye.

1 MS. SULLIVAN: Any opposed? That motion passes. The
2 next case is 2021-033, Crawford County.

3 MS. WATSON: Crawford County Elections Supervisor
4 Mrs. Brenda Peacock reported on January 4th, 2021 that
5 elector Jenncy P. West [ph.] had voted twice, once on
6 December 15th, 2020 and on December 31st, 2020 in the
7 January 5th, 2021 runoff election. Investigation revealed
8 the elector is 80-years-old. When the voter Jenncy P.
9 West went in the second time to vote, the poll worker
10 missed or misread the notice when checking in the voter
11 that indicated she had already voted in the election. She
12 had the voter complete a cancellation for an absentee
13 ballot, believe the voter had only requested an absentee
14 ballot and not -- had not voted it. The voter did not
15 question the process and did as requested and was issued a
16 voter access card and allowed to vote.

17 It was also observed when reviewing the voter
18 certificates completed by Ms. West on December 15th and
19 December 31st that the poll worker's name listed on the
20 form as the registrar clerk certifying the form was Mrs.
21 Paige Thomas [ph.]. However, Paige Thomas was not working
22 at the Crawford County Elections Office at all during the
23 January 5th, 2021 runoff election. Mrs. Peacock, the
24 Elections Supervisor, advised this was an oversight by her
25 office, and the name was automatically listed on the form

1 and should not have been. The recommendation is to refer
2 to the Attorney General's Office the Crawford County Board
3 of Elections and Registration, Elections Supervisor and
4 Registrar Brenda Peacock, and poll manager Tia Young [ph.]
5 for 21-2-381(b)(1) and 21-2-431(a) and elector Jenncy
6 Pearl Webb be issued a letter of instruction for 21-2-572,
7 as the poll workers allowed her to -- to vote a second
8 time.

9 MS. WATSON: There is no one who has asked to speak
10 regarding this matter, so unless there are any questions,
11 I will entertain a motion.

12 MR. MASHBURN: I have no questions, but I move that
13 we accept the recommendation.

14 MS. SULLIVAN: Do we have a second?

15 MS. LE: Anh Le, second.

16 MS. SULLIVAN: We have a motion and a second. Any
17 further discussion? All in favor, please say aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: Any opposed? That motion passes.
20 SEB case number 2021-056, Stephens County.

21 MS. WATSON: Yes. On January 4th, 2021, Stephens
22 County Chief Registrar Eureka Gober self-reported to the
23 Georgia Office of the Secretary of State that she
24 identified three double voters during the 2020 general
25 runoff election. On January 4th, former Stephens County

1 Chief Registrar Eureka Gober self-reported interviews with
2 election staff. Two of voters in question in a review of
3 election records confirmed the allegations of double
4 voting during early voting period. Voter Steve Bennett
5 [ph.] could not recall the instance of double voting due
6 to a medical issue that affects his memory. Voter Harry
7 Henry [ph.] admitted to voting twice via absentee ballot
8 and in person voting because he was under the impression
9 that his absentee ballot was not counted when he received
10 an additional application for an absentee ballot in the
11 mail. Voter Frances Merrit [ph.] was unresponsive to
12 telephone calls and in person attempts to interview her.
13 However, her signatures on her oath envelope and
14 application for in person absentee ballot were consistent
15 with her signatures on file in Election Net. The
16 recommendation is to bind over to the AG's Office former
17 Elections Supervisor Eureka Gober for 21-2-273 and voter
18 Steve Bennett, voter Frances Merritt, and voter Harry
19 Henry for 21-2-572.

20 MS. SULLIVAN: There is no one signed up with a
21 request to speak regarding this case. So unless anyone
22 has any questions, now is the appropriate time for a
23 motion.

24 MR. MASHBURN: I have no questions. This is Matt
25 Mashburn, but I move that we accept the recommendation.

1 MS. SULLIVAN: I'll second that. Any further
2 discussion? All in favor, please say aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: Is there anyone opposed? That motion
5 passes. The last investigation case on our agenda today
6 is 2021-066, Morgan County.

7 MS. WATSON: In February 2021, the Elections
8 Supervisor of Morgan County noticed that Brent Spear [ph.]
9 submitted a voter registration and voted while under
10 sentence as a felon during the January 2021 runoff.
11 Investigation determined that Brent Bernard Spear did
12 submit a voter registration that was postmarked December
13 7th, 2020, received it on December 28th, 2020, and the
14 application was processed. He became an active voter on
15 December 29th. On December 30th, Mr. Spear early voted.

16 On December 31st, Mr. Spear's name appeared on the
17 Morgan County Elections dashboard as a felon, and he was
18 entered into the challenge status. A felon letter was
19 mailed to Mr. Spear that went unanswered, so he was
20 cancelled on February 10th, 2021. The conviction was
21 confirmed, and the probation active until 2030. Mr. Spear
22 advised that he did vote and did not respond to the letter
23 from the office as he did not believe that the person he
24 voted for won anyway. Mr. Spear advised he would not be
25 responding to the investigator with a statement as he

1 believed this was voter suppression. Our recommendation
2 is for Brent Bernard Spear, Senior to be referred to the
3 AG's Office for 21-2-216 and 21-2-573.

4 MS. SULLIVAN: And there is no one here -- signed up
5 to speak regarding this case.

6 MR. MASHBURN: Matt Mashburn. I move that we accept
7 the recommendation.

8 MR. WORLEY: David Worley. I move that we second. I
9 second it.

10 MS. SULLIVAN: I believe that David Worley seconded
11 that motion. We have a motion to accept the
12 recommendation to refer it to the AG's Office and a second
13 by Mr. Worley. Any -- by Mr. Worley. Any further
14 discussion? All in favor, please say aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: Anyone opposed? And that motion
17 passes. And we're going to go back one more time to case
18 2020-032, Greene County. We had two individuals who
19 wanted to speak regarding that case, and I'll give them
20 one more opportunity. Mr. Smith or Ms. Mayers or any of
21 these -- if either of you are still on the call and would
22 like to speak.

23 MS. THOMAS: Ms. Mayers, you can go ahead.

24 MS. MAYERS: Yes. This is Kathleen Mayers from
25 Greene County. This particular situation, I was at the

1 poll when an individual, Mr. Smith, was speaking to one of
2 our poll workers, and she motioned me over because he was
3 agitated. He was on the poll pad screen, and the
4 gentleman's registration was in another county from Greene
5 County, and she asked him if he'd been previously
6 registered in another county. He said yes. Are you
7 registered in Greene? He told her he'd voted in the 2019
8 election [sound distorted] there was no translation. I
9 stepped in and I told him what his options were. [sound
10 distorted] Basically, he was to vote on the BMD. [sound
11 distorted] I explained to him that since he wasn't on our
12 roll, he couldn't vote. I gave him the two options. He
13 could go back to -- I believe it was Franklin County -- to
14 vote, or he could take a provisional ballot.

15 He became agitated. He asked -- I was calling him a
16 liar, and I had told him no. I was not calling him a
17 liar, but that the information that we had did not
18 indicate that he had been registered in Greene, and
19 therefore, he wasn't going to be able to vote on the
20 machine. He was extremely verbal and physically
21 confrontational. It's a small poll. He created quite the
22 scene. I explained to him that if he wasn't going to vote
23 provisional that he was going to have to leave the poll,
24 and he adamantly refused, and he said that his wife was
25 voting, that she had some sort of issue, and he was going

1 to wait until she was finished. However, she had not
2 declared that she needed any assistance. She was at the
3 machines voting, and I finally -- I went outside because
4 he challenged -- he just started challenging, and I went
5 outside. When I went outside to call the sheriff, she had
6 finished voting, the wife, and the gentleman decided to
7 leave the facility.

8 It's my understanding that approximately a month
9 after this election, he went online and registered to vote
10 in Greene County, but there was zero record of his
11 registration in Greene County, and he had never voted
12 previously voted in Greene County. This was June of 2020,
13 and he had last voted in 2018 in Franklin.

14 MS. SULLIVAN: Thank you, Ms. Mayer. Mr. Smith, are
15 you here? Are you able to speak? I do not believe he's
16 on the call. Do any Board members have any questions for
17 Ms. Mayers? What is the pleasure of the Board? The
18 recommendation in this case --

19 MS. WATSON: My recommendation was for a letter of
20 instruction for Lester Smith for 21-2-563.

21 MR. MASHBURN: We haven't already acted on this one,
22 and we're considering --

23 MS. SULLIVAN: We haven't.

24 MR. MASHBURN: Okay. I find this belligerence at the
25 polls -- the polling place...

1 MS. LE: I move that we send this to the Attorney
2 General's Office for further review. This is Anh Le.

3 MR. MASHBURN: Second.

4 MS. SULLIVAN: We have a motion and a second. Any
5 further discussion? All in favor, please say aye.

6 THE BOARD MEMBERS: Aye.

7 MS. SULLIVAN: Any opposed? None. Okay. That
8 motion passes. That brings us to the Attorney General
9 report, and it is our custom to vote on these cases as a
10 bloc unless there are any particular cases a Board member
11 would like to pull out.

12 MS. THOMAS: There's someone here to speak.

13 MS. SULLIVAN: And we do have someone to speak on --
14 okay. The Fayette County case, number 098, so we will
15 pull 098 off for separate discussion. Are there other
16 cases a Board member would like to pull off? Okay. So we
17 are going to pull off SEB case number 2016-079 and 2016-
18 155 to discuss separately. Do I have a motion with regard
19 to the remaining cases of the consent orders?

20 MR. WORLEY: This is Mr. Worley. I move that we
21 adopt the remaining consent orders.

22 MS. SULLIVAN: We have a motion to adopt the
23 remaining consent orders. Do we have a second?

24 MR. MASHBURN: Second.

25 MS. SULLIVAN: We have a motion and a second. Any

1 further discussion? All in favor, please say aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: Any opposed? None. That motion
4 passes. So with regards to SEB case number 2016-079 --

5 MS. THOMAS: He's just available for questions.

6 MS. SULLIVAN: Oh, okay. Apparen -- apparently, the
7 person who identified said they're available for questions
8 and does not need to speak to the consent orders, so I
9 will entertain a motion to accept the consent orders.

10 MR. MASHBURN: So moved.

11 MR. WORLEY: Second.

12 MS. SULLIVAN: We have a motion and a second. This
13 is to accept the consent orders in 2016-079 and 2016-155.
14 A motion and a second, any further discussion? All in
15 favor, please say aye.

16 THE BOARD MEMBERS: Aye.

17 MS. SULLIVAN: Any opposed? That motion passes. And
18 finally, unless there are -- is any new business that any
19 member would like to bring up, I will entertain a motion
20 to adjourn today's meeting.

21 MR. MASHBURN: Move to adjourn.

22 MR. WORLEY: Second.

23 MS. SULLIVAN: We have a motion and a second. I'm
24 assuming there is no discussion. All in favor, please say
25 aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: Thank you very much for those who
3 attended today. It was a lengthy agenda, and thank you,
4 fellow Board members. We'll see you next time.

5 (Meeting adjourned 4PM)

CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 220 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 25th day of May, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

August 18, 2021

Steven Ray Green Court Reporting, LLC
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THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

August 18th, 2021
9:00 A.M.

PRESIDING OFFICER: REBECCA SULLIVAN
VICE CHAIR, STATE ELECTION BOARD

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

Sara Tindall Ghazal

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Frances Watson

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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P R O C E E D I N G S

1
2 MS. SULLIVAN: Good morning, Board members and
3 members of the public and parties who have cases before
4 us. We're going to go ahead and call this meeting to
5 order. My name is Rebecca Sullivan, and I am the acting
6 Chair of the State Election Board, and we will start with
7 an invocation and Pledge of Allegiance, which I have asked
8 Mr. Mashburn to lead us in.

9 (Invocation)

10 (Pledge of Allegiance)

11 MS. SULLIVAN: For purposes of the record, I'd like
12 to go ahead and take roll and establish a quorum. Ms. Le,
13 please acknowledge your presence.

14 MS. LE: Present.

15 MS. SULLIVAN: Mr. Mashburn?

16 MR. MASHBURN: Present.

17 MS. SULLIVAN: Ms. Ghazal?

18 MS. GHAZAL: Present.

19 MS. SULLIVAN: Thank you. The first item on our
20 agenda today is the introduction of a new Board member.
21 At this time, I would like to introduce Ms. Sara Tindall
22 Ghazal. Ms. Ghazal was appointed to the State Election
23 Board to fill the vacancy created by the resignation of
24 David Worley. I am not aware whether Mr. Worley is online
25 today, but I would like to take this opportunity to thank

1 him for his 17 years of public service on the State
2 Election Board. I have enjoyed serving alongside Mr.
3 Worley for eight of those years, and on behalf of the
4 Board, I would like to publicly commend him for his
5 thoughtful, dedicated, and honorable service to the State
6 of Georgia. I would also like to welcome Ms. Ghazal. She
7 is an attorney and comes to us with much experience in
8 elections, having worked for the Carter Center and the
9 Democratic Party of Georgia, as well having been a
10 candidate for public office. Welcome to the State
11 Election Board, Ms. Ghazal. On behalf of the Board, I
12 thank you for accepting your party's nomination, and we
13 look forward to working with you. If you'd like --

14 MS. GHAZAL: Thank you so much, Chair Sullivan. And
15 yes, just very briefly, I just wanted to reiterate your
16 thanks to my predecessor, David Worley. He served a
17 tremendous service for the voters of Georgia, and I have
18 very big shoes to fill, and I look forward to working with
19 all of you in the coming months and years.

20 MS. SULLIVAN: Thank you so much. The next item on
21 the agenda is approval of the Board meeting minutes. We
22 have minutes for the February 24th, 2021 Board meeting and
23 hearing as well as the April 28th, 2021 Board meeting and
24 hearing. Those minutes have been distributed among the
25 Board members, and we've all had an opportunity to review.

1 At this time, it would be appropriate for a motion to
2 approve those minutes.

3 MR. MASHBURN: So move.

4 MS. LE: Second.

5 MS. SULLIVAN: We have a motion and a second. Is
6 there any discussion? All in favor, please signify by
7 saying aye.

8 THE BOARD MEMBERS: Aye.

9 MS. SULLIVAN: Any opposed? None, and that motion
10 carries. We're going to jump right on in to the
11 consideration of rules to post for public comment. At
12 this time, the Board will consider a number of amendments
13 to the State Election Board rules to post for public
14 comment based on the passage of Senate Bill 202. I
15 anticipate that the Board will consider the amendment of
16 several rules and/or new rules in our upcoming meetings.
17 The set of rules we will consider today is only the first
18 batch for consideration based upon the necessity of
19 implementation of SB 202 for the upcoming municipal
20 elections. While the Board members have received a review
21 of the rules we will consider -- that we will consider
22 today in advance, I will ask Mr. Germany at this time to
23 give a brief overview of the rules. If any of the Board
24 members have questions or would like to engage in
25 discussion about the rules, please feel free to pose them

1 during his presentation. Mr. Germany?

2 MR. GERMANY: Thank you, Madam Chair. This is Ryan
3 Germany. I'm the General Counsel of the Secretary of
4 State's Office. As Ms. Sullivan said, what we're doing
5 today or what will be in front of the Board is voting to
6 post rules for public comment, so if -- if the Board
7 approves that, these draft rules will be posted for public
8 comment. The Board will then come back in about 30 days
9 and vote on whether or not to adopt the rules, and I think
10 Ms. Sullivan also said the rules that we're looking at
11 today are the ones that we felt needed to be in place
12 prior to November's municipal elections. I think there's
13 -- there's certainly additional rules based on SB 202 that
14 need to be done and that we're still working on, so I
15 envision that -- that we will have a lot of these types of
16 things in our -- in our future meetings up through next
17 year.

18 So I'll go into the rules that -- that I'm proposing
19 the Board post for public comment. I'm going to start
20 with the document that's revisions to subject 183-1-12,
21 and the -- the first one is amendment to the logic and
22 accuracy testing. The amendments are on page 3 of the
23 packet that was submitted to the Board, and all this does
24 -- this is changes to 183-1-12-.08, logic and accuracy
25 testing. SB 202 put in new rules about notification of

1 when logic and accuracy testing is happening, and so this
2 proposed change just puts that change into rule.

3 The next change is on page 6 of the -- the packets in
4 front of you, and it also deals with logic and accuracy
5 testing. There was a couple of counties in November that
6 iss -- poll pad issues, and then one county did a good job
7 going to what we call manual ballot activation, how you
8 can bring up a ballot using a code on the touch screen.
9 The other county did not do as good of a job, so what we
10 put in place here is a requirement in logic and accuracy
11 testing to test the ballot activation part of the
12 procedure as well, so that's on page 6.

13 The next change is in -- is on page 17 of the packets
14 in front of you, and it is a change to rule 183-1-12-.11,
15 which is conducting elections, and this deals with polling
16 place wait times recordings. SB 202 put in the
17 requirement that any polling place that has a wait time of
18 more than an hour at any point in the day has to take
19 certain actions to -- to basically relieve that burden
20 prior to the next election, and so this rule puts in place
21 how the county is to measure that or when they're going to
22 measure it, and then how it's to be -- how that
23 information is going to be submitted to the Secretary of
24 State's Office.

25 The next change is on page 25 of the packet, 183-1-

1 12-.12, tabulating results. These changes go to the part
2 of SB 202 that requires counties to submit the total
3 number of votes they received no later than 10PM the night
4 of the election. On page 25, the change just said as soon
5 -- as soon as possible after the poll is closed. The poll
6 manager shall advise the election superintendent of the
7 total number of ballots scanned in the ballot scanner, the
8 total number of provisional ballots issued, and the total
9 number being cast but unscanned ballots in a scanner
10 emergency bin. That's just going to getting -- getting
11 the total number of ballots cast at each precinct.

12 The next change is on page 27. This deals with the
13 part of SB 202 that says counting shall basically continue
14 without ceasing until pro -- all properly cast ballots are
15 processed, and we felt that we needed to define shall not
16 cease that it allowed for reasonable and limited breaks so
17 long as ballots continue, and it also states that if -- if
18 there's a technical or mechanical issue or emergency
19 circumstance that basically doesn't allow counting to
20 continue, then the superintendent can basically declare
21 those circumstances exist and do a report in writing to
22 the Secretary of State, and then resume when -- when
23 accurate and reliable counting can resume after the
24 emergency or technical issue has been -- has been dealt
25 with. I think the point we want to get there is yes, it

1 needs to be done as quickly as possible, but if there's
2 some circumstance that doesn't allow for accurate and
3 reliable counting, then obviously, that needs to be
4 precedence towards absolving that.

5 On page 28 of the packet in front of you, publicly
6 posting total number of ballots cast after the polls,
7 again, that deals with the part of SB 202 that requires
8 publicly posting the total number of ballots cast. What
9 we're trying to think about is the best way for counties
10 to post those numbers and then also make them available to
11 the public, so it says that maybe they've got to post them
12 on their website if they have one. If they do not have a
13 website, they have to post them on the door of their
14 headquarters, and at the same time they're posted, they
15 have to provide those numbers to the Secretary of State's
16 Office so that the Secretary of State can make them public
17 in a more aggregated fashion.

18 The final proposed edit to -- to this rule, .11, is a
19 reconciliation report on page 29 of the packet in front of
20 you. It says no later than 30 days following the
21 election, the superintendent shall turn into the Secretary
22 of State a reconciliation report that reconciles the
23 aggregate total of all ballots cast in each precinct, and
24 any discrepancies between the ballots cast and number --
25 and voters who received credit shall be investigated and

1 reported to the Secretary of State.

2 The next change is a change to rule 183-1-12-.13,
3 storage of returns. It's on page 26 of your packet, and
4 it goes to the part of SB 202 that makes ballot images a
5 public record, and so this change clarifies that ballot
6 images are subject to public disclosure, and the election
7 superintendent shall retain copies of all ballot images
8 prior to depositing election materials to the clerk of
9 superior court to ensure the ability to provide public
10 access to ballot images.

11 The next change is -- and I believe all the remaining
12 changes in this chapter of the rules are in 183-1-12-.018,
13 provisional ballots, and this is to deal with SB 202's
14 change to provisional balloting where ballots cast out of
15 precinct are not going to count unless they're -- until
16 it's after 5 o'clock, and the voter submits something that
17 says they cannot get to their precinct in time. So this
18 changes the instructions that poll workers give -- give
19 voters to make sure that that's clear, and those changes
20 are on page 39, 40, 41, 42, and 43. Those are the changes
21 to chapter -- under subject 183-1-12.

22 The other rules that we're going to propose for
23 posting today are revisions to subject 183-1-14, which is
24 absentee voting, and there's two changes to that. One is
25 a change to 183-1-14-.12, eligibility of application for

1 absentee ballot. This is to deal with the changes in SB
2 202 that change how an absentee voter is verified going
3 from the signature verification to the driver's license or
4 other ID-based verification, so it just clarifies on page
5 3 of the packet that the next -- the next packet of 183-1-
6 14 that would have to be submitted on the application with
7 elector's name, date of birth, address, the address where
8 the elector wishes their ballot to mailed, the number of
9 his or her driver's license number or other allowable
10 identification, and the signature of the applicant.

11 We also clarify in this rule that web-based tools or
12 applications that allow people to basically submit their
13 information online and then fill out the form that way --
14 so basically, if you put -- if a tool lets you submit your
15 information, and it fills out the form for you, you would
16 then still have to print out the form, sign it, and submit
17 it, but it just clarifies that that is allowed. However,
18 confidential votes -- those type of tools and applications
19 are allowed, but confidential voter information entered
20 into these web-based tools or applications shall not be
21 stored, sold, distributed by any entity or person nor used
22 for any commercial purposes. If a person gives express
23 written consent, non-confidential voter information that
24 is entered into those tools can be stored but shall not be
25 sold or used by any entity or person for any commercial

1 purposes. What we tried to do here was to basically
2 mirror the provisions for third-party voter registration
3 drivers where, you know, basically, certain material
4 information on the registration forms can be -- can be
5 kept when given the consent of the voter, but confidential
6 information, of course, cannot be kept under any
7 circumstance.

8 This -- this rule also talks about the disclaimer
9 that now has to be on absentee ballot applications that
10 are -- that are sent around by third parties, and it has
11 the disclaimer that's in SB 202, and it clarifies --
12 essentially copying some of the regulations from the
13 Federal Election Commission about disclaimers on election
14 or other political mail. That disclaimer shall be
15 sufficient font size and be clearly readable -- the 12-
16 point type satisfies that size requirement -- be contained
17 in a printed box set apart from the other content
18 communications, and be printed with a reasonable degree of
19 color contrast between the background and printed
20 disclaimer. The regulation clarifies that the color
21 contrast requirement is satisfied if it is printed in
22 white text on a back -- on a black background or if the
23 degree of contrast between the background color and the
24 disclaimer text color is as least as great as the degree
25 of contrast between the background color and the color of

1 the largest text in the communication. And again, I
2 believe that's -- that's essentially copying kind of
3 disclaimer regulations that are from the Federal Election
4 Commission and that you would normally see on political
5 mailings.

6 The final rule that we're proposing for posting today
7 is a new rule, 183-1-14-.12. Sorry, 183-1-14-.14, and
8 this deals with early absentee ballot processing. This
9 largely mirrors the emergency rule that was put in place
10 last year, and then SEB 202 put in early ballot processing
11 into Georgia code, and so this rule puts in place the --
12 the regulations for observation, for reconciliation, for
13 making sure that basically kind of voter privacy is kept
14 during this time, and that -- and it puts in regulations
15 including oaths of anybody who is participating in that --
16 in this process to ensure that no results are -- are, of
17 course, received or even kind of guessed or estimated by
18 anybody talking about this process.

19 So those are the changes we're posting today, as
20 Chair Sullivan said -- or I'm proposing that the Board
21 post for public comment today. As Chair Sullivan said,
22 there are additional rules that we are working on that we
23 believe will need -- will need to be posted to deal with
24 the changes from SB 202. We're also getting -- getting
25 questions and comments from counties, other people, to

1 help deal with -- to help us see kind of what rules might
2 be needed, and I'm happy to -- to take any questions from
3 any Board members.

4 MS. SULLIVAN: Do any Board members have any
5 questions for Mr. Germany? Thank you, Mr. Germany. I
6 know that this represents a lot of staff work on the part
7 of the Secretary of State's Office, as well as the Rules
8 Working Group, and we appreciate your efforts in this
9 regard. As stated before, all that is required of the
10 Board at this point is a vote to post these rules for
11 public comment. Unless any Board member objects, I will
12 entertain a motion to post them as a bloc instead of
13 voting on each rule individually at this time. Are there
14 any objections to considering these rules as a bloc?

15 MR. MASHBURN: No objection.

16 MS. SULLIVAN: Do we have a motion to post these
17 rules for public comment? I'll go ahead and restate the
18 rules: 183-1-12-.08, 183-1-12-.11, 183-1-12-.12, 183-1-12-
19 .13, 183-1-12-.18, 183-1-14-.12, and 183-1-14-.14.

20 MR. MASHBURN: I move that the rules be posted as
21 presented for public comment.

22 MS. SULLIVAN: We have a motion to post the rules for
23 public comment. Do we have a second?

24 MS. GHAZAL: Second.

25 MS. SULLIVAN: We have a motion and a second. Is

1 there any further discussion? All in favor, please
2 signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: Any opposed? None, and these rules
5 will be posted for public comment. The next item on our
6 agenda is appointment of a performance review panel. OCGA
7 section 21-2-106 requires that upon the request of at
8 least two members of the Georgia House of Representatives
9 and two members of the Georgia Senate who represent a
10 county that is represented in the General Assembly by more
11 than three members of both the House and the Senate, the
12 State Election Board shall appoint an independent
13 performance review board within 30 days after receiving a
14 request that a performance review of a local election
15 official be conducted. That code section requires that
16 the State Election Board appoint three competent persons
17 to serve of members of the performance review board, one
18 of whom shall be an employee of the Elections Division of
19 the Secretary of State and two of whom shall be local
20 election officials, provided that no such appointee shall
21 be a local election official for the county or
22 municipality of the applicable under review.

23 The law further provides that it shall be the duty of
24 a performance review board to make a thorough and complete
25 investigation of the local election official with respect

1 to all actions of the local election official regarding
2 the technical competency and the maintenance and operation
3 of election equipment, proper administration and oversight
4 of registration and elections, and compliance with state
5 law and regulations. The performance review board is
6 required by law to issue a written report of its findings
7 to the Secretary of State, the State Election Board, and
8 the local governing authority, which shall include such
9 evaluations, judgements, and recommendations it deems
10 appropriate.

11 The State Election Board has received requests from a
12 requisite number of members of the Georgia Senate and the
13 Georgia House of Representatives that a performance review
14 of Fulton County local elected officials be conducted
15 pursuant to OCGA 21-2-106. Accordingly, this Board is
16 required by law to appoint three persons to serve on a
17 performance review board of Fulton County local elected
18 officials. We have before us a bipartisan slate of
19 candidates to consider for appointment for this purpose.
20 The slate for consideration before us today is Stephen
21 Day, who is a member of the Gwinnett County Board of
22 Elections, Ricky Kittle, who currently serves as the Chair
23 of the Catoosa County Board of Elections, and Ryan
24 Germany, who is the General Counsel for the Sec -- Georgia
25 Secretary of State.

1 At this time, I will entertain a motion to appoint
2 this slate of individuals to serve on a performance review
3 board of Fulton County local elected officials.

4 MR. MASHBURN: I move that the slate be adopted and
5 accepted as presented.

6 MS. SULLIVAN: We have a motion. Do we have a
7 second?

8 MS. LE: I second it.

9 MS. SULLIVAN: At this time, it would be the
10 appropriate time for any discussion by the Board members
11 regarding this motion.

12 MS. GHAZAL: Chair Sullivan?

13 MS. SULLIVAN: Yes, please go ahead.

14 MS. GHAZAL: First, I'd like to reiterate as you
15 stated that the State Election Board has no discretion
16 with regards to this appointment, so we are mandated by
17 law to -- to make this appointment. It is both my hope
18 and expectation that the members of the review board who
19 have been nominated today will take their jobs very
20 seriously and will engage in the review with the singular
21 goal in mind how best Fulton County's Election Board and
22 staff can serve the voters of Fulton County. Any election
23 office has two goals: to ensure that every eligible voter
24 can access their ballot and cast it by the method of their
25 choosing and that those ballots are counted accurately and

1 transparently in such a way that it assures the public
2 that they can have trust in the outcome.

3 I also understand that the performance review board
4 is going to be under tremendous political pressure on both
5 sides to come to preordained conclusions, but I -- knowing
6 the members of this Board, I trust that they'll resist the
7 pressure and approach their task with an open mind. The
8 narrative driving this pressure has been influenced by
9 disinformation surrounding the November 2020 election, but
10 the fact remains that Fulton County voters have reported
11 numerous problems for far longer than November 2020,
12 particularly surrounding registration and absentee
13 ballots, so I -- I urge Fulton County to review this
14 performance review board as an opportunity to have fresh
15 eyes on their systems and their procedures and identify
16 areas of improvement. I understand that the County is in
17 the process of hiring external consultants to review the
18 County's operations. I hope that the review board will be
19 able to work together with these consultants to ensure
20 that eligible voters of Fulton County receive the service
21 and the elections that they deserve.

22 MS. SULLIVAN: Thank you, Ms. Ghazal. Mr. Mashburn,
23 would you like to make any comments?

24 MR. MASHBURN: Just a few observations about the
25 slate of candidates, that I think the slate of candidates

1 does a very good job of balancing large metropolitan areas
2 and counties with a more rural area, balances
3 bipartisanship, has a Republican and a Democrat, and, of
4 course, has Ryan Germany, whose skill as a lawyer,
5 knowledge of election law, and demeanor as a person are --
6 are unmatched, so I think, you know, we've got a great
7 slate of candidates here that have been carefully balanced
8 to reflect all -- all interests so that the accusations
9 that we've heard in the past that this is just a
10 Republican hatchet job against Fulton County is just not -
11 - just not reflected by this slate of candidates. I just
12 wanted to also compliment these individuals for their
13 willingness to serve. They're all very experienced in
14 this, so they know that this is a -- a largely thankless
15 task except for the voters who are benefited on Election
16 Day when these problems are resolved.

17 And I would -- I would join in Sara's comment that
18 this is an invitation to Fulton that it would be very nice
19 for the Board to able to report when their report comes
20 out that -- that this was a problem but in the meantime,
21 we've -- we've seen this be cured and this be fixed, so
22 that would -- that would be a great part of the report.
23 So I encourage Fulton to just -- to keep trying to improve
24 and not just throw up their hands and say well, it's all
25 in the hands of the Board now.

1 MS. SULLIVAN: Thank you, Mr. Mashburn. Any
2 additional comments? Would any of the Board members like
3 to make a motion to appoint this slate of individuals to
4 serve on a performance review board of Fulton County
5 elected officials at this time?

6 MR. MASHBURN: I think it's made, with a second.

7 MS. SULLIVAN: Oh, we did. That's right. Thank you,
8 Mr. Mashburn. That was a little while ago. We have a --
9 we have a motion and a second. All in favor, please vote
10 -- signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: Any opposed? Then that motion passes.
13 Thank you. We're going to move onto the investigation
14 report, so first block of cases on our agenda are the
15 consent cases. There are two cases on the agenda that
16 have been continued. That is SEB case number 2020-148,
17 Greene County and SEB case number 2020-256, Fulton County.
18 Are there any cases on this list that any of the Board
19 members would like to pull off for separate discussion?

20 MR. MASHBURN: I do not have any that I would like to
21 have pulled out.

22 MS. SULLIVAN: It looks like we -- none of the Board
23 members want to pull off any of these cases. Do we have
24 any complainants or Respondents that are on this call that
25 would like to speak to any of these individual cases?

1 MS. THOMAS: No. We do not have any for these ones.

2 MS. SULLIVAN: Okay. At this time, I will entertain
3 a motion.

4 MS. THOMAS: We had someone raise their hand.

5 MS. SULLIVAN: Oh. Just a moment.

6 MS. THOMAS: All right. Denise Muehr? You may --

7 MS. MUEHR: Yes.

8 MS. THOMAS: -- speak now.

9 MS. MUEHR: Yes.

10 MS. THOMAS: Just wondering which case you're here
11 for?

12 MS. MUEHR: It's 2020-000157, but I'm not seeing it
13 on this slate of numbers. Will it be coming up at a later
14 time?

15 MS. THOMAS: Yes. We're just discussing these
16 consent cases right now.

17 MS. MUEHR: Okay. I apologize. I will stand back.

18 MS. SULLIVAN: Not a problem.

19 MS. MUEHR: Thank you.

20 MS. THOMAS: Jamida Orange? You may unmute yourself.

21 MS. ORANGE: Jamida, I'm just here to listen.

22 MS. SULLIVAN: Okay. Thank you. Okay. We will go
23 ahead and vote to dismiss the consent cases as a bloc,
24 pulling out, of course, those two cases that were
25 continued. Now would be the appropriate time for a

1 motion.

2 MR. MASHBURN: I move that those cases be processed
3 in accordance with the matters that have been presented.

4 MS. SULLIVAN: We have a motion. Is there a second?

5 MS. LE: I second.

6 MS. SULLIVAN: Any further discussion? All in favor,
7 please signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MS. SULLIVAN: And there are none opposed, and those
10 cases will be dismissed. The next cases are -- set of
11 cases are letter cases. Do any of the Board members want
12 to pull off any of these cases for separate discussion or
13 consideration?

14 MR. MASHBURN: I do not, Matt Mashburn.

15 MS. SULLIVAN: Okay. Do we have any individuals on
16 the call who would like to speak to one of these cases,
17 either a complainant or a Respondent?

18 MS. THOMAS: We do have Ezek -- Ezell Brown and
19 Sergeant Victoria Hammond and Attorney William Craig, and
20 Mr. Ezell Brown is the Sheriff of Newton County. They are
21 on the call to speak towards this case.

22 MS. SULLIVAN: That's case 2020-114?

23 MS. THOMAS: Yes. 2020-114 for Newton County. Mr.
24 Ezell, I did see you when you signed up, but I don't see
25 your name now. If you could raise your hand, so I could

1 see which account you're logged under. All right. You
2 may unmute yourself now.

3 MS. SULLIVAN: Well, let's -- are there any other
4 cases right now that we have members to speak to --
5 individuals to speak to?

6 MR. TOLLEY: Okay. Can you hear me, Chairman
7 Sullivan?

8 MS. SULLIVAN: Yes, we can hear you.

9 MR. TOLLEY: All right. My name is Edward Tolley.
10 I'm a lawyer in Athens, Georgia, and I represent Sheriff
11 Ezell Brown in this complaint of illegal campaigning,
12 which he --

13 MS. SULLIVAN: Okay. Just a moment, Mr. Tolley. I
14 think I'll ask Ms. Watson to go ahead and give us an
15 overview of this case if we're pulling it off for
16 discussion and then give you an opportunity to speak.

17 MR. TOLLEY: All right, ma'am.

18 MS. SULLIVAN: Thank you. This is SEB case number
19 2020-114?

20 MS. WATSON: Yes. A complaint regarding illegal
21 campaigning during the Newton County 2020 general election
22 was reported. According to the complaint, Sheriff Ezell
23 Brown was campaigning outside the Newton County
24 administrative building, which served as a polling
25 precinct during the early voting period. He was seen

1 speaking with voters in line in a mobile campaign
2 billboard endorsing Brown circling the voting precinct.
3 Investigation revealed the complainant provided pictures
4 and videos of the mobile billboard. A follow-up interview
5 revealed that Newton County Coroner Tommy Davis was also
6 seen campaigning outside the precinct.

7 Investigators interviewed Sheriff Brown, and he
8 stated he was present outside the Newton County
9 administrative building, but he denied he was campaigning.
10 He stated he was there to assess the situation of long
11 lines and to respond to a medical emergency. However,
12 there were several sheriff deputies assigned to the
13 polling precinct, and there were no dispatch calls for
14 service at the administrative building on that date. The
15 election supervisor informed Sheriff Brown that he could
16 not be present at the polling precinct, and he agreed to
17 leave. However, he returned to the precinct a few days
18 later to provide the election supervisor with a copy of
19 OCGA 15-16-10, which he believed authorized him to be
20 present at any polling precinct. He was in uniform when
21 he entered the polling precinct. There were voters
22 present, and he was not there to cast his ballot.

23 Regarding the mobile billboard, Sheriff Brown stated
24 the mobile billboard was donated to his campaign, and he
25 did not instruct the driver of any particular route.

1 Investigators interviewed the driver of the mobile
2 billboard, David Allen [ph.]. He confirmed he drove the
3 mobile billboard past the polling precinct, stated he was
4 not familiar with the area, and he was not aware that he
5 could not drive past the polling precinct and stated he
6 was not instructed by anyone to drive a particular route.

7 Investigators interviewed Newton County Coroner Tommy
8 Davis. He admitted to driving past the polling precinct
9 in his personal vehicle that had had a campaign sign
10 mounted on it. However, he stated he was just on his way
11 to get breakfast and driving past the administrative
12 building was the most direct route to the restaurant.

13 Our recommendation is for all Respondents to be
14 issued a letter of instruction and any future violations
15 to be referred to the Attorney General.

16 MS. SULLIVAN: Thank you, Ms. Watson. Go ahead, Mr.
17 Tolley.

18 MR. TOLLEY: Yes, ma'am. On Friday, I prepared a
19 motion to dismiss this allegation against Sheriff Brown.
20 I served the counsel, Mr. Germany, to the Secretary of
21 State. We dispute factually what's just been said, and
22 I'll address that in a minute, but I want to address the
23 motion to dismiss, which is in writing and filed with the
24 State Election Board, first. And first of all, the
25 dispute here in a nutshell involves whether or not Title

1 21-2-41(4)(b) overrules in effect Title 15-16-10(a)(3)(8),
2 and stated very simply, if a constitutional officer, which
3 he is -- and the brief sets out the case law that supports
4 that -- he has a duty, which is a command statement, to
5 attend on any election precincts. It's not an option for
6 him to not attend. He can attend by appointing people,
7 but he himself must perform the duties imposed by law
8 which appertain to his office.

9 This -- as we understand it, the two people who had
10 campaign signs that drove by did not do so at the
11 direction of the sheriff. I believe that's a finding.
12 And they are really -- whatever -- whatever the Board does
13 about them, the Board just does, but in -- in terms of the
14 sheriff being at the precinct in uniform, that is his job.

15 And I have gone on to argue in my brief why this
16 should be dismissed. In a nutshell, Title 15 says -- let
17 me get the book out. I wish I could see the Board and
18 show the Board what I'm looking at, but Title 15-16-10,
19 subsection 3, says it is the duty of the sheriff to attend
20 in the same manner specified -- that same matter is upon
21 all sessions -- both this subsection -- at the place or
22 places of holding an election at the county site on the
23 date of an election from the opening to the closing of the
24 polls and to take under his charge all subordinate
25 officers present as the police to preserve order. In

1 addition, paragraph 8 of that subsection says he is to
2 perform such other duties as are or may be imposed by law.
3 It is actually a misdemeanor for the sheriff to refuse or
4 fail to attend the polls.

5 Now, I agree that there is a conflict between Title
6 15 and Title 21 on campaign activity, but as I've argued
7 in this brief, if the legislature had intended to prevent
8 a sheriff who is also a candidate from attending a polling
9 location -- the legislature could have easily done so. I
10 made a citation to a couple of Georgia cases. So you've
11 got a conflict in the statutes. The sheriff is mandated
12 to go into the polling places. If he doesn't go, he
13 violates his duty, and it's actually a misdemeanor. But
14 if he does go, according to the investigator and according
15 to the election supervisor, then he has violated Title 21.
16 The two cannot be reconciled.

17 It is not -- it is not up to -- it's not up to the
18 State Election Board to decide that they would apply one
19 statute over the other because Title 15, which governs the
20 duties of the sheriff in an election, -- Title 15 is a
21 specific statute that I would argue, and I believe is the
22 law, that overrules the general election statute. As I
23 said, the legislature can change this. They could have
24 changed it. They could have said otherwise. But I think
25 this Board should be aware that this statute essentially

1 has been around since the 1800s without change. 1799 was
2 actually the date it was enacted the first time, and it's
3 never been a controversy before.

4 Now, -- so our motion is to just simply dismiss this
5 allegation against the sheriff. We do have three
6 witnesses here to contest the allegations in the report if
7 the Board wishes to go forward and hear from them, but
8 it's my motion right now, at this level, that this
9 allegation against Sheriff Brown, who is a four-term
10 Sheriff for Newton County -- he's a gubernational
11 appointee to important boards for the State of Georgia.
12 This is very important to him, and I move that this be
13 dismissed.

14 MS. SULLIVAN: Thank you, Mr. Tolley. Do any of the
15 Board members have questions for Mr. Tolley? Mr.
16 Mashburn?

17 MR. MASHBURN: Well, I think that presentation was
18 excellent. Georgia has a unique history, and it was one
19 of the purposes that the voter protection bubble was
20 installed, that in the past there were many incidences
21 where people waiting in line were pulled out of line and
22 intimidated and beaten, and it was almost always the
23 sheriff. Now, there's no allegation that this sheriff has
24 done anything other than campaign, but that's where the
25 voter protection bubble came from, and I'd always puzzled

1 myself -- or pondered myself why was it always the
2 sheriffs that were doing it? And so I think the statute
3 might provide the answer for that. I've also been a poll
4 watcher for many, many years, and I know exactly where the
5 hundred-and-fifty-foot barrier is, and I -- based on my
6 personal experience, I feel that the sheriff can fulfill
7 his duties under Chapter 15 -- Title 15 from a hundred and
8 fifty foot away, and if anything needs to be handled
9 closer in, he can send a deputy. The sheriff could send
10 in a deputy. So I move that the motion to dismiss not be
11 accepted and couple that motion with a motion that the
12 letter of instruction be issued as presented.

13 MS. SULLIVAN: Okay. We have a motion on the table.
14 Is there a second?

15 MS. LE: This is Anh Le. I have a comment as well
16 before I second this motion. 21-2-4-14, section d, is
17 universal. Aside from Mr. Mashburn's concern, which is
18 well taken as well, it is universal to all candidates, and
19 it's -- it's intended also to create a level playing field
20 for candidates and voters alike to have elections free of
21 -- of intimidation or influence as voters go to cast their
22 votes, so I stand firm with the motion on the table, but
23 also I would also like to ask whether or not there was a
24 deputy available to Mr. Brown on the day of, subject to
25 15-16-10 (2) -- (8)(2). Subsection (8)(2) says that the

1 sheriff or his deputies could attend, so did he have a
2 deputy available that day?

3 MR. TOLLEY: Are we unmuted? Can you hear me, Chair
4 Sullivan?

5 MS. SULLIVAN: Yes. Yes. Go ahead. Yes. Go ahead,
6 Mr. Tolley.

7 MR. TOLLEY: All right. If you please, I have three
8 witnesses to address the issue at hand. Obviously,
9 there's no allegation -- I mean, all we have to go on is a
10 specific allegation against this sheriff, and the specific
11 allegation in the notice of hearing, which is a due
12 process matter, is that when he -- when he entered the
13 polling precinct to speak with the election supervisor
14 regarding the allegations against him. So that is the
15 notice that we received of a violation, and that's what
16 we're defending. But having said that, I do have a
17 sergeant here that called the sheriff due to the illness
18 of a -- of a person. I do have the sheriff here who
19 wishes to speak, and I do have the former county attorney
20 who has advised the sheriff and all the other sheriffs
21 that have ever served in this county that this -- that the
22 sheriff must attend, and his attendance is lawful, and
23 this statute does not limit the sheriff to a hundred and
24 fifty feet.

25 I understand what Mr. Mashburn was saying. I'm in

1 sympathy with his interpretation, but that is not in the
2 law, and that's all we can go on is what the statute says.
3 So if the Chair wishes, I am prepared to put up these
4 witnesses.

5 MS. SULLIVAN: If the sheriff would like to speak,
6 the Board is happy to hear from him.

7 MR. TOLLEY: All right. Well, may I start then with
8 Sergeant Victoria Hammond, who -- there were -- there were
9 seven polling places in Newton County. Seven. This
10 allegation only involves one polling place, and it
11 involves the sheriff going to that polling place for a
12 specific reason, so with your permission, I will swear in
13 Sergeant Hammond, and then I will ask her to make a
14 statement to the Chair. Is that all right, Chairman
15 Sullivan?

16 MS. SULLIVAN: I -- I don't -- I don't think that is
17 necessary at this point, Mr. Tolley. I mean, this is --
18 this case, the recommendation and the motion that is on
19 the table is to dismiss this case with a letter of
20 instruction. There is no need to have witness testimony
21 at this point. Yes, Ms. Le, did you want to be
22 recognized?

23 MS. LE: Yes. I think there is a motion on the table
24 to accept by Mr. Mashburn. I was thinking of seconding
25 it, but I would like to make a new motion, Mr. Mashburn,

1 if that would be all right with you, seeing that this is a
2 contested issue. I would like to move that we send this
3 to the Attorney General's Office for review.

4 MS. SULLIVAN: Okay. Well, we have a motion on the
5 table right now to issue a letter of instruction, so I
6 don't think we can consider a motion at this point unless
7 Mr. Mashburn wanted to withdraw that motion.

8 MR. MASHBURN: I'll withdraw my motion and allow Anh
9 Le's motion to take precedence over my motion and then
10 second Anh Le's motion.

11 MS. SULLIVAN: Okay. So we have a motion and a
12 second to go ahead -- and is this to refer all three
13 Respondents to the Attorney General's Office or just the -
14 - Sheriff Brown?

15 MR. MASHBURN: Just Sheriff Brown, right?

16 MS. LE: Just Sheriff Brown, please.

17 MS. SULLIVAN: Okay. So the motion on the table that
18 has been seconded is to refer the allegations regarding
19 Sheriff Brown to the Attorney General's Office. At that
20 point, Mr. Tolley, you will be able to swear in witnesses
21 and continue your argument at that point before the
22 Attorney General's Office in the formal hearing should
23 your client so wish. So we have a motion and a second on
24 the table. Is there any further discussion? All in favor
25 of the motion, please signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: And there are none opposed, so that
3 motion passes. We do have two additional Respondents in
4 this case, and the recommendation is to issue a letter of
5 instruction to those two Respondents. Do we have a motion
6 to proceed with that?

7 MR. MASHBURN: I move that we proceed with a letter
8 of instruction in both cases.

9 MS. SULLIVAN: Is there a second?

10 MS. LE: I'll second it.

11 MS. SULLIVAN: Any further discussion? All in favor,
12 please signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MS. SULLIVAN: And there are none opposed so that
15 concludes our discussion of 2020-114. We are going to
16 pull off SEB case number 2020-139 for discussion per the
17 request of Board Member Ghazal. Ms. Watson, would you
18 mind giving us an overview and quick summary of that case?
19 139, yes. That's DeKalb County.

20 MS. WATSON: Yes. A complaint alleging that Dunwoody
21 Library advance polling location in DeKalb County had an
22 unsecured absentee ballot drop box was reported in October
23 of 2020. Investigation showed the complainant reported a
24 poll worker at the poll location was able to access the
25 inside of the ballot box which did appear to be -- did not

1 appear to be secured. The poll manager advised that she
2 initially directed voters wanting to drop off absentee
3 ballots to the official drop box located at Dunwoody City
4 Hall. She advised after she was given direction from the
5 director, Erica Hamilton, that she could accept absentee
6 ballots at the polls, she began accepting the ballots, and
7 they were placed in the box labeled ballot box that was in
8 public view and was always being patrolled by herself or
9 one of the other poll managers.

10 An investigator observed the box that was secured
11 with a zip tie. The opening at the top was too small for
12 the absentee ballot envelopes to fit in, so the top of the
13 box had to be raised for the absentee envelopes to be
14 inserted. The box was secured at night according to the
15 manager in a location that only she had access to. The
16 plan was to empty the box at the end of early voting and
17 put in a transfer form and deliver the absentee ballots to
18 the main office. After discussion, the poll manager
19 advised she would arrange the absentee ballots that she
20 had received to be delivered to the main office and would
21 not accept any further absentee ballots in this method.

22 Investigation revealed that the poll manager of the
23 Dunwoody Library advance voting location was properly
24 deputized as a registrar to legally accept absentee
25 ballots and had accepted absentee ballots only for several

1 days during the advance voting period. As set forth in
2 the Georgia voting rules, the makeshift drop box at the
3 Dunwoody library did not use the continuous reporting or
4 motion-detected video recording device to monitor the drop
5 box, was not constructed of material -- durable materials,
6 and was not able to withstand elements and weather. The
7 opening slot did not minimize the ability for looking in,
8 and it was not securely fastened to the ground or to an
9 immovable fixture.

10 They did not stop using the box immediately -- I'm
11 sorry. They did stop using the box immediately upon
12 notification regarding the complaint. There were -- the
13 absentee ballots that had been collected were immediately
14 transferred and were processed at that time. Our
15 recommendation is for Erica Hamilton and for the DeKalb
16 County Board of Election and Registration be issued a
17 letter of instruction -- instruction, as the absentee
18 ballots that were collected during the short time they
19 utilized the box were transferred to the main office, and
20 the box removed under Georgia State Election Board rule
21 183-1-14-.06-.14, 1 through 9, secure absentee ballot drop
22 boxes.

23 MS. THOMAS: Irene Vander Els is on the line.

24 MS. SULLIVAN: Okay.

25 MS. LE: Ms. Sullivan, this is Anh Le. I -- just

1 before you continue further, I'd like to recuse myself
2 from this case, please.

3 MS. SULLIVAN: Okay. That's -- so noted that Ms. Le
4 has recused herself from this case. I believe -- thank
5 you, Ms. Watson. I believe we have someone from DeKalb
6 County on the line that would like to address this case.

7 MS. VANDER ELS: Yes. This is Irene Vander Els. I
8 represent the DeKalb County Board of Registration and
9 Elections and our Director, Erica Hamilton, and I'd just
10 like to ask the Board to continue this matter because we
11 did not receive notice of the matter and that it would be
12 heard at the meeting today, and so I'd just like an
13 opportunity to investigate the allegations with my client
14 and prepare a response before the Board considers the
15 matter.

16 MS. SULLIVAN: Okay. If you did not receive notice,
17 we will go ahead and continue this case for the next
18 meeting.

19 MS. VANDER ELS: Thank you.

20 MR. MASHBURN: No objection.

21 MS. SULLIVAN: Is there any objection by any of the
22 Board members? Ms. Ghazal, do you have any objections?

23 MS. GHAZAL: No, I have no objection to continuing
24 this.

25 MS. SULLIVAN: Do we have any Respondents here to

1 speak to any of the remaining letter cases?

2 MS. THOMAS: Yes. For case number 2020-291, Stuart
3 County, the Elections Supervisor Alfreda Hudson is on the
4 line.

5 MS. SULLIVAN: Okay. Ms. Hudson, would you like to
6 speak to this case?

7 MS. HUDSON: Yes. Can you hear me?

8 MS. SULLIVAN: Okay. If you'd like to speak, I'm
9 going to have Ms. Watson to give us a summary of the case
10 first. Go ahead, Ms. Watson.

11 MS. WATSON: On December 31st, 2020, investigation
12 was forwarded a complaint alleging elector Walter Morrogh
13 [ph.] photographed his ballot while inside the polling
14 place. Mr. Morrogh admitted photographing his ballot and
15 further explained he was unaware this was a violation of
16 state election code. Investigators forwarded Mr. Morrogh
17 OCGA 21-2-413(e) via email at his request. Recommendation
18 is for Mr. Morrogh to be issued a letter of instruction
19 for violation of 21-2-413(e).

20 MS. SULLIVAN: Go ahead, Ms. Hudson.

21 MS. HUDSON: Can you hear me?

22 MS. SULLIVAN: Yes, ma'am.

23 MS. HUDSON: Okay. On that date, the poll worker
24 that was -- that allegedly saw Mr. Morrogh do that, I
25 didn't get that information until after he had left. I'm

1 not sure what I was -- you know, was told to do after
2 that. I just wanted to report it. I haven't had any
3 contact with Mr. Morrogh following that alleged incident,
4 so that's pretty much where we are right now.

5 MS. SULLIVAN: Okay. Thank you. Is Mr. Murdoch on
6 the line? Okay. So we have case number 2020-291 before
7 us. The recommendation is to issue -- issue a letter of
8 instruction to Mr. Morrogh. Do we have a motion?

9 MR. MASHBURN: So move.

10 MS. SULLIVAN: And a second?

11 MS. LE: I'll second it.

12 MS. SULLIVAN: We have a motion and a second. Is
13 there any further discussion? All in favor, please say
14 aye.

15 THE BOARD MEMBERS: Aye.

16 MS. SULLIVAN: Any opposed? A letter of instruction
17 will be issued in that case. Do we have any other cases,
18 letter cases -- no one else to speak to any of the letter
19 cases. So the remaining three cases where the
20 recommendation is to issue a letter of instruction, we can
21 go ahead and vote on en bloc. Those are SEB case number
22 2020-098, 2020-268, and 2020-284. The recommendation is
23 to issue a letter of instruction in those cases. Is there
24 a motion?

25 MR. MASHBURN: So move.

1 MS. SULLIVAN: We have a motion. Is there a second?

2 MS. LE: Second.

3 MS. SULLIVAN: Any further discussion? All in favor,
4 please say aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: Are there any -- and then that would
7 be none opposed. Those cases, a letter of instruction
8 would be issued. Let's take a five-minute break before we
9 get to the new cases. I have 2:02. We'll back -- oops.
10 10:02. Let's say we'll be back at 10:10. Thank you.

11 (Meeting break)

12 (Meeting resumes)

13 MS. SULLIVAN: We're going to pick up with SEB case
14 number 2019-002, Fulton County. Ms. Watson, if you would
15 go ahead and give us the summary of the case.

16 MS. WATSON: Yes. Between November 7th, 2018 to
17 December 21st, 2018, we received multiple complaints
18 regarding the processing of absentee ballot applications
19 by Fulton County Registration and Election division.
20 According to the complaints, voters did not receive their
21 absentee ballots in a timely manner, or they did not
22 receive their ballots at all. Investigation revealed in
23 seven complaints from Fulton County registered voters
24 regarding untimely processing of absentee ballot
25 applications, each voter either did not receive the ballot

1 on time, or they did not receive the ballot at all for the
2 November 2018 general election.

3 Between May 2019 to June 2020 -- 2020, the Georgia
4 Office of the Secretary of State made multiple requests
5 for documentation to the Fulton County Registration and
6 Election Office, the purpose of the request: to review
7 voter absentee ballot documentation in order to
8 investigation the allegations. Despite email, telephone,
9 and Open Records requests, the Fulton County Registration
10 and Election Office failed to provide the request for
11 records. On October 22nd, 2020, Election Supervisor
12 Richard Barron was served with a subpoena via email to
13 provide access to the above-mentioned records. He
14 confirmed receipt of the subpoena and indicated he would
15 work with his staff to schedule an appointment to review
16 the records after the 2020 general election.

17 On March 30th, 2021, Elections Chief Nadine Williams
18 advised that her office lost track of the request, and the
19 records in question were destroyed in January of 2021. As
20 a result, the Office of the Secretary of State
21 Investigations Division could not investigate the
22 allegations. Our recommendation is Fulton County Board of
23 Election and Registration be bound over to the Attorney
24 General's Office for violation of 21-2-562(b), neglect or
25 refusal to deliver documents.

1 MS. THOMAS: And David Lowman and Shamira Marshall
2 are on the line for Fulton County.

3 MS. SULLIVAN: Okay. Mr. Lowman, please go ahead.

4 MR. LOWMAN: Yes. This is David Lowman for the
5 Fulton County attorney's office. Can you hear me?

6 MS. SULLIVAN: Yes, we can. Please go ahead.

7 MR. LOWMAN: All right. Yes. With regard to the
8 subpoena, it is unfortunate that it got passed on and then
9 got either misplaced or somehow didn't make it where it
10 was supposed to. Unfortunately, as your investigative
11 report states, this was during a COVID outbreak, and
12 because of the amount of time that passed between the
13 initial request and the actual follow-up, the records have
14 been destroyed lawfully, pursuant to 21-2-386. With
15 regard to any of the requests that came through via Open
16 Records because that is controlled by the Open Records
17 Act, I would ask that that be handled that way, and with
18 respect to any of the other -- I guess it was seven
19 applications -- I would ask for a letter of instruction in
20 this case.

21 MS. SULLIVAN: Can you restate your -- with regards
22 to -- a letter of instruction be issued with regards
23 to...?

24 MR. LOWMAN: I believe it was seven allegations.

25 MS. SULLIVAN: All right. Do any of the Board

1 members have any questions for Mr. Lowman?

2 MR. MASHBURN: I do not.

3 MS. SULLIVAN: Mr. Lowman, do you have anyone else
4 with you who would like to speak to the allegations in
5 this case?

6 MR. LOWMAN: Not on this -- not on this matter,
7 ma'am.

8 MS. SULLIVAN: Okay. Would any of the Board members
9 like to make a motion?

10 MR. MASHBURN: This is Matt Mashburn. I make a
11 motion that it be bound over to the Attorney General's
12 Office for processing as recommended, that we adopt the
13 recommendation of the investigators.

14 MS. SULLIVAN: Okay. We have a motion to bind this
15 matter over to the Attorney General's Office. Is there a
16 second?

17 MS. LE: I second it.

18 MS. SULLIVAN: A motion and a second. Is there any
19 further discussion? All in favor of the motion, please
20 signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MS. SULLIVAN: And that's none opposed. Thank you,
23 Mr. Lowman, for being here. The next case on the agenda
24 is SEB case number 2019-018, Wilkes County. Is there
25 anyone here to speak to that? Okay, good. Ms. Watson, if

1 you would go ahead and do your presentation.

2 MS. WATSON: On June 20th of 2019, a complainant
3 reported that Wilkes County voter registration office had
4 been closed during regular business hours at different
5 times over the voting period. This case was previously
6 presented and referred back to investigations as Judge
7 Charping advised the Board that he had documentation of
8 the former registrar not performing his duties. The
9 original allegation presented was that Wilkes County
10 failed to have the registrar's office open due to staffing
11 issues. The issue [sound distortion] from one staff
12 member resigning and another staff member having to leave
13 due to medical reasons. The absences resulted in
14 approximately 76 hours in which the office was closed.

15 Judge Charping was contacted and provided
16 documentation dating back to 2016 regarding the issues he
17 reported regarding the performance of the registrar. The
18 primary documentation related to screenshots of the county
19 dashboard for the Department of Driver Service voter
20 registrations and transfers. The pending list contained
21 six to nine hundred pending applications and transfers
22 from June through August of 2019 with many showing two
23 months over ten months to process. A petition for removal
24 of the chief registrar was filed in the Wilkes County
25 Superior Court in 2019 finding failure to train, failure

1 to timely conduct the business of the voter registrar or
2 to include the processing of voter registrations and
3 processing ballots, and failure to effectively work with
4 the elections superintendent. The settlement agreement
5 with reached in August of 2019 with the retirement of the
6 chief registrar.

7 Our recommendation is for Wilkes County Board of
8 Registrars be issued a letter of instruction for the
9 original complaint of violation of 21-2-215(c) and that
10 the previous chief registrar Debbie Anderson be referred
11 to the AG's Office for violation of 21-2-592.

12 MS. SULLIVAN: I believe that we have someone on the
13 line from Wilkes County to address this case.

14 MS. THOMAS: Yes. Gyvonne Pinkston?

15 MS. SULLIVAN: Ms. Pinkston?

16 MS. THOMAS: You may speak now.

17 MR. LEGETTE: Can you hear us?

18 MS. SULLIVAN: Yes. Go ahead.

19 MR. LEGETTE: Hello?

20 MS. THOMAS: Yes. We can hear you. We can hear you.

21 MR. LEGETTE: Very good. This is Charles LeGette.
22 [ph.]. I'm the county attorney here in Wilkes County.
23 I'm here on behalf of the Board of Registrars. I've got a
24 couple of Board members here with me today, but I -- I
25 guess if it's appropriate, I'd like to make a statement

1 about where we are in the process, if I may?

2 MS. SULLIVAN: Please, go ahead.

3 MR. LEGETTE: All right. Very good. The problems
4 that were uncovered in your investigation have been dealt
5 with. With Ms. Anderson's retirement, we brought in a new
6 Board. We've processed all the backlog. Our new Board
7 got us through the last election. We corrected the
8 problems. For example, the office being closed part time,
9 we have corrected that. We've solved those problems.
10 We've got a good functioning Board now. I guess, that's
11 the bottom line from the -- I represent County government
12 here, and we feel like we've got a good Board. We're
13 moving forward. The problems are corrected, and, you
14 know, in our view, what happened during Ms. Anderson's
15 time is basically water over the dam.

16 I sure don't want to have y'all romping on my present
17 Board, who's doing a great job. No offense to anyone. My
18 present Board is doing a good job, and they've corrected
19 those problems, so we're trying to move forward, and so,
20 you know, my -- I guess, my fear or my concern as the
21 county attorney, if y'all feel like you need to lay the
22 wood to our present Board, those people weren't here
23 during that time by and large, with one exception, and
24 they've moved on, and they're doing a great job. So
25 whatever we can do to wrap this up, we're interested.

1 That's kind of where we stand today.

2 MS. SULLIVAN: Thank you, Mr. LeGette. I believe
3 that the recommendation is with regards to the Board is
4 actually just to issue a letter of instruction.

5 MR. LEGETTE: Are there any questions y'all have got
6 of me or my present Board members?

7 MS. SULLIVAN: Do any of the Board members have any
8 questions for Mr. LeGette?

9 MR. MASHBURN: I don't have any questions, but just
10 to satisfy your new Board members -- satisfy your new
11 Board members, I will commend them for their efforts at
12 remedial actions, and we always want to encourage that,
13 and so you can tell them that the Board went on the record
14 to -- to encourage them to continue to do better, and so I
15 make a motion that we issue a letter of instruction
16 because a past violation does appear to have occurred, and
17 so the proper way to close it is to issue a letter of
18 instruction, so that's -- that's the reason I make that
19 motion.

20 MS. SULLIVAN: Thank you.

21 MR. MASHBURN: Oh, and to refer the former Board --
22 Registrar Debbie Anderson to the AG's Office for
23 processing.

24 MS. SULLIVAN: Okay. We have a motion on the table.
25 Is there a second?

1 MS. GHAZAL: Second.

2 MS. SULLIVAN: We have a motion and a second. Before
3 we move, I'm going to make sure there's no one else on the
4 call that wanted to speak regarding this case. There's
5 not. Okay. Any further discussion? All in favor of Mr.
6 Mashburn's motion, please signify by saying aye.

7 THE BOARD MEMBERS: Aye.

8 MS. SULLIVAN: And there's none opposed. Thank you,
9 Ms. LeGette and the Board members, for being here. The
10 next case is SEB case number 2019-037, City of Glennville.

11 MS. WATSON: During the City of Glennville November
12 5th, 2019 general election, a complainant alleged
13 candidate Dorothy Berry entered a polling location while
14 people were voting, transported a voter to the polls, and
15 entered the voting area with the voter. The complainant
16 also alleged the voter solicited money in exchange for
17 voting. Investigation revealed Dorothy Berry transported
18 voter Glenda Grimes [ph.] to the East Glennville precinct
19 number 7 polling location during the advance voting period
20 of the November 5th, 2019 general election. It also
21 showed that Ms. Berry remained inside the polling location
22 while Ms. Grimes completed the voting process. The
23 complainant reported candidate Berry was hovering around
24 the voting machine. The voter was assisted by someone
25 other than Ms. Berry.

1 Ms. Berry confirmed that she did transport Ms. Grimes
2 to the polling location and did walk her inside, but it
3 was simply to show Ms. Grimes where to go. Ms. Berry said
4 Ms. Grimes was confused and did not know where to go. Ms.
5 Berry states Ms. Grimes did not solicit money in exchange
6 for voting. Ms. Grimes says she voted on her own
7 unassisted and did not solicit money or receive anything
8 in exchange for voting. Ms. Grimes said Dorothy Berry
9 remained inside and stood by the door greeting people as
10 they entered. Investigation did not produce any evidence
11 to show that Dorothy Berry submitted an absentee ballot
12 for her daughter. Recommendation is for Dorothy Berry to
13 be bound over to the Attorney General's Office for
14 violation of 21-2-414(d).

15 MS. SULLIVAN: It's my understanding that we do not
16 have anyone on the call who --

17 MS. THOMAS: Dorothy Berry just raised her hand.

18 MS. SULLIVAN: Oh, I'm sorry. Ms. Berry, please go
19 ahead and address the Board if you would like to.

20 MS. BERRY: Hello. Good morning, everyone. I
21 listened to the statement. I don't know -- my statement
22 is accurate. I did not go inside the polling booth. I
23 showed her to the door, as I said, because Ms. Grimes had
24 never voted before, and she didn't know where to go vote,
25 or she said she didn't know where to go to vote. I found

1 her walking to the polls. She stopped me, asked me to
2 take her to the polls. I did so, which I didn't think was
3 a violation, and I still don't think unless you tell me
4 something different that that is a violation. I asked the
5 young lady at the door to take her in there, show her the
6 booth, and if she could not read, if she could help her,
7 and I left, went back outside to my car, and was speaking
8 with a voter that I knew that was getting ready to go in.
9 I asked her to help her if she saw her in there. Now, why
10 Ms. Grimes say I went inside and lingered around -- I
11 don't believe she said that. If she did, it's untrue.

12 My integrity stands. I do not violate -- I do not
13 tell anybody how to vote. I -- my opponent throughout the
14 whole process was very ugly, very dirty. They were very
15 visible on Facebook and everything else trying to tear my
16 character down. No. I did not do any of that, and I do
17 not feel like this should go any further. He won the
18 election unfairly. I did not fight it. I had many
19 complaints from many people who told me to contest it. I
20 did not, and because I did not want to have all that stink
21 and all those problems, so where they get all this from, I
22 don't know. If you want to send it over to the Attorney
23 General, fine. There's nothing I can do about it, but all
24 those statements are untrue. I just wanted to go on
25 record to say that I did not commit a crime.

1 MS. SULLIVAN: Thank you, Ms. Berry. Your comments
2 have been noted. Do any of the Board members have any
3 questions?

4 MR. MASHBURN: I just have one question for Ms.
5 Berry. This is Matt Mashburn. Ms. Berry?

6 MS. BERRY: Yes?

7 MR. MASHBURN: How far away -- how far away from the
8 door of the polling place do you think your car was
9 parked? Because that --

10 MS. BERRY: My car was parked -- my car was parked
11 out in the parking lot that they designated for anyone to
12 park, and you could not park there if you had an
13 advertisement, or you were -- but other than that, no. I
14 did not park close to the polling place. You would have
15 to know Glennville and the old middle school auditorium
16 area where they held the election to know what I'm talking
17 about. We parked on the far side of the parking lot where
18 it was the safe distance that you could not cross the
19 voting line to campaign.

20 MR. MASHBURN: I'm sorry to interrupt. So you -- you
21 were in the part where they said don't have any signs on
22 your cars?

23 MS. BERRY: No. It didn't have anything up there
24 that said that. I just wouldn't do that. I would not
25 have had any signs or set up -- I know when we set up for

1 Election Day, you know, they had designated areas for us
2 to put our tents up and everything, so that's why I said
3 that. But this particular day there were no signs.

4 MS. SULLIVAN: Thank you, Ms. Berry.

5 MR. MASHBURN: Thank you.

6 MS. BERRY: Okay.

7 MS. LE: Ms. Berry, this is Anh Le.

8 MS. BERRY: Mmm-hmm.

9 MS. LE: Thank you for being here today. So the
10 citation, the code that's being cited is 21-2-414(d) for
11 the violation, and part of it is that as a candidate, it
12 prohibits a candidate from going back into the polling
13 place.

14 MS. BERRY: Which I did not do. No, ma'am.

15 MS. LE: So you did not, right?

16 MS. BERRY: I did not do that, ma'am. I promise you.
17 Hand to God. I did not go back into the polling booth.
18 I'm telling you. I had to deal with the nastiest campaign
19 ever. Not on my behalf because I ran a decent campaign.
20 I ran a campaign, a lawful campaign. I was told, you
21 know, that, you know, certain things I should have
22 reported, whatever. I said no. I just want the election
23 over, let the people vote, vote for whom they want to, and
24 I will bow out respectfully and move on, and that's what I
25 did. I had no idea that all of this was going on, no idea

1 that they were setting it up, and my -- this is my
2 personal feelings. They were setting this up so that if
3 they lost the election that they could do just this,
4 what's going on right now. The people knew it was wrong.
5 They didn't even come out to vote. People did not vote
6 rather than go against them or whatever. They just
7 refused to go to the polls to vote, and those who went
8 voted one way for the mayor and didn't vote for anything
9 else in that ward.

10 MS. SULLIVAN: Thank you, Ms. Berry. Did you have
11 any additional questions, Ms. Le?

12 MS. LE: No, no. Thank you.

13 MS. SULLIVAN: Okay. The recommendation is to bind
14 this case over to the Attorney General's Office. Do we
15 have a motion to that effect?

16 MR. MASHBURN: Matt Mashburn, I move that we accept
17 the recommendation.

18 MS. SULLIVAN: Is there a second?

19 MS. LE: This is Anh Le. I'll second it. I think
20 there's some facts that could be ironed out. Maybe the
21 Attorney General's Office can help with that with respect
22 to the violation being cited, so I second the motion.

23 MS. SULLIVAN: We have a motion and a second. Is
24 there any further discussion? All in favor, please
25 signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: And there are none opposed. Thank
3 you, Ms. Berry. The next case before us is case number
4 2019-045. Ms. Watson?

5 MS. WATSON: During the November 5th, 2019 City of
6 Guyton general election, we received the following
7 complaints. The complainant reports during the counting
8 of the votes that witnesses reporting the early voting
9 ballots were lying flat in the bottom of the box. Akira
10 Garban [ph.] states ballots were not folded properly like
11 the others, and she believed that signaled that they had
12 been tampered with. The complainant believed the ballot
13 boxes opened so someone could view the early votes.
14 Second allegation, the complainant provided a photograph
15 taken of the surveillance camera that showed Election
16 Supervisor Alison Bruton had a clear view of some voters
17 when they cast their ballot during the early voting, that
18 the camera was positioned so you could view a voter while
19 they were in the voting booth.

20 Allegation three, it was reported that a voter named
21 Lynn Kent [ph.] was disabled because of problems with her
22 eyesight. The complainant states the poll worker advised
23 Ms. Kent's daughter she could sign her name on the ballot,
24 but now the poll manager says Ms. Kent's vote must be
25 thrown out. Allegation four, the complainant reported

1 they don't feel like the ballots were all counted
2 correctly, and the second complainant states that she
3 thinks we need a recount.

4 Investigation revealed there was no substantiating
5 evidence to support violation of the election code in
6 reference to allegations one, three, and four. The ballot
7 box was in clear view of the surveillance camera. When
8 done for the day during advance voting, a security seal
9 was placed over the opening to the ballot box. For
10 further security, voters were to fold the ballot before
11 placing it in the box, but some voters chose not to do so.
12 The surveillance tape was reviewed and corroborated that
13 no one entered the ballot box and that some voters did not
14 fold their ballots.

15 In reference to allegation two, the investigation
16 revealed early voting was held in the conference room of
17 City Hall. The conference room was equipped with a
18 surveillance camera. The field of view of the camera
19 shows the ballot box and one of the voting booths. The
20 monitor for the surveillance camera was located in City
21 Clerk Election Superintendent Alison Bruton's office. It
22 was learned if someone had access to the monitor, they
23 could zoom the camera in to have a closer view of the
24 voting booth. Election Superintendent Alison Bruton was
25 questioned to see if she or anyone else used the camera

1 system to view an elector when they voted their ballot.
2 Alison Bruton denied using the camera system to view an
3 elector casting their ballot or knowing if anyone else had
4 done so. There is no evidence Alison Bruton or anyone
5 else used the camera system to view a voter's ballot as
6 they were marking their selections. When City Manager
7 Daniel Hoffman learned about the field of view of the
8 surveillance camera, he covered the camera up in the
9 conference room. Our recommendation is for the City of
10 Guyton and Alison Bruton be referred to the AG's Office
11 for violation of 21-2-267(a), polling place's equipment
12 arrangement in that a voting booth was located in view of
13 a surveillance camera. The booth was not screened from
14 observation of others if they had access to the camera
15 system.

16 MS. SULLIVAN: Thank you. I do believe we have
17 someone on the line that would like to address this case.

18 MS. THOMAS: Yes, Mr. Griffin.

19 MR. GRIFFIN: Yes. This is Brian --

20 MS. SULLIVAN: Mr. Griffin, please go ahead.

21 MR. GRIFFIN: This is Brian Griffin with the law firm
22 of Oliver Maner, and I represent the City of Guyton. Can
23 you hear me?

24 MS. SULLIVAN: Yes, we can.

25 MR. GRIFFIN: Good morning. So the City acknowledges

1 that this violation happened, but Ms. Bruton, who set up
2 the voting booths, just simply failed to take the camera
3 into account when she did so. This was clearly
4 inadvertent, and notably, as soon as it was brought to the
5 City's attention, they covered up the camera, and there is
6 no evidence that Ms. Bruton or anybody else used the
7 camera system to actually view a voter's ballot as they
8 made the selection, and it's also worth noting that this
9 year's -- this year's advance voting will -- or any other
10 voting will not happen at the City Hall. So, you know,
11 these issues have been addresses. They were addressed
12 immediately as we -- you know, as it came to the City's
13 attention, and there's no evidence that, you know, the
14 secret ballot was -- was violated. So with that in mind,
15 I respectfully request that the City of Guyton be issued a
16 letter of instruction and that this case be dismissed.

17 MS. SULLIVAN: Thank you, Mr. Griffin, for being here
18 and, you know, providing that information. Do any of the
19 Board members have questions for Mr. Griffin?

20 MS. LE: This is Anh Le. I have one.

21 MS. SULLIVAN: Yes, Ms. Le. Go ahead.

22 MS. LE: Thank you. Is the camera recorded, sir? Is
23 there any recordation of this -- of any of the votes cast?

24 MR. GRIFFIN: Based on the findings of the
25 investigator that said they reviewed the surveillance

1 footage to, you know, ensure other things, it was seem
2 that there was.

3 MS. LE: And what have we done with that recording?

4 MR. GRIFFIN: To my knowledge, it has been destroyed.
5 Well, I'm not positive on that. I believe that it's
6 likely not still there, unless it's in the hands of the
7 investigator.

8 MS. LE: Frances, do we know that -- how the
9 recording has been treated since...

10 MS. WATSON: We did not take possession of the -- of
11 the recordings.

12 MS. SULLIVAN: The Secretary of State's Office does
13 not have possession of the recordings.

14 MR. GRIFFIN: So the --

15 MS. SULLIVAN: Go ahead.

16 MR. GRIFFIN: With that being the case, I know that
17 the -- the City does not keep long-term records of its --
18 of its surveillance footage, so I think it's highly likely
19 that this -- you know, this recording no longer exists.

20 MS. SULLIVAN: Okay. I believe the investigator
21 would like to address the Board.

22 MR. ARCHIE: This is Investigator Archie. I did
23 retrieve video from the surveillance camera. It's also
24 included with my case file. The recording does show some
25 voters as they were voting, and the majority of the times,

1 the voters, when they went up to the booth, their bodies
2 would cover the process of them voting. There were a few
3 that if you did zoom in, you could possibly see the
4 selections they made, but the recordings are with the case
5 files.

6 MS. SULLIVAN: Thank you for that clarification. The
7 recommendation -- are there any further questions from any
8 of the members of the Board? The recommendation is to
9 bind this case over to the Attorney General's Office. Is
10 there a motion?

11 MR. MASHBURN: I move that we accept the
12 recommendation.

13 MS. SULLIVAN: We have a motion to accept the
14 recommendation. Is there a second?

15 MS. LE: Anh Le, I'll second it.

16 MS. SULLIVAN: Any further discussion? All in favor
17 of the motion, please signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: And that's none opposed. Thank you,
20 Mr. Griffin, for being here. The next case that we have
21 is case number 2019-047, Lowndes County. Ms. Watson?

22 MS. WATSON: During the November 5th, 2019 Lowndes
23 County general election, the following complaints were
24 reported. The poll manager Douglas Duvall [ph.] allowed
25 an individual without a valid form of identification, and

1 Larry Rogers [ph.] reported that he received a provisional
2 letter in the mail for an Anthony Johnson [ph.]. Mr.
3 Rogers has resided at 3292 Country Club Drive since 1995,
4 and he did not know a Mr. Johnson.

5 Investigation revealed that poll manager Doug Duvall
6 allowed Cara Blunt [ph.] to vote without a valid picture
7 ID. This occurred during the November 5th, 2019 general
8 election at the Rainwater voting precinct in Valdosta,
9 Georgia. Ms. Butler said she originally informed the
10 voter that she would have to vote provisionally since she
11 did not have a valid picture ID. Ms. Butler said the
12 voter only had a nametag and checkbook. Ms. Butler said
13 the voter was ultimately allowed to vote on one of the
14 machines but only after the poll manager, Doug Duvall,
15 instructed her to do.

16 Allegation two, the investigation did not show -- or
17 did show that voter Anthony Johnson listed Country Club
18 Drive, Valdosta, Georgia as his residential address when
19 he completed the voter registration in 2019. At the time
20 of the complaint, the address was owned by William Rogers,
21 who had resided there since 1995. Anthony Johnson has
22 never resided at this address. Lowndes County Election
23 Supervisor Deb Cox provided a copy of the envelope,
24 provisional ballot letter, and voter registration. The
25 envelope was addressed to Anthony Johnson, and the address

1 listed was Country Club Drive, Valdosta, Georgia. The
2 letter was informing Mr. Johnson that his provisional
3 ballot for the November 5th, 2019 general election was
4 counted. The voter registration showed Mr. Johnson listed
5 Country Club Drive as his residential address. Our
6 recommendation is for Doug Duvall, the poll manager, and
7 Frances Butler, the assistant manager, be bound over to
8 the AG's Office for 21-2-417(b), presentation of
9 identification, when they allowed Cara Blunt to vote on a
10 machine without a valid picture ID and Anthony Johnson be
11 bound over to the Attorney General's Office for violation
12 of 21-2-561, false registration, and 21-2-571.

13 MS. SULLIVAN: Okay. I believe we have two people
14 here that would like to address the Board regarding this
15 case.

16 MS. THOMAS: Yes. Frances Butler and Deb Cox with
17 Lowndes County is on the line to answer any question.

18 MS. SULLIVAN: Would either one of you like to
19 address the Board?

20 MS. COX: This is Deb Cox. No, I would not unless
21 the Board has a question.

22 MS. SULLIVAN: Okay. Thank you for being here. Do
23 any of the Board members have any questions for Lowndes
24 County?

25 MR. MASHBURN: I don't have any questions.

1 MS. SULLIVAN: Okay.

2 MS. THOMAS: And Frances Butler, you may speak now,
3 if you would like to. You're unmuted.

4 MS. SULLIVAN: Ms. Butler, would you like to address
5 the Board?

6 MS. THOMAS: You're unmuted. You can speak now.

7 MS. SULLIVAN: She may just be here to answer
8 questions as well.

9 MS. THOMAS: Yes. We cannot hear you, but it does
10 show that you're unmuted.

11 MS. WATSON: Ms. Butler -- this is Frances Watson.
12 Frances Butler did contact me yesterday or the day before
13 and advised that she would be on the -- on the call and
14 wanted to clarify that she did bring the voter ID issue to
15 the poll manager's attention and that it was his decision
16 to proceed based on the information that was provided and
17 that she did report it to the County afterwards, and with
18 that information, I would not be opposed for a letter of
19 instruction to Ms. Butler.

20 MS. SULLIVAN: Thank you, Ms. Watson. Ms. Butler,
21 would you like to speak?

22 MS. THOMAS: She said thank you. I asked her for her
23 comment, but she said thank you.

24 MS. SULLIVAN: Okay.

25 MR. MASHBURN: This is Matt Mashburn. Just so I've

1 got it clear, Ms. Butler was acting under the authority of
2 Mr. Duvall, the poll manager? Okay. So the amendment to
3 the recommendation is that we -- or that the inspectors
4 would not oppose a letter of instruction for Ms. Butler
5 but to refer Doug Duvall to the Attorney General?

6 MS. WATSON: Correct.

7 MR. MASHBURN: This is Matt Mashburn. I make a
8 motion that we adopt the amended report of the
9 investigators.

10 MS. SULLIVAN: Okay. We have a motion on the table.
11 Is there a second?

12 MS. LE: Mr. Mashburn, so you're recommending that we
13 issue a letter of instruction to -- for Ms. Frances Butler
14 and to the Attorney General, Doug Duvall, Anthony Johnson,
15 and... them. Is that correct?

16 MR. MASHBURN: Yes. Thank you for clarifying that.
17 I had left off the Anthony Johnson, so thank you very
18 much. That's correct.

19 MS. LE: Okay.

20 MR. MASHBURN: So we're referring -- my motion is to
21 refer Doug Duvall and Anthony Johnson to the Attorney
22 General and issue Frances Butler a letter of instruction.

23 MS. LE: I second that.

24 MS. SULLIVAN: We have a motion and a second. Is
25 there any further discussion? All in favor, please

1 signify by saying aye.

2 THE BOARD MEMBERS: Aye.

3 MS. THOMAS: I have Ms. Butler on the line if you --

4 MS. SULLIVAN: We have -- okay. I believe that we
5 have just voted. Are there any opposed? Okay. That
6 motion passes. Does Ms. Butler want to address the Board
7 at this point?

8 MS. THOMAS: Would you like to address the Board?
9 Yes.

10 MS. SULLIVAN: Go ahead, Ms. Butler.

11 MS. BUTLER: Okay. My name is Frances Butler.

12 MS. THOMAS: Ms. Butler, on your speaker on your
13 computer, just turn your volume down because we hear an
14 echo.

15 MS. BUTLER: Okay. Can you hear me now?

16 MS. THOMAS: Yes.

17 MS. BUTLER: Yes. My name is Frances Butler, and I'm
18 just one of the assistant -- well, I'm the assistant
19 manager with Mr. Duvall. Now, when the person came up to
20 [sound cuts out] can you hear me a little bit better?

21 MS. THOMAS: Yes. That's a little better. We can
22 still hear the echo from your computer.

23 MS. BUTLER: Oh, wow, okay. [sound cuts out]

24 MS. THOMAS: Yes.

25 MS. BUTLER: Okay. [sound cuts out] so what I did

1 was -- I told him I needed to [sound cuts out]

2 THE COURT REPORTER: Board members, I'm so sorry.

3 This is the court reporter. I can't hear anything.

4 MS. THOMAS: Hello? Okay, go ahead. Can you hear
5 her now, Kate?

6 THE COURT REPORTER: Yes, thank you. Now I can hear
7 her.

8 MS. BUTLER: Okay. What I was saying is that I had
9 actually -- I do not know what part I had left off, but
10 anyway, when the -- when the lady had shown me her ID, it
11 was a badge. I said no, ma'am. I'm sorry. We can't take
12 that, and then she showed me her checkbook, and I said no,
13 ma'am. We can't take that. So I said however, you can
14 vote provisional, so I said let me -- let me talk to my
15 supervisor. So I brought this up to Mr. Duvall. After
16 that, Mr. Duvall said was she in the system? And I'm
17 like, yes, sir. I said but, you know, she doesn't --
18 well, anyway, I just told him yes, she was in the system.
19 He said yeah, well, then let her go. I'm like, no, I don't
20 think so, you know. So after she's done, I said well let
21 me write something so I can have this documented, so
22 after, I wrote it, and I gave it to Mr. Duvall. Mr.
23 Duvall said oh, no. I don't think you should do this.
24 You're going to get in trouble. I said no. You're going
25 to get in trouble, so he told me to tear it up.

1 Now, as a twenty-three-year United States Army
2 retiree, I know better, but I also listen to supervision
3 because who is over me -- these are the things that I
4 always did in the Army. Even though I knew it was wrong,
5 okay, it bothered me so much that night that I'm like, oh,
6 this is wrong. So the next morning, fortunately, I think
7 it was either Ms. Monique or Ms. Cox, but I think it was
8 Ms. Monique that called me so that I could come in and
9 sign some -- some other -- I guess some other documents,
10 some other forms that I did not finish signing, and from
11 there is when I said I can't -- I can't do this. So I --
12 I brought it up to -- I think it was Ms. Cox -- but I
13 brought it up to them about what had happened, and so they
14 told me to sit down and write the information because my
15 integrity of spending all of that time, twenty-three
16 years, in the Army and sixteen years in reserves, I knew
17 better.

18 I don't think Mr. Duvall knew who I was, so this is
19 why I had brought all of this up, but I did check the
20 lady. She did not have any identity. I did bring it up
21 to Mr. Duvall. Unfortunately, that's the way everything
22 happened, but I was -- I was following the instructions of
23 what I was supposed to do. Well, I actually had followed
24 his instructions when he told me to tear up the paper that
25 I had written because I wanted to keep a -- sort of, like,

1 a documentation of what had happened so if that comes up,
2 then it would be something that I had written. But he
3 told me no, I was going to get in trouble, and I told him
4 no, you're going to get in trouble, so he told me to tear
5 it up, and as a good soldier, that's what I did. But
6 that, I knew that that was wrong.

7 MS. SULLIVAN: Thank you, Ms. Butler. Thank you for
8 your comments. We have already voted on this case, and
9 the other Respondents will be referred to the Attorney
10 General's Office, but the allegations against you will not
11 be based on that motion. So thank you very much for being
12 here and for bringing this to our attention.

13 MS. THOMAS: Have a good day.

14 MS. SULLIVAN: The next case on the agenda is 2019-
15 049, City of Palmetto.

16 MS. WATSON: In November 2019, we received numerous
17 calls from voters in Palmetto, Fulton County, stating that
18 their precinct cards for the municipal election listed the
19 poll location as the library. When they arrived, they
20 found the information was incorrect and were seeking
21 assistance in locating the poll location. Investigation
22 shows Fulton County Board of Registration and Elections
23 changed the municipal polling location for Fulton County
24 residents of the City of Palmetto to the Palmetto Library,
25 the same location that Fulton County uses for county,

1 state, and federal elections. This data entry was made in
2 Election Net on March the 11th of 2016. The City of
3 Palmetto did not request the change in poll locations as
4 the polls for municipal elections is and have always been
5 at City Hall. The City wishes to continue to hold
6 elections at City Hall. The Fulton County Board of
7 Registration and Elections did not notify the City of
8 Palmetto it was making the change. This change resulted
9 in causing confusion about where to vote amongst voters.

10 Ralph Jones advised the change was made to bring all
11 municipal polling stations in Fulton County in line with
12 state and county poll locations to reduce confusion among
13 voters. Our recommendation is for Fulton County Board of
14 Registration and Elections, Richard Barron, Director of
15 Fulton County Registration and Elections, and Ralph Jones,
16 former Registrar -- Chief Registrar of Fulton County be
17 bound over to the Attorney General's Office for 21-2-
18 216(b), duties of county board.

19 MS. THOMAS: And on the line, we have first Patrick
20 Stough with the City of Palmetto.

21 MR. STOUGH: Yes.

22 MS. SULLIVAN: Go ahead, Mr. Stough.

23 MR. STOUGH: Thank you. Good morning. My name is
24 Patrick Stough. I'm with the city attorney's office for
25 the City of Palmetto. I'm -- we're not a Respondent on

1 this, but I did want to clarify a couple of things. First
2 of all, the City of Palmetto conducts its own municipal
3 elections. Fulton County does not conduct those for the
4 City, and also, the City of -- the mayor and council for
5 the City of Palmetto has never voted to move the polling
6 location from City Hall to the library. That's all I
7 really have to say on this, unless the Board has any
8 questions.

9 MS. SULLIVAN: Thank you, Mr. Stough. Does any Board
10 member have any questions for him?

11 MS. GHAZAL: Yes, ma'am. This is Sara Ghazal. I --
12 I would like to ask him a quick question. When the County
13 does conduct elections at the library, has there ever been
14 consideration for the municipality to also hold its
15 elections at the same location?

16 MR. STOUGH: Not -- not that I'm aware of. There may
17 have been discussions in the past about Fulton County
18 conducting elections for the City, but I don't think those
19 conversations have ever gone anywhere. We've always --
20 the City has always just conducted its own elections its
21 own way. We're -- the City actually sits on the border of
22 Fulton County and Coweta County, and there's a portion of
23 it that's in Coweta County, so that may cause an issue
24 with having Fulton County do the elections, but yeah.
25 It's not a consideration that I'm aware has ever been

1 made.

2 MS. GHAZAL: And can you clarify what County the City
3 Hall is located in?

4 MR. STOUGH: It's in Fulton County.

5 MS. GHAZAL: Thank you.

6 MS. THOMAS: And then we also have David Lowman and
7 Shamira Marshall with Fulton County on the line.

8 MS. SULLIVAN: Mr. Lowman, go ahead.

9 MR. LOWMAN: Yes. I will have Ms. Shamira Marshall,
10 the registration manager, provide additional information
11 at this time.

12 MS. MARSHALL: Hello, yes.

13 MS. SULLIVAN: Go ahead.

14 MS. MARSHALL: Okay. Thank you. I'm Shamira
15 Marshall, the current registration manager, and in
16 speaking with Mr. Jones in reference to this case, the
17 former registration chief, he basically explained to me
18 that there was a lack of communication between the
19 municipality and the county. He did tell me that on March
20 11th, he discussed with the municipality of -- in
21 accordance with having the one location for voters that he
22 was going to make a change in the system in which he did
23 it at -- he had one of the employees in the office to
24 actually make the change, and at that time, there was one
25 municipal location located on the municipality's website

1 and then another one on Fulton County's website. So
2 basically, it was just a miscommunication.

3 Present day, we have sent the letter or notice that
4 will be mailed to the current voters in the City of
5 Palmetto for the upcoming municipal election to let them
6 know that the County election will be hosted at the
7 library, and the municipal election will be hosted at City
8 Hall. But I myself sent that to the current registrar,
9 and I have not received back any input or, you know,
10 agreeance or dis-agreeance, so just moving forward, we are
11 trying to alleviate this problem. That's all I have.

12 MS. SULLIVAN: Thank you, Ms. Marshall. Are there
13 any questions for Ms. Marshall?

14 MS. THOMAS: And Rick Barron just raised his hand to
15 speak.

16 MS. SULLIVAN: Go ahead, Mr. Barron.

17 MR. BARRON: In speaking with Mr. Jones too, what I -
18 - I think at one point what we had done is sent out
19 something to all of the municipalities, and we were in --
20 we had encouraged all of them to use the same polling
21 places that the county -- this was the only location of
22 which I'm aware that was different between the county
23 location and the municipal location. I'm unsure about if
24 there was any conversation between Mr. Jones and the City
25 of Palmetto, but we were worried about, at the time, there

1 being disenfranchisement between the voters if they have
2 to go to two different locations as they will have to in
3 the fall. They'll have to go to our location to vote on
4 the ESPLOST and the TSPLOST, and then they'll have to vote
5 on the other -- their other issues down at City Hall. And
6 many times, voters don't want to go to two places -- two
7 separate places to vote, so at the time, we were pushing
8 all the municipalities, I believe when this change was
9 made, to have the same municipal and county polling
10 locations, and that was the gist of it was voter
11 disenfranchisement. But other than that, I don't have the
12 details or the background on it.

13 MS. SULLIVAN: Thank you. Any Board members have any
14 questions for Mr. Barron?

15 MR. MASHBURN: I do not.

16 MS. SULLIVAN: Okay. Thank y'all for being here and
17 for your explanations. The recommendation is for this to
18 be bound over to the Attorney General's Office.

19 MR. MASHBURN: This is Matt Mashburn. I move that we
20 accept the recommendation and proceed accordingly.

21 MS, SULLIVAN: Do we have a second?

22 MS. GHAZAL: I would like to --

23 MS. LE: This is Anh. I'll second. I'm sorry.
24 Please, Ms. Ghazal, go ahead.

25 MS. GHAZAL: No. I -- I would like to second this

1 with -- with a comment that as a matter of policy, I agree
2 with Mr. Barron that the best policy is to co-locate
3 municipal and county elections where possible, but
4 obviously, in this case, it was -- more voter confusion
5 was caused by giving incorrect information to the voters.

6 MS. SULLIVAN: Thank you. So we have a motion and a
7 second. Is there any further discussion? All in favor,
8 please say aye.

9 THE BOARD MEMBERS: Aye.

10 MS. SULLIVAN: Any opposed? And that motion passes.
11 Thank you. The next case is 2019-052, Brooks County.

12 MS. WATSON: A complainant alleged she received an
13 incorrect ballot when she went to vote during the Brooks
14 County general election on November 5th, 2019. Instead of
15 receiving a ballot for District 2 Post 4, she received a
16 ballot for District 1 Post 2. Ms. Golden [ph.] says she
17 received and voted a ballot with a single, unopposed
18 candidate, Louis Mark [ph.] Louis Mark was running for
19 City Council seat District 1 Post 2, and Mrs. Golden's
20 voting area during the election was District 2 Post 4.
21 The District 2 Post 4 ballot had a single race between
22 Mark Demane [ph.] and Christina Guys [ph.] for City
23 Council. Brooks County Election Supervisor Charles Day
24 confirmed that Stephanie Golden voted in the November 5th,
25 2019 general election. Mr. Day said Ms. Golden was

1 assigned to municipal voting District 2 Post 4 and should
2 have received a ballot for the city council race between
3 Mark Demane and Christina Guys.

4 Investigation interviewed all poll workers who at the
5 Quitman Agricultural Annex poll location during the
6 November 5th, 2019 general election but was unable to
7 determine which poll worker issued Ms. Golden's voter
8 access card. None of the poll workers recalled an issue
9 where a voter received an incorrect ballot. Our
10 recommendation is to refer Brooks County Board of
11 Elections and Registration and Charles Day, the Election
12 Supervisor, and Caroline Barnes [ph.], the poll manager,
13 for violation of SEB rule 183-1-12.02(3), conducting
14 elections, when voter Stephanie Golden was issued an
15 incorrect ballot to her voter access card during the
16 November 5th general election.

17 MS. SULLIVAN: It is my understanding that we do not
18 have anyone present on the line to speak regarding this
19 case. The recommendation is to bind it over to the
20 Attorney General's Office.

21 MR. MASHBURN: Matt Mashburn, I move that we accept
22 the recommendation.

23 MS. SULLIVAN: Is there a second?

24 MS. GHAZAL: This is Sara Ghazal. I've actually got
25 a question or two for the investigating officer here.

1 MS. SULLIVAN: Okay. Go ahead.

2 MS. GHAZAL: Were you able to identify where the
3 problem happened? Was this actually a problem at the
4 electronic poll book, or was the voter incorrectly coded
5 in Election Net and assigned to the wrong district?

6 MS. WATSON: The voter was -- one second. The voter
7 was assigned to the correct district. She received the
8 incorrect ballot.

9 MS. GHAZAL: So the problem was with the coding of
10 the card itself?

11 MS. WATSON: Correct.

12 MS. GHAZAL: Okay. Thank you. I -- I second the
13 motion.

14 MS. SULLIVAN: We have a motion and a second. Is
15 there any further discussion? All those in favor, please
16 say aye.

17 THE BOARD MEMBERS: Aye.

18 MS. SULLIVAN: Any opposed? None opposed. That
19 motion passes. Next case is 2019-053, City of
20 Hogansville.

21 MS. WATSON: In November of 2019, we received the
22 following complaints regarding the City of Hogansville
23 municipal elections: candidate Toni Striblin was in and
24 out of the polls mingling with voters, voter being turned
25 away due to an address issue and another voter with

1 similar issue allowed to vote, a separate report of
2 candidate Striblin and her husband present inside the poll
3 at the library.

4 Investigation shows candidate Toni Striblin voted by
5 absentee ballot on October the 29th of 2019. She stated
6 she entered the Hogansville Library on Election Day for
7 the purpose of using the restroom on three occasions.
8 Kandis Strickland, sister of candidate Theresa Strickland,
9 used a cellphone to video candidate Toni Striblin standing
10 in the breezeway of the library outside the room where
11 voting was taking place. Poll manager Samantha Stitcher
12 [ph.] confronted Kandis Strickland and told her she could
13 not video there and that she needed to zip up her jacket
14 over the campaign t-shirt she was wearing and to delete
15 the video. Theresa Strickland stated that the video of
16 Toni Striblin in the library breezeway was given to her by
17 her sister Kandis.

18 When interviewed, Theresa Strickland could not
19 provide names for the voters that were reported --
20 reportedly turned away due to an address issue or the one
21 allowed to vote. There was insufficient information to
22 investigate further. Kandis Strickland stated the
23 candidate for office was observed going into the polls and
24 out of the polling place multiple times. The poll
25 supervisor was seen talking with that candidate and her

1 husband, and the poll supervisor told Kandis that they
2 could be there with their daughter. Kandis -- Kandis'
3 complaint and statement do not mention her videoing Ms.
4 Striblin in the library breezeway.

5 In the video that Kandis Strickland took, candidate
6 Toni Striblin was in the breezeway of the library and
7 outside the enclosed space for a brief time. Striblin
8 admits to speaking with the poll manager as to whether or
9 not her daughter, a first-time voter, was still in the
10 voting room. Striblin was not displaying any campaign
11 material at this time.

12 Our recommendation is for Toni Striblin, candidate
13 for Hogansville City Council, be referred to the Attorney
14 General's Office for 21-2-414(a)(1) and (a)(3) and Kandis
15 Strickland be referred to the AG for 21-2-414(a)(1) and
16 21-2-414(a)(3).

17 MS. SULLIVAN: And I believe we have someone on the
18 line to address the Board regarding this case.

19 MS. THOMAS: Yes. First, we'll hear from Toni
20 Striblin.

21 MS. STRIBLIN: Yes. Hello. Thank you for letting me
22 be here. I was there, and I did go to our polling
23 director when setting up to, you know, campaign about a
24 hundred -- over a hundred-and-fifty-feet away from the
25 building, and I did ask if it would be okay for any of us

1 to use the restroom during the time we were there from
2 early morning until the end of elections, and she said we
3 could do that as long as we displayed no -- you know,
4 nothing on our campaign shirts and didn't campaign, didn't
5 talk to anybody. So, I mean, that's what I did. I did go
6 to the bathroom three times during the whole day that I
7 was there, and the last time that I went, my daughter
8 happened to come up to vote for the first time, and we
9 just pointed her in the direction to go, and we went into
10 the bathroom, my husband and I. When we came back out, we
11 didn't know if she was out of the polling place or not, so
12 we just walked over there, so my husband looked to see if
13 she was out or not to walk her back to her truck, and
14 that's all we did. I mean, I asked permission from the
15 person that I thought was in -- responsible there to be
16 sure it was okay, and I thought that -- I didn't know that
17 I was doing any campaign violations. I would --

18 MS. THOMAS: And next, we --

19 MS. STRIBLIN: I would prefer to get a letter of
20 instruction as opposed to being sent anywhere else to the
21 Attorney General. Thank you.

22 MS. SULLIVAN: Thank you, Ms. Striblin. Do we have
23 someone else on the line?

24 MS. THOMAS: Yes. We also have Theresa Strickland
25 and Kandis Strickland and Olivia Godwin. Ms. Theresa

1 Strickland, you may go ahead and speak.

2 MS. STRICKLAND: Yes. I, on that particular day, was
3 bothered by the situation because in our candidate packet,
4 it states that we can only go into the location to vote.
5 I knew what we had to do, so I personally got in my
6 vehicle to go home and not enter that building because I
7 knew it was wrong. Ms. Striblin went in that building
8 multiple times. I can't say whether it was to use to
9 restroom or whatever the case was. I do know that the
10 restroom is immediately when you enter to the right. That
11 video, although, you know, it was against the rules. I'm
12 sure my sister wasn't aware of that at the time. It shows
13 her in that polling area, that -- there's two doors, a
14 small one to go through to where the actual polling booths
15 are, and she was there. Her and her husband walked her
16 daughter in on that occasion. Three other occasions she
17 went in alone. She went in with another candidate
18 throughout that process.

19 You know, someone came up and parked their car in
20 front of our campaign area, proceeded back to go talk to
21 Ms. Striblin about the situation. The person left her car
22 there, and at that time, another candidate's niece left
23 their area where they had been sitting all day and came by
24 us and said that's not right. I don't have anything to do
25 with that. So the behavior, in and out of that building,

1 was not appropriate, and going to the restroom would not
2 have put her anywhere near that, and prior to that, she
3 had also spoken with Ms. Stitcher outside the building, so
4 she was on that property a good bit, and I don't think
5 that was right, and although --

6 MS. SULLIVAN: All right. Do you have any comments
7 regarding the other allegations?

8 MS. STRICKLAND: I'm sorry?

9 MS. SULLIVAN: Did you have any comments regarding
10 any of the other allegations that were discussed? There's
11 also a complaint regarding Ms. Kandis Strickland.

12 MS. STRICKLAND: Yes. That's what I speaking to.
13 Kandis Strickland, you know, didn't know she couldn't take
14 the video, but Ms. Striblin had gone in that building so
15 many times. I had reached out to Lisa Kelly [ph.],
16 couldn't reach her, who is the supervisor over elections.
17 I even called the county rep to try to speak to someone
18 about this matter. This was about 4:30. It had been just
19 going on throughout the day, and so Kandy went in to see
20 where she was, and she --

21 MR. MASHBURN: Hey. Hey, Ms. Strickland? Ms.
22 Strickland, this is Matt Mashburn. I just have a question
23 for you. Sorry to interrupt you, but let me just ask you
24 one question. Was Kandis Strickland ever within the
25 hundred-and-fifty-feet of the polling location wearing

1 campaign materials?

2 MS. STRICKLAND: She was.

3 MR. MASHBURN: Just a yes or no question.

4 MS. STRICKLAND: Hello? This is Kandis Strickland.

5 MS. SULLIVAN: Kandis Strickland, please go ahead and
6 address that question.

7 MS. STRICKLAND: Yes. This is Kandis Strickland, and
8 I would like to address that question. Sir, I was not --
9 I had my campaign material on under not a zipped jacket.
10 I had on a buttoned blue jean jacket, and that button was
11 -- it was buttoned all the way up to the top. No one saw
12 any campaign material. Yes, I did -- I did not know that
13 you could not video, but I thought it was strange that she
14 was -- Toni Striblin was standing at the door talking to
15 the poll manager for a long period of time. It was not a
16 brief period of time. When I walked in, she was already
17 there over at the door where you entered to vote. I went
18 in the restroom. When I came back out, she was still
19 there, and I'm like, why is she here? Still there, so I
20 videoed. Yes, I did. But I did not display material for
21 anybody to see at the polling place.

22 I also want to make the comment that the investigator
23 never talked to me. When I got home, there was a card on
24 my table. I asked my daughter -- I said where did this
25 card come from? She said Mom, it was in the door, so I do

1 not appreciate him coming to my home without speaking to
2 me. If we had had a conversation about him coming to my
3 home or him meeting with me, I would have been there. I
4 don't think that's right for you to show up at someone's
5 home without making proper arrangements, and I will say
6 again --

7 MR. MASHBURN: Okay. So --

8 MS. STRICKLAND: -- I did not --

9 MR. MASHBURN: This is Matt Mashburn. Let me ask you
10 a follow-up question, if I can, please. So how did you
11 get to where you videotaped? Were you already there, or
12 did you come in from outside the hundred-and-fifty-foot
13 for the sole purpose of videotaping, and then you left, or
14 what were you doing inside the hundred-and-fifty-foot when
15 you videotaped?

16 MS. STRICKLAND: I was going to the restroom, and
17 when I came in to use the restroom, the restroom was right
18 inside the door. I went to use the restroom. She was
19 already there. She had already walked her daughter in.
20 She was in there a long period of time, so when I walked
21 in, I was like, gosh, she's over there by the door where
22 people go in to vote. I went on, used the restroom. When
23 I came back out, she was still there. In this world, if
24 it's -- if it's not in black and white and if it's not
25 videotaped, then it didn't happen. I did not know I could

1 not videotape in there, and when the poll manager told me
2 I could not have it there, I immediately put it away.

3 MR. MASHBURN: Okay. Thank you.

4 MS. STRICKLAND: What was your next question, sir?

5 MR. MASHBURN: That was all my questions. Thank you.

6 MS. STRICKLAND: You're welcome.

7 MS. THOMAS: And then we also have Olivia Godwin on
8 the line. You may unmute yourself and speak now, if you
9 would like to.

10 MS. GODWIN: Yes. My name is Olivia Godwin. I'm
11 basically just a witness. I actually saw Ms. Striblin
12 going in and out of the poll with her campaign shirts on
13 as well. I did not witness Ms. Strickland, Kandis
14 Strickland, taking a video, and I think maybe the reason
15 she did take the video was due to she witnessed her doing
16 something that was unjustifiable or a violation to the
17 campaign. And like I said, when Ms. Striblin went into
18 the voting poll, she went several times, which was
19 immediately, like, back-to-back. So if she was using the
20 restroom -- and that's why it was so concerning to us as,
21 you know, people out there witnessing her doing this and
22 nothing being done about the situation. It's because she
23 did it on several occasions, which was, like, back-to-
24 back. It's not like she went to the restroom one hour and
25 then went back two hours later, you know. She saw her

1 daughter came up. She had just --

2 MS. SULLIVAN: Thank you.

3 MS. GODWIN: -- walked out of the polling. Pardon
4 me?

5 MS. SULLIVAN: Thank you, Ms. Godwin.

6 MR. MASHBURN: This is Matt Mashburn. I just have a
7 brief question for you, Ms. Godwin. So you're telling us
8 that you saw Kandis Strickland within a hundred-and-fifty-
9 feet of the polling location, right?

10 MS. GODWIN: No. I did not -- I did not say that.

11 MR. MASHBURN: Okay. Was Kandis Strickland within a
12 hundred-and-a-fifty-feet of the polling location?

13 MS. GODWIN: I'm not sure.

14 MR. MASHBURN: Okay. Thank you.

15 MS. GODWIN: Mmm-hmm.

16 MS. SULLIVAN: Was there an attempt -- Ms. Watson, an
17 attempt made to interview Ms. Kandis Strickland?

18 MS. WATSON: That was the purpose of going and
19 leaving the card to try to speak to her.

20 MS. SULLIVAN: Ms. Strickland, did you reach out to
21 the investigator after the card was left at your house?

22 MS. THOMAS: You can unmute yourself now.

23 MS. STRICKLAND: Yes. I emailed him.

24 MS. SULLIVAN: Okay. Thank you. Do any of the Board
25 members have any additional questions? Okay. The

1 recommendation is to refer both --

2 MS. THOMAS: Toni Striblin would like to say one more

3 --

4 MS. SULLIVAN: Okay, Ms. Striblin. Go ahead briefly.

5 MS. STRIBLIN: Hi.

6 MS. SULLIVAN: Just briefly, please.

7 MS. STRIBLIN: Hey. Yes. I just wanted to follow up
8 that I had never shown any of my campaign -- my shirt was
9 not in view. My jacket was zipped up the entire time. I
10 followed the instructions of the polling director, and I
11 went in three times over the whole day, so I just wanted
12 to clarify my statement, and if there's anything I need to
13 learn from this, please send me a letter of instruction.
14 Thank you.

15 MS. SULLIVAN: Okay. Thank you. Would any of the
16 Board members like to make a motion?

17 MR. MASHBURN: Matt Mashburn, I move that we accept
18 the recommendation for both allegations.

19 MS. SULLIVAN: We have a motion to accept the
20 recommendation of the investigator on this matter. Do we
21 have a second?

22 MS. LE: Anh Le, I'll second it.

23 MS. SULLIVAN: We have a motion and a second. Is
24 there any further discussion? All in favor, please say
25 aye.

1 THE BOARD MEMBERS: Aye.

2 MS. SULLIVAN: And that's none opposed, and that
3 motion passes. Thank you all for being here. The next
4 case is 2020-025, Liberty County.

5 MS. WATSON: On June 9th, 2020, the Secretary of
6 State's Office receiving the following complaints during
7 the general primary election in Liberty County.

8 Complainant Kevin Burns [ph.] reported when he presented
9 himself at Precinct 2 to vote, he selected to vote a
10 Republican ballot. Mr. Burns advised a poll worker told
11 him the only way he could vote for local officials would
12 be if he selected a Democratic ballot. Mr. Burns stated
13 the poll worker said I am not trying to change your mind.
14 Complainant Shane Patty [ph.] reported he arrived at the
15 polling precinct at 6:30 A.M., and he was the third person
16 in line to vote. Shane Patty stated the poll workers were
17 having issues with the machines. Shane Patty advised
18 people were leaving, and the machines were going down.
19 Shane stated the poll did not open until 7:30 A.M., and he
20 did not leave until 8:45 A.M.

21 Complainant Richard Austin [ph.] reported when he
22 presented himself at Precinct 6 to vote, a poll worker
23 repeatedly told him and others if they voted a Republican
24 ballot, they could not vote for the local officials.
25 Richard Austin alleged that several poll workers had

1 candidate reelection shirts inside out, and you could
2 still see -- make out what they said.

3 Investigation revealed as to allegation one, Kevin
4 Burns, he was told he was not eligible due to an absentee
5 ballot being issued to him. Mr. Burns advised it took
6 approximately thirty minutes to work through cancelling
7 the absentee ballot so he could proceed to vote. The poll
8 worker then assisted Mr. Burns, advised the voter who had
9 enquired which local races were on the ballot, and she
10 told him that most of them were on the Democratic ballot.
11 There was no substantiation of the violations.

12 Investigation revealed in reference to allegation two
13 that 11 of the 13 polls in Liberty County failed to open
14 at 7 A.M. Liberty County attorney L. Kelly Davis states
15 some of the delays were due to inadequate training of
16 election workers regarding set-up of voting machines and
17 related accessories. Attorney Davis states some of the
18 delays were due to weather or inadequate mechanical
19 systems. Attorney Davis states some of the delays were
20 due to poll pads being delivered late to most polling
21 places due to human error. Attorney Davis states at
22 Precinct 3, three voting machines were unable to be used
23 due to set-up issues.

24 In reference to allegation 3, the poll workers for
25 Precinct 6 were interviewed, and they all stated they nor

1 any poll workers wore any shirts turned inside out or a
2 shirt with candidate information worn on it. The poll
3 workers all state they did not advise voters to vote one
4 ticket or the other. Several reported that voters that
5 requested a Republican ballot and did not see the sheriff
6 race on the ballot would ask why it was not on the ballot,
7 that many canceled the Republican ballot and were issued
8 the Democratic ballot.

9 Our recommendation is for Liberty County Board of
10 Election and Registration, Election Supervisor Ella
11 Golden, retired, be bound over to the Attorney General's
12 Office for violation of 21-2-403, time for opening and
13 closing of polls, in that they failed to open 11 polls at
14 7 A.M. on Election Day on June 9th, 2020.

15 MS. SULLIVAN: Is there anyone here from Liberty
16 County?

17 MS. THOMAS: There is not.

18 MS. SULLIVAN: I'll make a motion to accept the
19 recommendation from the investigator to refer this matter
20 to the Attorney General's Office, if we have a second.

21 MR. MASHBURN: Second.

22 MS. SULLIVAN: Motion and a second, any further
23 discussion?

24 MS. GHAZAL: Ms., --

25 MS. SULLIVAN: All in favor, please say aye. Oh, I'm

1 sorry. Please go ahead, Ms. Ghazal.

2 MS. GHAZAL: That's okay. Yes. Ms. Watson, can you
3 tell me is there any evidence in the record with regard
4 availability of sample ballots prior to voters selecting
5 their ballot for the primary?

6 MS. WATSON: Yes. Sample ball -- sample ballots were
7 posted.

8 MS. GHAZAL: Okay. Thank you very much.

9 MS. SULLIVAN: Is there any further discussion?

10 MS. THOMAS: We have L. Kelly Davis on the line.

11 MS. SULLIVAN: L. Kelly Davis, would you like to
12 speak to this matter?

13 MS. THOMAS: You may speak. You're unmuted. Kelly
14 Davis? You may speak now. You're unmuted. L. Kelly
15 Davis, you're unmuted. You said that you would like to
16 speak against this case. You can speak now.

17 MS. SULLIVAN: Okay. We have a motion and a second
18 on the table. All in favor of the motion, please say aye.

19 THE BOARD MEMBERS: Aye.

20 MS. SULLIVAN: Anyone opposed? Okay. That matter --
21 that motion passes. The next case is 2020-095. Ms.
22 Watson?

23 MS. WATSON: Yes. Sandra Russell filed a declaration
24 of qualification documents to run for the office of
25 superior court judge in Cochise County, Arizona. The

1 complainant challenged the residency of Sandra Russell in
2 court partially due to Ms. Russell voting in DeKalb
3 County. The complainant alleges that Ms. Russell gave
4 testimony that she was a resident of Arizona for seven
5 years prior to the hearing in 2020. Voter records
6 indicate she voted in Georgia in May of 2016 and
7 registered through Georgia Driver Services in May of --
8 31st of 2018.

9 The investigation revealed Sandra Russell voted in
10 Georgia during the November 4th, 2014 general election and
11 May 24th, 2015 general primary. She also registered to
12 vote through the Georgia Department of Driver Services on
13 May 31st, 2018. Evidence to support that Sandra Russell
14 did not have the qualifications to vote or register as a
15 Georgia elector are Ms. Russell's April 6th, 2020
16 declaration of qualification documents state she has
17 resided in Cochise, Arizona for seven years before the
18 election of November 3rd, 2020. In testimony from the
19 Superior Court case in Arizona, Ms. Russell advised she
20 moved to Arizona after her marriage in 2013, she
21 considered Arizona her home, and she has the intent to
22 remain in Arizona. Ms. Russell also advised she has been
23 a resident of Arizona for 7.5 years. The Court found by a
24 preponderance of the evidence that Ms. Russell was, in
25 fact, a resident of Arizona prior to January 2016.

1 Ms. Russell advised if she did anything illegal, it
2 was not intentional. She stated she has been a Georgia
3 resident for 16 or 17 years until she moved to Arizona.
4 Ms. Russell stated she has a law practice in Georgia and
5 was going back and forth for cases. She advised she still
6 has property in Georgia that she owns and pays property
7 taxes on. She did not have a chance with all of her
8 trials, going back and forth, having a family and
9 everything else, she did not get around to registering to
10 vote in Arizona. She stated she did not vote in both
11 places. Ms. Russell advised she has voted for many years
12 in Georgia. The main reason she voted is because she
13 still had not obtained an Arizona driver's license. She
14 did not have what she needed to register to vote in
15 Arizona. Ms. Russell stated she does not have an excuse
16 other than it was not a priority. She was dealing with a
17 trial and a two-year-old at the time. Our recommendation
18 is to refer to the AG's Office Sandra Russell for
19 violation of the Georgia election code 21-2-561 and 21-2-
20 571.

21 MS. THOMAS: And we have Mr. Rick Ryczek on the line
22 representing Sandra Russell.

23 MR. RYCZEK: Good morning. This is attorney Rick
24 Ryczek. I would -- I would respectfully the Board to
25 either dismiss this case or we would ask for a letter --

1 letter of instruction to be issued. This is as close to -
2 - if it did violate the law, it is as close to an innocent
3 violation as you can get. She was -- and I'm sorry that
4 we can't be together today. I'd prefer to be able to
5 gesture and hand you documents, but I emailed the
6 councilmembers that I could or the Board members that I
7 could find email addresses for just to give you an idea of
8 the nuance of what was going on in Ms. Russell's life at
9 the time.

10 She had gotten married in August of 2013, and she --
11 she shared her time between Georgia and Arizona from that
12 time period forward until about 2016/'17 where she became
13 -- it looks like August of 2016 where her daughter began
14 school, and she remained full-time in Arizona. She -- she
15 spent about half her time early on -- early in that period
16 in Georgia -- or more than half her time in Georgia.
17 Since she owned a home, since she had her car titled in
18 Georgia, she felt that that was her residence at that time
19 as well, and if you look at the -- the definition of
20 residence, and I'm reading 21-2-2, now, she wasn't -- she
21 wasn't researching the law at the time that she did this,
22 but when you look back on it, even as a lawyer looking
23 back on it, it's somewhat confusing. And -- and if we
24 look at subsection 32, residence means domicile, she was
25 domiciled in Georgia at the time that she voted. She

1 voted in the primary election in 2014, and she -- I'm
2 sorry. She voted in the general election in 2014 and the
3 primary election in 2016 at a time where she was spending
4 at least half or more of her time in Georgia.

5 I'd like to -- I'd like the Board to consider very
6 strongly that she never voted in more than one
7 jurisdiction. There's no intent to get some additional
8 right that she didn't think she otherwise had, so with --
9 with respect to the voting allegation, we would ask the
10 Board to dismiss this. I can't imagine that the Attorney
11 General's Office would want to prosecute somebody that is
12 doing everything she can to comply with the law. She's
13 living half her time in one state and half her time in
14 another state, and the same argument could be made if she
15 had voted in Arizona, and we don't want to put voters
16 trying to do the best they can to fulfill their civic
17 obligations in a position where they -- they feel they
18 could be in jeopardy, and that's what would happen if the
19 Board were to forward this to the Attorney General's
20 Office for prosecution.

21 With respect to the 2018 registration, we're -- we're
22 perplexed by that. We don't know how she got registered.
23 I'm -- I'm guessing it has something to do with when she
24 renewed her driver's license. If that is the case, I
25 don't know if she did it over her telephone or whether she

1 did it at a -- we just don't recall having -- how -- how
2 she got her renewed driver's license, but there are boxes
3 you have to check. Perhaps there's something you have to
4 swear to, but it is our understanding, and it is her
5 memory that she never re-registered to vote in Georgia in
6 2018. We've submitted to the Board those emails we could
7 find with her written registrations to vote, and those, I
8 believe, were in 2013 and 2011. And I'm sorry, not
9 registrations to vote, renewal of her driver's license in
10 2011 and 2013, and both of those, she did not ask to
11 register to vote. She specifically said I'm not
12 registering to vote, so it's perplexing to us that she
13 would have done that in 2018 and to trust this argument in
14 support that she's not trying to register to vote, and if
15 she did, it was in error, she did not, in fact, vote. She
16 did vote in Arizona, where she was living full-time and
17 had her domicile and residency in Arizona by 2018.

18 So based on that, we would respectfully request that
19 the -- the Board of Elections either dismiss this case or
20 issue a letter of instruction. This is a woman who is
21 doing her best to fulfill her civic obligations. She was
22 caught between living in two different places at the time
23 -- at the same time, and if she did make a mistake,
24 there's certainly no criminal intent, was not knowing, and
25 she has a lot at stake. She's a practicing attorney. She

1 is barred in both Georgia and in Arizona. This came up
2 because she was running for election, and her opponent,
3 who I'm sure is on the call, is -- was upset with -- with
4 the campaign and is seeking prosecution, and I would -- I
5 would add that they are seeking prosecution or pushing for
6 prosecution in Arizona as well for Ms. Russell having
7 registered in Georgia. How they would have jurisdiction,
8 I don't know, but somehow, the -- the complainant has
9 pushed for that, and it'll be interesting to see -- see
10 how they intend to try to prosecute a case in Arizona for
11 conduct that occurred in Georgia. But the conduct that,
12 in fact, occurred in Georgia is, I think, innocent
13 conduct, a mistake.

14 MS. SULLIVAN: Thank you.

15 MR. RYCZEK: -- wouldn't rise to the knowing level.
16 Thank you.

17 MS. SULLIVAN: Thank you, Mr. Ryczek. Ms. Russell
18 did file a declaration in Arizona where she declared that
19 she had been a citizen of the State of Arizona for 7 years
20 before her election; is that accurate?

21 MR. RYCZEK: It's -- it's my understanding she said
22 she was a resident. She resided -- I believe she said she
23 resided in Arizona for that relevant time, which -- which
24 she did, and she resided in Georgia during the relevant
25 time as well, and if you look at the definitions in

1 Arizona and in Georgia, it -- it appears you can. You
2 have the -- you reside in Arizona with the intent to stay,
3 to remain, which she did. She wanted to remain in Arizona
4 the rest of -- the rest of her life and maintain her
5 marriage there. She was going back and forth from
6 Georgia. She had to -- she had to have a physical
7 presence in Georgia due to her daughter and the custody
8 issues with her daughter, so she did -- when she was in
9 Georgia, she -- she was also there in Georgia -- or here
10 in Georgia, residing in Georgia.

11 MS. SULLIVAN: Okay. Thank you, Mr. Ryczek. Do any
12 of the other Board members have any questions for Mr.
13 Ryczek? Okay. It appears that they do not. The motion
14 is to bind Ms. Russell over to the Attorney General's
15 Office for the violations listed in the complaint.

16 MR. MASHBURN: I move that we accept the
17 recommendation.

18 MS. SULLIVAN: We have a motion. Is there a second?

19 MS. LE: This is Anh Le. I'm going to second it with
20 a comment to the attorney's point that the opponent is
21 pushing for prosecution. We're binding it over because
22 that's the correct thing to do under the facts, but we are
23 -- we are not acting on behalf of or by influence of any
24 opponent or any third party outside of the facts that were
25 presented to us, so I second this motion.

1 MS. SULLIVAN: We have a motion and a second. Is
2 there any further discussion? All in favor, please say
3 aye.

4 THE BOARD MEMBERS: Aye.

5 MS. SULLIVAN: There are none opposed, and that
6 motion passes. Moving on to SEB case number 2020-134.

7 MS. WATSON: In this case, Angela White-Davis
8 reported two absentee ballots were returned to her office
9 after verifying the voter was deceased. Investigators
10 believe Mr. Robert Ranlett Shepherd [ph.] signed his oath
11 envelope for the November 3rd, 2020 election. A
12 comparison of his signature on the oath envelope was
13 almost identical to the known signature of the decedent.
14 The ballot was mailed to Mr. Shepherd on September 18th,
15 2020. He did not die until August 6th, 2020. The ballot
16 was not counted in the election.

17 Investigator -- investigators do not believe Herman
18 Robert Jackson [ph.] signed his oath envelope for the
19 November 3rd, 2020 election. The ballot was requested in
20 May of 2020 and mailed September 18th, 2020. The oath
21 envelope signature does not appear to match the known
22 signature on file for this decedent. Signature appears to
23 be a match to those of Glenda Jackson [ph.], the widow of
24 Mr. Jackson. Glenda Jackson advised she filled it out for
25 her husband as she knew how he wished to vote. She

1 advised if she knew it was such a big deal, she would have
2 thrown it in the trash. Our recommendation is for Glenda
3 Jackson to be referred to the Attorney General's Office
4 for violation of 21-2-562.

5 MS. SULLIVAN: Is Ms. Jackson on the line? Okay.
6 Who do we have that would like to speak to this case?

7 MS. THOMAS: Melanie Ray, you may now speak, and Ms.
8 Jackson is on the line.

9 MS. SULLIVAN: The recommendation is to bind Ms.
10 Jackson over to the Attorney General's Office regarding
11 the allegations in this case.

12 MR. MASHBURN: I move that we accept the
13 recommendation.

14 MS. SULLIVAN: And I'll second that motion. Is there
15 any further discussion? All in favor, please say aye.

16 THE BOARD MEMBERS: Aye.

17 MS. SULLIVAN: Any opposed? And that motion passes.
18 The next case is 2020-157, Spalding County.

19 MS. WATSON: On Election Day and the days that
20 followed the November 3rd, 2020 election, we received many
21 complaints regarding Spalding County. On November 3rd,
22 Spalding County reported that none of the poll pads were
23 able to create voter access cards for voters to be able to
24 pull up their ballot on the ballot-marking devices. It
25 was erroneously reported that a system update had occurred

1 the night before the election. A No Inc. representative
2 investigated and advised that the data used to write the
3 voter card was not imported correctly or was corrupted for
4 Spalding. It was unknown as to if the issue occurred
5 during the initial voter file upload or during the bulk of
6 days. In order to correct the issue, No Inc. sent staff
7 along with a Dominion employee to the voting locations in
8 Spalding and brought down the information to correct the
9 issue. Checklists to complete after the voter file is
10 updated completed has now been provided to the County to
11 try and catch this type of issue before Election Day and
12 was in place for the January 2021 election. This
13 checklist requires a voter access card be created and
14 tested during preliminaries to verify the card is
15 functioning properly.

16 Regardless of the cause of the issue that made the
17 poll pads unavailable to create voter access cards, the
18 primary breakdown on Election Day appears to be the direct
19 result of lack of preparation and training by the Spalding
20 County Elections Office, specifically failure to know and
21 train for the new rule regarding emergency situations and
22 the use of emergency ballots, also failure to train the
23 poll workers on how to create ballots manually on the
24 BMDs. Instead, the County fell back on the previous
25 instructions for the prior, previous machines to go to

1 provisional ballots. This created issues when it was
2 found that there were no emergency ballots at the poll
3 locations, and there were very few provisional ballots at
4 the polls resulting in individuals delivering unknown
5 numbers of provisional ballots to poll locations, the
6 polls not having enough envelopes to properly process the
7 provisionals according to code. Some precincts were --
8 with multiple combo codes were not verifying the voter was
9 being issued the correct provisional ballot style
10 according to the combo code they were entitled to vote.
11 Due to the volume of provisionals at some precincts, the
12 provisional containers were overflowing, resulting in
13 makeshift containers being utilized that were not secured.

14 Spalding Election Board members were requested by
15 Marcia Ridley to go to the precincts and pick up
16 provisional ballots. This was done with a single person
17 going to the polls to pick up provisionals and transport
18 them alone back to the Elections Office. A container
19 utilized in at least one situation was an open box that
20 was not secured. There were not transfer forms completed
21 to indicate how many were picked up from the precincts or
22 turned over to the Elections Office. Some poll managers
23 expressed they could not complete the recap sheet at the
24 closing of polls since they had no idea how many
25 provisionals were delivered during the day or how many

1 were picked up. Marcia Ridley, the Elections Supervisor,
2 advised she made the decision to use provisionals, mainly
3 because she states she was not trained on emergency
4 ballots, and the poll workers were not trained either.

5 Leading up to the November election, the State
6 provided multiple training opportunities to include
7 conference calls every Tuesday. In March of 2020, a
8 backup procedure guideline for the voting equipment which
9 referenced the use of emergency ballots were provided to
10 the County. These procedures were discussed on the March
11 19th state-wide call and posted on Firefly, which county
12 supervisors have access to. The backup procedures outline
13 the system requires emergency ballots, that the precinct
14 would use the emergency bin, and that emergency ballots
15 are not provisional ballots. These procedures were also
16 discussed on the August 7th state-wide call. The state-
17 wide call report was posted on Firefly. Also, both posts
18 -- reminders about these procedures were posted on the
19 following dates: March 3rd, 2020, June 8th, 2020, August
20 7th, 2020, and October the 30th of 2020. These procedures
21 were also discussed during the election training.

22 PowerPoints and recordings of the webinars were posted on
23 Firefly under webinars: March 19th, 2020, October 8th,
24 2020, and December 8th, 2020.

25 Marcia Ridley requested information pertaining to the

1 emergency ballot rules and the location of where to find
2 the new rules. This was in December, after the November
3 election, indicating that she had not been familiar with
4 the rules and procedures prior to the election.

5 Spalding was not the only county that had the voter
6 access cards that would not load on Election Day. In one
7 example, the elections supervisor had prepared a manual
8 for the poll manager for emergency procedures, and they
9 had completed training on the procedures in issuing
10 emergency ballots and utilizing a ballot-marking device to
11 manually load a ballot for the voter. They were able to
12 orderly process voters until the poll pads were reset.

13 Over forty complaints were submitted regarding
14 Spalding County. One that was reported in the news
15 concerned a report of ballots in the dumpster behind the
16 Election Office. This was found to be unfounded for
17 ballots. The Sheriff's Office was notified and responded.
18 The Sheriff's Office advised they collected the material
19 that had already been gone through by the reporting
20 individual. They took them back to the Sheriff's Office
21 to be sorted. It was verified that documents originating
22 from the Elections Office were in the dumpster. The
23 documents contained birthdays, addresses, phone numbers,
24 voter registration numbers, political party affiliations,
25 and email addresses for some electors in Spalding County.

1 There were empty absentee ballot secrecy envelopes and
2 blank empty outer envelopes. No ballots were found in the
3 dumpster. The Sheriff's Office checked other dumpsters at
4 all 18 polling locations to verify if there were any
5 ballots or election materials and did not find any in the
6 other locations. The voter's name, the month, the date of
7 birth, and email addresses for registered voters would be
8 a violation of 21-2-225(b).

9 Unsecured provisional containers at the senior center
10 poll location, the poll manager advised that the
11 provisional bag filled up, and they had to use an
12 unsecured Rubbermaid container and a banker's box to place
13 provisionals in. This would be a violation of SEB rule
14 183-1-12-.18. It was also confirmed that the poll officer
15 did not have elector Donald Crider sign a voter
16 certificate prior to voting, a violation of 21-2-431(a).

17 Elector Selbsta [ph.] and her husband requested an
18 absentee ballot that did not arrive. MyVoter page had the
19 incorrect address listed with the incorrect city listed.
20 She went to the Elections Office and filled out paperwork
21 to correct the incorrect address and request an absentee
22 ballot. Approximately two weeks later, she checked
23 MyVoter page, and the address was still incorrectly
24 listed. She went back to the office on October 14th and
25 showed them it had not been changed, and no ballot

1 received. Annette Forty [ph.] at the Elections Office in
2 Spalding reported that she changed the address on
3 September 28th, 2020 and gave the information to another
4 election employee, and she processed the request, and they
5 were issued a ballot on October 28th, 2020. Election Net
6 does not show that the ballot were -- was issued on
7 October 28th. Failure to process the absentee ballots of
8 Mr. and Mrs. Selbstra as requested after numerous attempts
9 would be a violation of 21-2-431(a). As a result, the two
10 individuals did not vote in the election.

11 Elec -- Elector Dunaway reported he had to vote on
12 paper and was given the incorrect district race on his
13 ballot. He wrote in the correct candidate of his choice
14 on the incorrect ballot. No poll official was alerted to
15 the incorrect district on the ballot. This would be a
16 violation of incorrect ballot style.

17 Elector report -- reports that she went to vote at
18 the First Assembly of God poll location and took her
19 absentee ballot to surrender so she could vote in person.
20 She reports the poll workers were confused about what to
21 do. The elector also reports that she did not sign in and
22 did not sign the poll pad or a voter certificate. She
23 went to the ballot-marking device where the ballot was
24 encoded, and she made her selections, printed the ballot,
25 and scanned the ballot.

1 The poll manager reports that when the machine would
2 not bring up the ballots from the voter access cards when
3 they opened the poll, they were told to issue provisional
4 ballots. She states that voters were to be first checked
5 in on the poll pad so their identification could be --
6 could be verified. Later, the office advised them how to
7 pull up the ballot on the ballot-marking devices -- pull
8 up the ballots for Precinct 19. The poll manager was
9 familiar with the process of having the voter surrender
10 the absentee ballot -- by mail ballot and/or sign an
11 affidavit prior to voting. The poll manager states that
12 they were not able to get the absentee mark off the poll
13 pad so they could have the elector sign the poll pad.
14 There is no documentation of a voter certificate for this
15 elector, in violation of 21-2-431.

16 As to those who went out and uploaded provisional
17 ballots from the poll locations while voting was still
18 taking place, Marcia Ridley advised that Spalding County
19 Election Board member Betty Bryant stated that as the
20 provisional ballot bag -- bag started to fill that she
21 went to go pick up the voted provisionals -- provisionals
22 from the precincts. She picked up from the UGA precinct.
23 The box was not secured or locked. The poll workers took
24 their box of provisionals and dumped them into the box in
25 the backseat of her car. The box Betty had in the car was

1 provided by Marcia. Betty advised that she was alone as
2 she collected the ballots and that a sheriff's deputy was
3 escorting her to the car. Betty Bryant advised that she
4 did not countersign for the provisionals that she picked
5 up. She then drove the box of voted provisionals to the
6 Elections Office to turn them over to Marcia. No count
7 was made of how many was delivered or signed by her. She
8 obtained two more boxes and went to the Presbyterian
9 Church precinct and the Roberts Fire Station precinct to
10 pick up voted provisionals again. No paperwork was
11 completed or signed for.

12 Ms. Bryant stated that she believed the other Board
13 members were also picking up provisional ballots.
14 Margaret Bentley advised she went to precincts to check on
15 provisionals, and the container was not full, so she did
16 not pick up. Mr. Jones [ph.] was contacted and stated he
17 was serving as a Republican Party appointee at the
18 Spalding Election Board and advised that he was following
19 direction of Election Supervisor for his duties during the
20 election but did not provide an answer to confirm or deny
21 if he had picked up provisional ballots or not.

22 It was reported that poll manager Clay Davis did not
23 have all voters to sign their names on poll pads or the
24 voters' certificates. The poll manager stated that every
25 voter did sign the poll pad or signed a voter certificate.

1 However, records indicate 20 people did not sign a poll
2 pad or a voter certificate before voting.

3 An Athens-Clarke poll manager reported that poll pads
4 were not charged, printers had not been filled with paper,
5 three of the six voting machines were missing seals, voter
6 cards were not able to be encoded, insufficient supplies
7 of salmon-colored security envelopes, line monitor not
8 trained, office staff not trained. The poll manager
9 advised when they ran out of the salmon-colored security
10 envelopes for the provisionals, they were told to just
11 write the voter's information on the outside of the white
12 envelopes. The poll manager advised she informed Marcia
13 Ridley about the seal on the scanner but did not do so
14 when it was first discovered.

15 When the poll opened and they discovered the voter
16 access cards were not encoded, she was instructed to use
17 provisionals but was only given a supply of 10 for the
18 poll location. There was approximately 50 waiting in
19 line. They requested additional provisionals and received
20 them in approximately forty-five minutes but were not
21 given enough salmon envelopes. The office instructed her
22 to continue using the provisionals, write the voter
23 information on the white envelope. They were supplied
24 with approximately one thousand and then later in the day
25 with approximately five hundred more. She received a text

1 message to explain how to encode the ballots straight on
2 the ballot-marking device from Marcia. She states the
3 text was not clear as to which code they were to use for
4 their precinct. They were able to get the process started
5 with the ballot-marking devices and clear the morning rush
6 out by 10:30. It was 4 P.M. before the poll pads were
7 fixed so that voter access cards could be encoded.

8 The poll manager also stated that the provisional
9 ballot clerk did not know that the paper provisionals were
10 combo code specific, so they were not ensuring that voters
11 received the proper ballot they should have issued to
12 them: violation of SEB rule 183-1-12-.11(2)(c) and 18
13 counts of all 18 precincts were not supplied with 10
14 percent of emergency ballots, SEB 183-1-12-.18(4)(c), when
15 they failed to determine what ballot style to issue to the
16 individual voters voting at this precinct.

17 An elector advised that when she went to vote at
18 Eagle's Landing Church, she was told to place her ballot
19 in a scanner bin which was unlocked and open. It was
20 found that there was no poll pad signature for the elector
21 Denise Muehr or a voter certificate. The ballot was
22 brought up on the ballot-marking device, and she was
23 allowed to vote. Credit for voting for the elector was
24 entered by Spalding County on April 1st, 2021. Spalding
25 County advised the page containing the list of voters that

1 voted at the precinct contained the elector's name, but
2 the page of voters was inadvertently missed when they were
3 entering credit for voting for the electors who signed a
4 voter certificate. There was 20 that were listed on the
5 list.

6 Poll manager at United Baptist Church reports voter
7 access cards not encoding properly, provisional ballots
8 delivered without any way to determine how many were
9 delivered to the precinct in order to complete a recount
10 sheet, voters not signing poll pad or voter certificate.
11 The voters were verified on the poll pads and their names
12 listed on the elector list. There were 286 that did not
13 sign in on the poll pad or complete a voter certificate at
14 that precinct.

15 Our recommendations are for the following to be
16 referred to the Attorney General's Office: Spalding County
17 Board of Elections and Voter Registration and former
18 Elections Supervisor Marcia Ridley for violation of SEB
19 rule 183-1-12-.11(2)(c)(d), the elections superintendent
20 shall cause each polling place to have a sufficient amount
21 of emergency paper ballots so that voting may continue
22 uninterrupted if emergency circumstances render the
23 electronic ballot-marking printers unusable, but if an
24 emergency situation exists that makes voting on the
25 electronic ballot-markers impossible or impractical, the

1 poll manager shall alert the elections superintendent that
2 it's impossible. Filing a determination of an emergency
3 situation is in -- in the description of the election
4 superintendent. The types of events that may be
5 considered emergencies are power outages, malfunctions
6 causing a sufficient number of electronic ballot-markers
7 to be unavailable for use, or waiting times longer than 30
8 minutes. Training information, webinars, and the SEB
9 rules were available for Spalding County Board of
10 Elections Supervisor, former Elections Supervisor Marcia
11 Ridley to learn the rules and proceed with using emergency
12 ballots.

13 Also, Spalding County Board of Election and Voter
14 Registration and former Elections Supervisor Marcia Ridley
15 for 21-2-225(b), when they failed to ensure that election
16 documents containing confidential voter information was
17 properly disposed of, and for SEB rule 183-1-12-.18, also
18 adding Bonnie Ann Arnett [ph.], provisional ballots was
19 violated when the elections superintendent shall also
20 provide a booth for voting provisionals in the enclosed
21 space and a secure container in which the voted
22 provisional ballot shall be placed. Spalding County Board
23 of Election and Voter Registration, former Elections
24 Supervisor Marcia Ridley, and Bonnie Ann Arnett for
25 violation of 21-2-431(a) when Donald Crider reported he

1 did not sign his name before voting on November 3rd. This
2 information was confirmed by Spalding County Board of
3 Election employee Carla Rapp [ph.].

4 And Spalding County Board of Election and Voter
5 Registration and former Election Supervisor Marcia Ridley
6 for 21-2-431(a), when Triana and Richard Selbstra [ph.]
7 made several attempts to obtain the mail-in ballot for
8 Spalding County. Mr. and Mrs. Selbstra never received
9 their mail-in ballots and were not able to vote. Spalding
10 County Board of Election and Voter Registration and former
11 Election Supervisor Marcia Ridley and Quincy Nelson [ph.]
12 for violation of SEB rule 183-1-12-.18(3) when Abigail
13 Locke [ph.] voted a provisional ballot in the UGA polling
14 location and was not provided an inner or outer envelope.
15 Spalding County Board of Election and Voter Registration
16 and former Elections Supervisor Marcia Ridley, poll
17 manager Bonnie Arnett for SEB rule 183-1-12-.18(3) when
18 Mr. Dunaway was not issued the correct ballot containing
19 District 2 Spalding County Commissioner race but was
20 issued a District 1 ballot instead.

21 Spalding County Board of Election and Voter
22 Registration and former Election Supervisor Marcia Ridley
23 and poll manager Susan Autry [ph.] for 21-2-431(a), that
24 every primary and election, each elector who desires to
25 vote shall first execute a voter certificate. Glenda

1 Brumley did not sign her name on a poll pad or voter
2 certificate before voting. Spalding County Board of
3 Election and former Election Supervisor Marcia Ridley for
4 21-2-215(i), when they failed to enter credit for voting
5 in the November election for Glenda Brumley. Spalding
6 County Board of Election and Voter Registration for 21-2-
7 413(h), when Board members took possession of voted
8 provisional ballots and transported them without a second
9 election official being sworn or any transfer
10 documentation.

11 Spalding County Board of Election and Voter
12 Registration, former Election Supervisor Marcia Ridley for
13 SEB rule 183-1-12-.11(2)(c), 18 counts, when all 18
14 precincts were not supplied with ten percent emergency
15 ballots. Spalding County Board of Election and Voter
16 Registration and former Election Supervisor Marcia Ridley
17 and Susan Summerland [ph.] for SEB rule 183-1-12-
18 .18(4)(c), as they failed to determine what ballot style
19 provisional ballot to issue to the individual voters
20 voting at the precinct on November 3rd, 2020. Spalding
21 County Board of Election and Voter Registration and former
22 Election Supervisor Marcia Ridley and Clay Davis for 21-2-
23 431(a), 20 counts. At every primary and election, each
24 elector who desires to vote shall first execute a voter
25 certificate. And Spalding County Board of Election and

1 Voter Registration, former Election Supervisor Marcia
2 Ridley, Julia Howard [ph.] for a violation of 21-2-431(a),
3 286 counts. At every primary and election, each elector
4 who desires to vote shall first execute a voter
5 certificate.

6 MS. SULLIVAN: Thank you for that presentation, Ms.
7 Watson. Would Fulton County like to address -- I mean,
8 Spalding County like to address these allegations?

9 MS. THOMAS: Yes. First, we have Stephanie Windham
10 on the phone. You may speak.

11 MS. WINDHAM: Good morning. This is Stephanie
12 Windham. I am the county attorney for Spalding County,
13 and I would like to say that these measures -- these
14 matters will be completely rectified by our next election.
15 We have a new Election Supervisor, and we also have an
16 entirely new Board of Elections starting in December. The
17 December member is our oldest member, our most senior
18 member on the Board at this time. The other four have
19 been appointed in -- as of May and June of this year.

20 I certainly cannot argue that there were many, many
21 failures at our November 3rd election. Those began with
22 the -- the situation where none of the machines worked at
23 7 A.M., and this was at all precincts, all 18 precincts in
24 Spalding County. That exacerbated everything that
25 happened next. Our -- I'm not sure if Marcia Ridley is on

1 the line. I do know that I have Clay Davis and Margaret
2 Bentley who would like to speak. There were -- we can't
3 deny that hundreds of voters did not sign poll pads.

4 Our main issue is -- was a lack of training on
5 emergency ballots. Our Election Supervisor did not train
6 on emergency ballots, and therefore, none of our poll
7 managers or poll workers were trained on emergency
8 ballots. I believe any of our poll managers would have
9 determined that the situation they faced on the morning of
10 November the 3rd was indeed an emergency. These poll
11 managers have done the best they could with what they had.
12 They made several calls throughout the day, nearly -- I'm
13 aware of several poll managers who made several calls
14 throughout the day to the Elections Office. Some were
15 given conflicting information, and I -- I would ask that
16 these poll managers be given the consideration of letters
17 of instruction. There are many experienced poll managers
18 that are -- are named in these allegations, and they were
19 doing as they were told as they were trained.

20 The -- the chain of custody issues, those Board
21 members who picked up those provisional ballots would tell
22 you that they were alone and that in some cases the ballot
23 containers were not secure. These Board members were also
24 doing as instructed based on the fact that the entire day
25 was chaos, and these Board members would also appreciate

1 letters of instruction in these matters, as they were
2 simply doing as they were asked to do and in an effort to
3 be helpful and to make sure that every person's vote to
4 count on November the 3rd.

5 I am somewhat at a loss as to say any more other than
6 to reiterate that we do have a new Election Supervisor.
7 She started on Monday, and it is her intention and -- she
8 has begun already to inventory. She has been in touch
9 with the Secretary of State about recertifying our
10 machines and our election server. The new Board is fully
11 aware of all the issues from the November 3rd election,
12 and it is their primary goal to provide adequate training
13 for everyone involved: poll workers, Board members, the
14 Election Supervisor, everyone in the Elections Office in
15 the future. That training has already started with a
16 visit from our liaison Robin Carr, who spent the day with
17 us training on Senate Bill 202, also answering our various
18 questions. Robin has been a wonderful source for us, as
19 has Sarah Beck, and we appreciate the Secretary of State
20 providing those resources for us. It is the Spalding
21 County Board of Election's main goal -- in fact, their own
22 goal is to put on a free, fair, and transparent election
23 in November of 2021. Thank you, and I do know that Clay
24 Davis is here to speak, and I believe that Margaret
25 Bentley is also available to speak.

1 MS. SULLIVAN: If he would like to speak, please go
2 ahead.

3 MR. DAVIS: This is Clay Davis. Thank you for
4 allowing me to speak considering how busy you all are. I
5 was a poll manager at Precinct 21 and have been a poll
6 manager for five plus years, so I think I understood the
7 system beforehand. I'm a retired Army officer and known
8 as a rule-follower. I believe strongly that my voting
9 team would be classified as rule-followers as well. This
10 is exactly why I selected them for their moral and
11 character. The investigation found that twenty voters in
12 my precinct did not sign either the poll pads or voter
13 certificates. I and my team both understood how important
14 it is to have those signatures. As it turns out, I cannot
15 refute anything on that investigation. We were basically
16 told when we turned in the machines that we would not be
17 able to get back into those machines, and after the
18 documentation was provided to me, I was once again told
19 that I would not be able to validate any information in
20 those machines.

21 Normally, I would stand before you and say that I
22 take total responsibility. This was human error. The
23 computer shows that there were no voter signatures on the
24 poll pads, but that's not exactly what I believe happened
25 and what my team thinks happened.

1 If you'll allow me a couple of minutes, I'll try to
2 walk through. When the system went down, one of them -- I
3 had two poll pads. One of my poll pads would simply
4 reboot and then reboot again and then reboot again every
5 time it got up to where we were able to use it. The other
6 poll pad would reboot a couple of times -- or three times
7 an hour. We were able to validate every person who came
8 through by using that poll pad. Sometimes, when it
9 rebooted, we had to start that voter back through. Other
10 times, we did not. Things like the scanner not reading
11 the ballots at all caused us a situation that was similar.

12 I want to tell you that I do not have a high level of
13 confidence that this was a human error. I believe that
14 the poll pads, when they rebooted over the entire day,
15 that twenty signatures were lost. I know that's hard to
16 believe with our reliance on technology, but with the poll
17 pads rebooting routinely, I think that those were lost.
18 My team feels strongly that they checked every signature
19 to make sure that it was there. They understood how
20 important it was. We understood when this happened that
21 this was going to be a seriously looked at situation, so
22 at the end of the day, after the polls closed, we hand
23 counted every ballot. We validated that information
24 against the poll pads and the ballot-marking devices to
25 make sure that the numbers matched up. There was a slight

1 difference between a card that wasn't read properly and
2 had to go back through, if you understand that whole
3 system. We are absolutely certain that every ballot that
4 was cast was cast by a registered voter in our precinct.
5 I want to say thank you for taking the time to listen to
6 one poll manager's view of how this thing happened. Thank
7 you.

8 MS. SULLIVAN: Thank you, Mr. Davis. I believe we
9 have one additional person who would like to address the
10 Board.

11 MS. WINDHAM: I believe that's --

12 MS. THOMAS: Yes. Is she -- is she on the line with
13 you?

14 MS. WINDHAM: She is not here with me, but she was
15 going to be on -- on the call.

16 MS. THOMAS: Okay. I do not see her listed on the
17 call, but we do have some other people that would like to
18 speak.

19 MS. WINDHAM: Okay.

20 MS. THOMAS: So Ms. Ashley Giles [ph.], you may
21 speak.

22 MS. GILES: Can you hear me?

23 MS. THOMAS: Yes.

24 MS. GILES: Hello? Okay.

25 MS. SULLIVAN: Yes, we can hear you.

1 MS. GILES: Does this have -- does this have anything
2 to do with -- I was not there on Election Day. However, I
3 was there on the 4th, when they were going through their
4 provisional ballots. They had stacks and stacks where we
5 were locked out. Does that have anything to do with that?
6 There was a case number that was given over to --

7 MS. SULLIVAN: Yes. That is include -- that is
8 included in the -- in our investigation report.

9 MS. GILES: Okay. Do you -- do you guys have the
10 video of that? Because I can show you, I mean, like, how
11 many ballots there were in these envelopes coming out. It
12 was -- it was tons of them. I asked the Secretary of
13 State's investigator if he needed the videos. He said he
14 would meet up with me to get the videos. However, that --
15 that never happened.

16 MS. SULLIVAN: Thank you. So you wanted to let us
17 know that you have videos of --

18 MS. GILES: I do.

19 MS. SULLIVAN: Okay. Thank you. Is there anything
20 else you wanted to say regarding those allegations at this
21 time?

22 MS. GILES: I was wondering every polling place has a
23 box, and I was just wondering if copies of the poll
24 manager's book is also available online, if it's available
25 to all of these people, you know, working -- working the

1 polls that day?

2 MS. SULLIVAN: I do not know the specifics of this
3 matter. I can tell you that this case is going to be
4 referred to the Attorney General's Office, and there will
5 be opportunity for further investigation into all the
6 allegations that were presented.

7 MS. GILES: Okay. Thank you.

8 MS. THOMAS: And next, we have Donald Crider. You
9 may speak now.

10 MR. CRIDER: Yes. Can you hear me?

11 MS. THOMAS: Yes.

12 MR. CRIDER: Okay. Yes. My name is Don Crider, and
13 I'm just a local concerned citizen. I think the
14 investigator did a great job summarizing the -- what I
15 would consider multiple issues surrounding this election,
16 and everything there would be an accurate description of
17 what, you know, the Spalding County voter experience was.
18 Essentially, in my opinion, everything the Election
19 Supervisor could possibly do wrong, she did wrong, and
20 with all due respect to Ms. Windham, I would hope -- I
21 would hope that these issues are corrected prior to the
22 next election, but in my opinion, there has to be full
23 accountability for this past election. What the
24 leadership did in this election goes beyond lack of
25 training. It was a complete breakdown, and I fully

1 support this matter being referred to the Attorney
2 General's Office if we want voters to have confidence in
3 Spalding County elections. And without voter
4 certificates, I don't even know how these election results
5 were certified, so I fully support moving this matter to
6 the Attorney General's Office.

7 MS. SULLIVAN: Thank you for your comments. Next?

8 MS. THOMAS: Next, we have Christine Hallman.

9 MS. HALLMAN: Hello. Can you hear me?

10 MS. THOMAS: Yes.

11 MS. HALLMAN: I'm Christine Hallman. I live in
12 Griffin, Georgia. I vote at Precinct 19. My husband and
13 I were the second and third people in line for the
14 presidential election at Precinct 19. We walked in. We
15 gave them our driver's licenses. They gave us the little
16 yellow voting card. We went to the machines, but the
17 machines were down. We had to wait for an hour for them
18 to figure out what to do. They couldn't get anybody in to
19 fix the machines, so they finally gave us the provisional
20 ballots to complete, but that was quite confusing. They
21 didn't have pens, different things, to help with that, but
22 we did get to vote on the provisional ballot. They kept
23 that little yellow computer card that contained our
24 personal information. We were concerned about that. We
25 were told that the computers did finally come back online

1 around 10 o'clock.

2 I called on 11/8/2020 to verify that our ballots were
3 counted. Mary of the Spalding County Elections Board
4 verified that they had not been counted, but they would be
5 counted that day. She took my name and number and said
6 that they would call me back with verification when it was
7 counted. Well, I called back on 11/11 because I never
8 received the call. Mary stated they were not allowed to
9 give me the information, so I called Brad Raffensperger's
10 office to file a grievance. I've also called Joy
11 Ferguson's office as well. Raffensperger's office stated
12 that Spalding County was required to give me the
13 information, and they were going to have someone to call
14 me back from their office. I did not receive that call
15 back.

16 However, Raffensperger's office told me that MyVoter
17 page, the verification section, was grayed out and that my
18 husband's was too. They stated there was no reason for
19 that to be grayed out. I called Spalding County back and
20 stated that I had called Raffensperger's office and filed
21 a grievance, and they stated that Spalding County was
22 required to give me the information regarding my vote
23 count. Mary had Carla give me a call. She stated that
24 mine and my husband's votes were counted. I asked why our
25 screens were grayed out. She stated that when they

1 counted the votes, they went in and grayed them out, but
2 they would later update the information. However, they
3 never updated that information. My information on MyVoter
4 page only changed when I went in for the early voting for
5 the runoff election. Then, the information showed that I
6 had done the early voting for the runoff, but then later
7 on, that was grayed out as well a few days later.

8 I'm concerned that my vote didn't count in the
9 presidential election or the early voting for the runoff
10 because I just have no confidence in this election process
11 as it was -- went on in Spalding County. I did receive a
12 call from Raffensperger's office from an investigator that
13 sa -- he stated to me that my vote did count. He called a
14 few months back, and -- but he could not verify who I
15 voted for. That was my first concern.

16 The second concern is when we were standing there for
17 an hour waiting on them to figure out how to get the
18 machines up and working and what was going on or what they
19 were going to do with us, I asked the poll worker at
20 Precinct 19 about them being connected to the Internet.
21 The man stated they were not, but they had yellow ethernet
22 cords plugged into the machines. When we went for the
23 early voting of the runoff election, all the wires at that
24 voting precinct near the senior center, they were all
25 covered in black tape everywhere. You could no longer see

1 what color wires they were, and I found that a concern as
2 well.

3 MS. SULLIVAN: Thank you. Yeah. Thank you, Ms.
4 Hallman. We do have a -- we do have a listing of all of
5 your allegations within this, and this matter is going to
6 be referred to the Attorney General's Office for further
7 instructions, so in the interest of time, if we --

8 MS. HALLMAN: That was all I had.

9 MS. SULLIVAN: Okay. Thank you so much.

10 MS. HALLMAN: Uh huh. Thank you.

11 MS. THOMAS: We have one more person. Denise Muehr,
12 you may speak now.

13 MS. MUEHR: Yes. Thank you. I also voted in
14 Spalding, and here is my concern. Well, first, I want to
15 say I was very impressed with at the beginning of this,
16 you said a prayer, brought God in. You said a Pledge of
17 Allegiance. You brought country in. I respect that, and
18 I love that. I also respect that you have this platform
19 where people can err their grievances or problems.

20 My problem with this whole thing is as this last
21 lady, the last couple of people, stated there were a lot
22 of things wrong with this election, and I, for one, -- my
23 husband and I were there before 7 A.M. We never left
24 there until 11:30 A.M., so meanwhile, what went on while
25 we were there during that first hour, a lady came out and

1 told us that the machines were down because there was a
2 software update the night before, and then all the
3 machines were down. Now, that, to me, wasn't right, and
4 that's what made me very suspicious, and so when we went
5 into the whole thing, I was kind of questioning how this
6 was going to go.

7 At one point, they let us inside because it was cold
8 inside, and we were there for so long, and at one point,
9 they said if you're going to vote the provisional ballot,
10 go in this line, but if you're going to wait for the
11 machines to be up, then go in this room. Well, we decided
12 we wanted to vote no matter what, so we decided we would
13 stay in the line for provisional ballots, but if the
14 machines were up by the time that we got to the front,
15 than we preferred the machine. By the time we got up to
16 the front, there were, like, two or three rows of chairs
17 where we kind of, you know, played musical chairs until we
18 could get up to the lady signing us in, and my husband and
19 I both, one by one, showed our license, signed in. Sharon
20 Solo [ph.] was the person sitting there, signing us in,
21 and then, we were not given an individual card the way we
22 normally are to use in the machine.

23 There were only two machines working by the time we
24 got up there, and they inserted the card, and my ballot
25 printed out. I was never offered a provisional. My

1 ballot printed out of the machine. I carried it over to
2 the scanner. The scanner wasn't working. I was just
3 asked to drop it in the bin. Well, that just -- all of
4 that just didn't seem right. Even though, you know, I
5 knew several of the people there, and, you know, had no,
6 you know, question to doubt, you know, the integrity of
7 any of that, but the whole thing was just not right.

8 And so when I went home, I wrote an email to the
9 Secretary of State, and I hadn't heard back for a while,
10 but meanwhile, there was another important election coming
11 up, the one for the Senate, and before that election,
12 because that was a highly important election to people, my
13 husband and I received in the mail an official voter audit
14 stated how we voted since 2014, that we did or did not
15 vote, and it said on here -- well, both my husband and I -
16 - I have the letters in front of me. Both my husband and
17 I, it said we didn't vote in the 2020 election. Well, we
18 most certainly did. My husband was so upset. He went to
19 the voter office in Griffin and talked to the people
20 there. They told him that his vote counted, and because
21 of the upcoming election and so on, they just didn't have,
22 you know, all the, you know, updated info or something.
23 Well, I did not go that day.

24 MS. SULLIVAN: Thank you.

25 MS. MUEHR: Well, wait. One more thing, please.

1 MS. SULLIVAN: Thank you.

2 MS. MUEHR: Then, I received a call from the
3 investigator telling me that he didn't understand what
4 happened because according to the records, my husband
5 voted, but I didn't. Now, that's not right. You know, he
6 went down to complain, and all of a sudden, they switch it
7 over that he voted, and then, I didn't go, so they're
8 saying I didn't vote. This isn't right, and if -- if you
9 folks want people to stop doubting what went on, you need
10 a forensic audit. You should be pushing for that because
11 there are many people who think all of this is wrong, and
12 if you really care about transparency, you will push for
13 that because there are many people who are not happy with
14 the way all of this went. And I please beg you, please
15 consider that. Thank you.

16 MS. SULLIVAN: Thank you, Ms. Muehr. I think I speak
17 on behalf -- that's all -- I think I can certainly speak
18 on behalf of the Board that just the sheer volume and
19 number of mistakes and allegations in this case is -- is
20 simply overwhelming. Thank you, Ms. Windham, for being
21 here, and hopefully, Spalding County is on the direct --
22 correct path to direct all of these -- all of these errors
23 so that we will have a -- the next election will be a
24 smooth one. I believe that the motion in this case is
25 going to be refer this to the Attorney General's Office

1 for consideration, and, in fact, I will make that motion.

2 MR. MASHBURN: Second.

3 MS. SULLIVAN: And there is a second. Is there any
4 further discussion, or would any of the other Board
5 members like to make any comments at this time? I think
6 so my motion is to accept the recommendation of the
7 investigator to refer all of this, all of the Respondents
8 and matters to the Attorney General's Office. We have a
9 second. If there's no further discussion, all in favor,
10 please say aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: And there are none opposed, so that
13 motion passes. It is 12:22. We're going to go ahead and
14 take a 35-minute break. At the same time, we are going to
15 go into executive session for discussion of pending
16 litigation. We will come back at 1 o'clock, if that's all
17 right with all the Board members. Okay.

18 MS. LE: Do you need a motion?

19 MS. SULLIVAN: Yes. We need a motion to exit in --
20 to go into executive session.

21 MR. MASHBURN: So move.

22 MS. LE: Second.

23 MS. SULLIVAN: All in favor, please say by -- saying
24 aye.

25 THE BOARD MEMBERS: Aye.

1 MS. SULLIVAN: Thank you. We will reconvene at 1
2 o'clock out of executive session. Thank you.

3 (Meeting break)

4 (Meeting resumes)

5 MS. SULLIVAN: Good afternoon. It is 1 o'clock, and
6 we will reconvene the State Election Board. I will make a
7 motion that we exit out of executive session.

8 MR. MASHBURN: Second.

9 MS. SULLIVAN: We've got a motion and a second. All
10 in favor, please say aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: And we are back into regular session.
13 Next on our agenda is case number 2020-165, Greene County.
14 Ms. Watson?

15 MS. WATSON: The Greene County Board of Elections and
16 Registration received in November of 2020 ballots from
17 Greene County voter Alyssa Shonte Miller [ph.] that was
18 placed in the June 2020 general election primary envelope.
19 In reviewing the voter's account, the Elections Office
20 found that no ballot had been sent to the voter for the
21 November 2020 election. Respondent failed to cooperate
22 with the investigation. It is unknown how the Respondent
23 was able to secure an absentee ballot for the November
24 2020 general election. The Greene County Elections Office
25 did not count the Respondent's ballot in the November 2020

1 election due to the discrepancy. Other than the absentee
2 ballot sent to the Respondent at her address of record on
3 May 26th, 2020, no other absentee ballots in the
4 Respondent's name or any name of any other voter was
5 mailed to the Respondent's address for the November 2020
6 general election. Alyssa Miller stated that whatever came
7 in the mail, came in the mail. Our recommendation is to
8 refer Alyssa Shonte Miller to the Attorney General's
9 Office for a violation of 21-2-384(c)(1).

10 MS. SULLIVAN: We have no one here to speak on behalf
11 of this case. Do any of the Board members have questions
12 for Ms. Watson? The recommendation is to refer the case
13 matter to the Attorney General's Office.

14 MR. MASHBURN: I move that we accept the
15 recommendation.

16 MS. SULLIVAN: I'll second that motion. Any further
17 discussion? All in favor, please say aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: And there are none opposed. Case
20 number 2020-170, Bartow County?

21 MS. WATSON: On November the 9th, 2020, we received a
22 complaint regarding unsolicited mailed absentee ballots
23 during the Bartow County 2020 general election. According
24 to the complaint, a couple received multiple unsolicited
25 absentee ballots in the mail, and a deceased voter

1 received a letter in the mail thanking him for his vote.
2 An interview with the complainant revealed the documents
3 that he received in the mail were more than likely
4 applications for absentee ballots and not actual issued
5 mail ballots due to the fact that the description of what
6 was received did not match what an absentee ballot looks
7 like.

8 Regarding the deceased voter who received a letter
9 thanking him for voting, the complainant did not provide
10 the voter's name. He was referring to a coworker who
11 mentioned that they had saw it in the letter. The
12 complainant did not provide any information pertaining to
13 the thank you letter. Thank you letters were not mailed
14 by the Elections Office. Our recommendation is to dismiss
15 the cases. There was no allegation substantiated.

16 MS. SULLIVAN: There is no one here to speak on this
17 case.

18 MR. MASHBURN: I move to accept the recommendation
19 and dismiss the case.

20 MS. LE: Second.

21 MS. SULLIVAN: Any further discussion? All in favor,
22 please say aye.

23 THE BOARD MEMBERS: Aye.

24 MS. SULLIVAN: And there's none opposed. Case number
25 2020-184, Cobb County.

1 MS. WATSON: Allegation one, Candace Fisher [ph.]
2 alleges that while she was a credentialed voter review
3 panel member, she observed during the voter review panel
4 there were times between October 28th and October 29th
5 when no Republican representatives were present, and the
6 room where voter review panel was being conducted was not
7 secure. There were many boxes stacked 8 to 10 feet high
8 adjacent to the door. There was not -- no security at the
9 door. There was no supervisor of the boxes. An unknown
10 adult male was seen reaching into one of the boxes.

11 Allegation two, complainant Bailey Bernard [ph.]
12 advised that they requested an absentee ballot which did
13 not arrive. They later received notice that the ballot
14 was rejected because of a signature mismatch. They
15 advised that they did not submit the ballot indicated by
16 the Board.

17 The mother of Matthew Maloof [ph.] advised that she
18 dropped her son's absentee ballot into the drop box and
19 went to the office on Friday, October the 30th. She
20 checked online to confirm the following Wednesday and was
21 unable to do so. She later was told that it was rejected
22 for being delivered after the 7 P.M. deadline on Tuesday,
23 11/3. She additionally advised that the Georgia Voter
24 Hotline said her son never requested an absentee ballot.

25 Megan Harris [ph.] alleges that Shannon Maloy lived

1 in Massachusetts and voted in Georgia. Salleigh Grubbs
2 alleges food trucks were at the Cobb County Board of
3 Elections on October 27th and were not nonpartisan.
4 Russell White [ph.] alleges that he never received his
5 absentee ballot. He advised that he has been getting
6 different answers from people with Cobb elections.

7 Investigation revealed the list of representatives
8 for the review panel was provided, showing adequate
9 representation. There was also alternates available if a
10 representative did not show up. As long as two parties
11 were present, they continued: Republican, Democrat, and
12 Libertarian. The building was equipped with locks,
13 cameras, and an alarm system. Near the rear of the
14 building, the assembled boxes and stacked the empty boxes
15 up for use. There were election employees assigned to the
16 doors to check in those on the voter review panel. The
17 boxes the complainant referred to were empty boxes.

18 The ballot for Mr. Bernard was not cancelled due to
19 signature mismatch. It was cancelled when it was returned
20 as undeliverable from the Post Office in a letter sent to
21 the requester. The ballot that was requested by Mr.
22 Maloof was for the June election. The June election
23 ballot was voted and deposited in the drop box for the
24 November election. The ballot was rejected, as it was
25 received after the election June deadline.

1 It was confirmed that the elector Shannon Maloy moved
2 from Cherokee County, Georgia to Massachusetts in
3 September of 2020. She voted in the November 2020
4 election, as well as the January 2021 election, in
5 Georgia. The elector advised that she believed she had a
6 few months to change her residency for voting.

7 As for the food trucks, no documentation of this
8 violation was provided or could be located. Cobb County
9 Elections advised to the knowledge the trucks that were at
10 the poll locations complied with the state laws and rules.
11 The elector did request an absentee ballot that was issued
12 and mailed on September 18th, 2020 and then cancelled at
13 the request of the elector on October 18th, 2020, and a
14 second absentee ballot was issued and mailed. No absentee
15 ballot was received back from the elector.

16 Our recommendation is to dismiss all allegations
17 except allegation four. In reference to allegation four,
18 we recommend Shannon Marie Maloy be referred to the
19 Attorney General's Office for violation of 21-2-571, and I
20 believe that she has attorney Bruce Maloy that is
21 representing her.

22 MS. THOMAS: Yes, and he is on the line. You may
23 speak now.

24 MR. MALOY: Good afternoon. Are you able to hear me
25 okay?

1 MS. SULLIVAN: Yes.

2 MR. MALOY: I appreciate this opportunity, and Ms.
3 Shannon Maloy is also on the call today. This has been a
4 misunderstanding. I'm going to walk you through the facts
5 of the situation. I've sent each of you a letter that
6 outlines what our position about this is, but Shannon
7 Maloy was born and raised in Georgia, graduated from high
8 school in Georgia, where she was an outstanding student,
9 and she attended Duke University and graduated from Duke
10 in 2019. She is a pre-med major, and her intent all along
11 was to return to Georgia and attend the Medical College of
12 Georgia as an in-state resident paying in-state tuition,
13 so maintaining her residence was something that she paid
14 attention to.

15 There is a factual misunderstanding in the
16 investigator's presentation. When she was called on the
17 phone and asked the question when did you move to
18 Cambridge, she said September 2020. She moved to
19 Massachusetts in September of 2019, and the reason she
20 moved to Massachusetts was -- believe it or not -- she
21 didn't feel that a degree from Duke University was enough
22 to enable her to apply to medical school. I'm glad I went
23 to graduate school 46 years ago. She wanted to enhance
24 her resume, and so she did an internship at a pediatric
25 hospital in Boston, an outstanding pediatric hospital, in

1 order to be able to improve her chances of getting --
2 getting into medical school. So she went for the purpose
3 of this internship, and her intention was to enroll at the
4 Medical College of Georgia so that she would be starting
5 next month in September of 2021.

6 So the statute says under section 5 if a person
7 removes to another state with the intention of remaining
8 there an indefinite time and making such state the
9 person's place of residence, such person shall be
10 considered to have lost their residence, notwithstanding
11 the person may intend to return at some indefinite future
12 period. Well, this was not an indefinite future period.
13 It had a very definite date attached to it.

14 But unfortunately, COVID intervened. Taking the
15 medical college admissions test became very logistically
16 difficult, and so in February of 2021, Ms. Maloy took a
17 job with a healthcare company in Massachusetts. After
18 she'd been there a couple of months and still all the
19 problems with COVID, she decided that she would stay
20 there. So in April of 2021 for the first time, she gave
21 up on the idea of going to medical school and decided to
22 stay in Massachusetts. She changed her driver's license.
23 She was then automatically registered to vote in
24 Massachusetts as part of that process. Since then, she
25 has withdrawn -- she has notified the voter registrar that

1 she is no longer a Georgia resident. She never voted in
2 Massachusetts. She was never registered to vote in
3 Massachusetts. She never had a Massachusetts driver's
4 license, and she had every intent of coming back to the
5 State of Georgia at a specific time for a specific reason.

6 So this is a circumstance, you know, this isn't at
7 all like the woman from Arizona that you had earlier. I
8 mean, one, she's a lawyer. Two, she ran for public office
9 in Arizona. This is just a student who plans to come back
10 here after furthering her education out of state, and the
11 only appropriate thing for this Board to do is to dismiss
12 this case. If you send this over to the Attorney
13 General's Office, I would suggest to you, you're just
14 really not doing your job, and you're kicking the pan down
15 the road. Shannon Maloy didn't do one thing wrong, and,
16 frankly, she deserves to be vindicated by this Board.
17 Thank you.

18 MS. SULLIVAN: Thank you, Mr. Maloy. Do any of the
19 Board members have any questions for Mr. Maloy or Ms.
20 Watson?

21 MS. GHAZAL: This is Sara Ghazal here. Mr. Maloy,
22 can you re -- go through the timeline again when Ms. Maloy
23 accepted the internship, and how long she had initially
24 intended to remain in Massachusetts?

25 MR. MALOY: Sure. She began the internship at the

1 hospital in Boston in September of 2019. She had
2 graduated from Duke University earlier that year, and so
3 her original goal was that she would have started at the
4 Medical College of Georgia in September of 2021, next
5 month. She took a different job in February of 2021, and
6 it's after having that job for a couple of months that she
7 realized she really liked that and has at the point in
8 time, which is around April of 2021, decided that, you
9 know, I'm not going to go to law -- I'm not going to go to
10 medical school. I'm going to stick with this job. Maybe
11 I'll go to medical school some time in the future.

12 MS. GHAZAL: Thank you.

13 MS. SULLIVAN: Ms. Watson, was the -- does the
14 investigation reflect that the investigator was aware that
15 Ms. Maloy was a student.

16 MS. WATSON: No. The report indicates that she
17 advised that she moved to Cambridge, Massachusetts in
18 September of 2020 and due to the closeness of the election
19 decided to keep her Georgia residence. We were not -- I
20 was not aware from the report that she was a student
21 intending to return.

22 MS. SULLIVAN: With this information that she was a
23 student, would that change your recommendation?

24 MS. WATSON: Yes. Based on that recommendation, I
25 would recommend that we dismiss.

1 MR. MALOY: And just to clarify one more time, Ms.
2 Maloy was answering the question correctly. She moved to
3 Cambridge, Massachusetts in September 2020. If she'd been
4 asked the question when did you move to Massachusetts,
5 then the answer would have been September 2019.

6 MS. SULLIVAN: Thank you.

7 MR. MASHBURN: So this is Matt Mashburn. Just to
8 recap it, she grew up in Georgia, right?

9 MR. MALOY: Yes, correct.

10 MR. MASHBURN: She went to high school in Georgia.

11 MR. MALOY: Yes. Honors graduate, AJC Student of the
12 Year.

13 MR. MASHBURN: Has she ever voted in a state other
14 than Georgia?

15 MR. MALOY: No.

16 MR. MASHBURN: That's all I have.

17 MS. SULLIVAN: What's the will of the Board?

18 MS. LE: I move to accept Ms. Frances' recommendation
19 as amended, that is to dismiss.

20 MS. SULLIVAN: I'll second that motion. We have a
21 motion and a second. Is there any further discussion?
22 All in favor, please say aye.

23 THE BOARD MEMBERS: Aye.

24 MS. SULLIVAN: And there's none opposed. The case is
25 dismissed. Thank you, Mr. Maloy. The next case is 2020-

1 194, Floyd County.

2 MS. WATSON: Yes. Our office opened this
3 investigation after the state-wide audit identified
4 approximately 2600 ballots that the Floyd County Board of
5 Elections and Registration failed to account for in its
6 initial voting count certification. Investigation
7 confirmed that the Respondent, who served as Floyd
8 County's Chief Elections Official, failed to verify that
9 all memory cards with votes for the November 2020 general
10 election were properly uploaded and reconciled in the
11 election management system. This mishap resulted in
12 approximately 2600 votes not being included in the initial
13 election certification results. Mr. Robert Brady
14 presented to the Board that all votes were accounted for
15 and the vote count could be certified. As a result, the
16 Board certified the vote count. However, the state-wide
17 audit of the votes showed that Floyd County had more
18 ballots than what was reported in the initial vote
19 certification.

20 On November 17th, 2020, members of the Floyd County
21 Board of Elections and Registration oversaw the rescanning
22 of ballots that was completed on November 17th, 2020, and
23 the results were finalized on November 20th, 2020. Our
24 recommendation is for former Chief Elections Clerk Robert
25 Brady be referred to the AG's Office for Georgia election

1 code 21-2-379.11, 21-2-490(3)(b), and SEB rule 183-1-12-
2 .12(b)(6).

3 MS. THOMAS: We have three people from Floyd County
4 on the line, Ms. Virginia Harman, Ms. Vanessa Waddell, and
5 Melanie Conrad. We'll first start with Virginia Harman,
6 the Floyd County attorney.

7 MS. HARMAN: Yes. Thank you. I -- I just wanted to
8 be sure that I understood that the Floyd County Board of
9 Elections and Registration was also a Respondent. Ms.
10 Watson, is there a recommendation as to the Board?

11 MS. WATSON: In the -- I do see in the report that
12 Floyd County Board of Elections and Registration would be
13 recommended also for the same violations.

14 MS. HARMAN: All right. Then, -- then, if -- if the
15 recommendation as to the Board is also to refer to the
16 AG's Office, I would like to -- to address that prior to
17 the Board's vote. I do have on the -- available today our
18 current Chair of our BOER, Doctor Melanie Conrad, our
19 current interim Elections Clerk -- Chief Elections Clerk,
20 Vanessa Waddell, and I also believe Mr. John Scott Husser
21 [ph.] who was also a member of our BOER last November is
22 online, although he may not have -- have added himself.

23 But the third member of our Board of Elections and
24 Registration, Doctor Tom Rees, together with the two
25 individuals I just mentioned, submitted affidavits in

1 support of this investigation, and I just want the Board
2 to understand that these three individuals made up our
3 Board of Elections and Registration last November. There
4 is nothing in the report before you that indicates that
5 any one of them or them acting as Board failed to meet
6 their duties at any time last fall. They acted at all
7 times in keeping with their legal duties and their general
8 duty to act reasonably and responsibly in the conduction
9 of the election and in the process of the initial
10 certification of the results and then subsequently during
11 the audit when the discrepancy and the returns was
12 discovered. This Board, you could not ask for a harder
13 working, more cooperative Board than these folks have been
14 during all of that process, and Ms. Waddell, our current
15 Interim Chief, was the assistant Chief Clerk at the time,
16 ran the -- the January runoff election just superbly.

17 If you look at the affidavits that were submitted as
18 part of this investigation, the Board at no time prior to
19 or during the course of their original certification of
20 the election results was aware that any problem had
21 happened with any of our early voting scanners. In fact,
22 the minutes of the Board of Elections meeting in which
23 they voted to certify the elections indicate that Mr.
24 Robert Brady, who was the then Chief Elections Clerk,
25 reported to them that all machines had -- had performed as

1 they should have. They inquired of problems, were not
2 told of any at that time, and they certified the election
3 results. There was -- I mean, other than to have been on
4 the floor during early voting when one of the scanners
5 jammed because a voter had fanned herself with her ballot
6 -- other than personally being there, there is nothing
7 that this Board could have done that they didn't do.

8 This -- this entire discrepancy in voting, again,
9 occurred when one particular scanner was jammed. That jam
10 could not be rectified. Mr. Brady -- later we learned,
11 only after the initial certification -- consulted with the
12 Secretary of State's Office, and when the -- the scanner
13 could not be utilized again, a new scanner was brought in,
14 and all of the votes that had been cast up to the jammed
15 ballot were rescanned. For reasons that I don't think
16 anybody has been able to determine to date -- despite the
17 fact that during the audit when the discrepancy was
18 uncovered, with my participation and the Board's
19 participation, a complete copy with all data and meta data
20 of what was in our Dominion system at the time has been
21 turned over to the Secretary of State's Office. No one
22 understands why about half of the ballots were scanned and
23 ultimately counted in the initial report and about half
24 were not. We don't know the answer to that.

25 The key, I think, comes in the investigator's report

1 when it appears that the kind of reconciliation that we
2 talked about earlier today in terms of looking at gross
3 numbers of votes for each scanner and gross votes from
4 each polling location -- that kind of simple
5 reconciliation, if it had been done at the time by the
6 Chief Elections Clerk, could have at least uncovered the
7 problem, and it could have been reported to the Board, but
8 that did not happen, and I think that's a key part of the
9 investigator's summary that's before you. This Board did
10 what they were supposed to do, and when the discrepancy
11 was uncovered during the audit, they jumped in to do
12 absolutely everything necessary to ensure that this
13 discrepancy was immediately addresses, and they worked
14 night and day to complete the audit in a timely manner and
15 give good results.

16 So I don't -- I do not see anything in the record
17 before you today that indicates any violation of either
18 the Georgia code, the Elections Board rules, or the
19 Board's general duty of responsible and good faith
20 carrying out their duties as a Board, and I think it would
21 be unfair to them to refer them over at this time. Again,
22 the subsequent actions of the Board indicate a complete
23 cooperation in this process.

24 We have a new member on the Board. We have an
25 interim director who's performing incredibly well. We are

1 in the process of trying to totally restaff and redefine
2 the duties of our elections folks, revamp our Elections
3 Office. This Board is doing an incredible job at this
4 time, as our staff is as well. So I would ask you to
5 truly consider either dismissing or simply addressing the
6 Board through letter form as to this particular case
7 before you. And again, Dr. Conrad and our Interim Chief
8 Elections Clerk, Ms. Waddell, are online if you'd like to
9 ask them any questions.

10 MS. SULLIVAN: Thank you, Ms. Harman.

11 MS. THOMAS: And we also have Tamera Gromala on the
12 line. You can speak now. You can unmute yourself. You
13 can speak now.

14 MS. GROMALA: I -- I -- can you hear me?

15 MS. THOMAS: Yes.

16 MS. GROMALA: Okay. I'm not the Mayor of Gromala.
17 I'm not sure where that came from, but I am a Georgian,
18 and I just have -- I really appreciate what she said.

19 MS. SULLIVAN: I'm so sorry. Who is this that's
20 speaking?

21 MS. GROMALA: I'm sorry?

22 MS. SULLIVAN: What is your name?

23 MS. GROMALA: Tamera Gromala.

24 MS. SULLIVAN: Okay. Thank you. Go ahead.

25 MS. GROMALA: I have a question. I really thought

1 that she presented her case well. However, regardless, in
2 my opinion, it should never just be assumed that
3 everything is at the up and up because we have issues, and
4 I demand that it go further and not be dismissed.

5 MS. SULLIVAN: Okay. Thank you for your comments.
6 Is there someone else?

7 MS. THOMAS: Meredith Carter? You may speak now.

8 MS. CARTER: Yes. Yes. Can you hear me?

9 MS. THOMAS: Yes.

10 MS. SULLIVAN: Yes.

11 MS. CARTER: Okay. I'm Meredith Carter. I represent
12 Robert Brady, and I just want to quickly address Ms.
13 Harman's speech about the Board. I feel if Mr. Brady is
14 going to the AG's Office, the Board needs to come with us.
15 The -- when the Board was doing their investigation, Mr.
16 Brady was on quarantine. He never even got a chance to
17 answer any of their questions before they started throwing
18 him under the bus as the sole person responsible for the
19 ballots, and they were the ones that had told us they
20 would like a chance to talk with him but still have not
21 communicated with him to ask him exactly what had happened
22 so they could investigate what went wrong with the
23 machines and with the process, with everything and that
24 they are absolutely responsible as long as they are the
25 Board and were supposed to be overseeing the election.

1 One of their Board members just submitted an article
2 in the paper about Mr. Brady and this hearing today, and
3 in the background, they have a picture of her and another
4 Board member who were absolutely present at the polling
5 location when this was happening, so I dispute that they
6 were not around as Ms. Harman indicated. They were right
7 there with the Dominion -- the Dominion representative in
8 that picture. There's pictures of them there, as well as
9 Mr. Brady.

10 Mr. Brady denies any -- I'm sorry -- denies any
11 intent to jeopardize this election, and we would -- we
12 welcome the opportunity to go to the AG's Office along
13 with the Board, so the AG's Office can get testimony from
14 all members involved and hear exactly from Mr. Brady's
15 mouth exactly what happened. Thank you.

16 MS. THOMAS: We have one more person that raised
17 their hand to speak. Mark Swanson, you may now speak.

18 MR. SWANSON: Yes. Yes. Thank you for recognizing
19 me. I just have a couple of points I would throw in to
20 what the previous person would comment. According to the
21 bylaws of the Floyd County Board of Elections under
22 Article 4, Officers, the Chairman of the Board shall be
23 the chief executive officer of the Board and shall
24 generally supervise, direct, and control the
25 administration of the affairs of the Board pursuant to law

1 and duly adopt the resolutions of the Board. So I believe
2 that the Board has direct oversight and has been given the
3 authority to have oversight over the elections and that
4 includes any negative issues that come up. They are
5 ultimately responsible for it, and there was a comment
6 made about the -- about the elections being run well.
7 Subsequent to the general election and the runoff contest,
8 there was a discrepancy of votes submitted by Floyd County
9 of three hundred and some odd votes, and that was the
10 single largest percentage discrepancy of votes in the
11 entire state.

12 Furthermore, we've been doing some looking at the
13 records, and it appears that there are outstanding
14 violations of the ballot drop box procedures that were
15 incurred during both elections where un-oathed individuals
16 were picking up ballots. And I've also submitted a letter
17 to our county commission that I'll be happy to provide
18 this body that cites another 15 possible violations of
19 election law that have occurred during the last couple
20 elections, and so I would also recommend that the entire
21 Board be recommended over with Robert Brady.

22 MS. SULLIVAN: Mr. Swanson, any additional
23 allegations you have regarding elections in Floyd County,
24 you are welcome to -- and please do -- forward your
25 complaints to the Secretary of State's Office for

1 investigation, but they will not be a part of this file at
2 this time in this case, but thank you for your comments.

3 MR. SWANSON: Thank you.

4 MS. SULLIVAN: Okay. We have two more people that
5 would like to address the Board.

6 MS. THOMAS: First is Vicky Sutton. You may now
7 speak.

8 MS. SUTTON: Yes. My name is Vicky Sutton, and I
9 voted in Floyd County on October the 13th in person, and
10 on November the 6th, I checked my voter account, and my
11 vote was not there. So I called the Secretary of State's
12 Office, and they told me we're not showing that you voted,
13 and so I called our Elections Office, and they told me
14 that my ballot was upstairs to be counted. Okay. This
15 was on November the 6th in the morning, and I'm, like,
16 okay, and she said, well, give me your phone number, and
17 I'll call you back when we get it in. And so I did, and
18 at 3:30, I hadn't heard from them, so I called the
19 Secretary of State's Office and was instructed to go to
20 the local elections office to see what was going on
21 because there was a 5 o'clock deadline. And so -- excuse
22 me. I've been running. I'm sorry. I was out jogging
23 just a minute ago.

24 So I went into the local elections office here in
25 Floyd County, and I walked up to the desk, gave them my

1 license. They looked me up. She came back, and she said
2 -- and this was at 4:30 in the afternoon. She said your
3 ballot is upstairs to be keyed in, and I said excuse me,
4 but I voted in person on October 13th. This is November
5 the 6th. Why is my ballot just now getting keyed in? And
6 she said did you sign a white piece of paper when you
7 voted? And I said yes, ma'am, and she said, great. We'll
8 get you in, and I said by 5 o'clock? And she said yes.

9 Well, at 9 o'clock that night, it still wasn't there.
10 I contacted Brad Raffensperger --

11 MS. SULLIVAN: Ms. Sutton?

12 MS. SUTTON: Yes?

13 MS. SULLIVAN: I'm sorry to -- I'm sorry to interrupt
14 you, but the -- the -- what you're describing right now is
15 not a part of this particular case. If you have a
16 complaint that you would like to make against Floyd
17 County, please submit that as a separate complaint.

18 MS. SUTTON: Okay.

19 MS. SULLIVAN: Because these allegations are not
20 related to the cases that are before us in part with these
21 allegations --

22 MS. SUTTON: Okay. I understand -- I completely
23 understand that. I just heard her say that there was no
24 problems, you know, reported before they found the 2700
25 ballots, and that's what I was trying to tell you. I went

1 to their office and told them there was problems, and no
2 one's listening to me.

3 MS. SULLIVAN: Okay.

4 MS. SUTTON: So I understand that, and I will contact
5 whoever I need to, but that's the only reason I'm speaking
6 up is because she said that, and I went, no, wait a
7 minute. I went there and told them my ballot was missing,
8 so...

9 MS. SULLIVAN: Thank you. Thank you, Ms. Sutton.

10 MS. SUTTON: Okay.

11 MS. SULLIVAN: And please feel free -- we can open up
12 a separate case if you forward the complaint to the
13 Secretary of State's Office. Thank you.

14 MS. THOMAS: And then we have one more person. Ouida
15 Sams, you may now speak.

16 MS. SAMS: Yes. That's Ouida Sams. I was writing a
17 letter to the Board concerning my concerns about Mr. Brady
18 being so disorganized, and so they knew about Mr. Brady
19 then because several things had happened prior to that,
20 and so I have to agree that they're doing an excellent job
21 with the new Interim Chief of Elections, but they did know
22 about Mr. Brady and his disorganization and how he had
23 things not in order, and I brought that to their attention
24 on July 8th, 2020 when I sent a letter to Mr. -- to Dr.
25 Tom Rees. During that period, I was the local president

1 of the local NAACP Floyd County branch, and so they were
2 aware of the problems.

3 MS. SULLIVAN: Thank you, Ms. Sams. Thank you very
4 much.

5 MS. SAMS: Now, is there a -- is there a --

6 MS. SULLIVAN: I'm sorry? Do any Board members have
7 any questions, or are we ready to make a motion?

8 MR. MASHBURN: I don't have any questions. I'm ready
9 to make a motion, and that is regardless of anything, the
10 inescapable fact is that but for the audit and the
11 recount, 2600 hundred people's votes wouldn't have been
12 counted, and everything in the system is built into the
13 system to try and avoid that happening, and here it
14 happened. So I think that we accept -- I move that we
15 accept the recommendation of the inspectors and refer both
16 Robert Brady and the Floyd County Board of Elections to
17 the Attorney General's Office.

18 MS. SULLIVAN: I'll second that motion. Is there any
19 further discussion?

20 MS. GHAZAL: Chair Sullivan, I would just like to ask
21 as this -- assuming that this case does get referred to
22 Attorney General's Office, that there be some attention to
23 whether or not this is a training issue and an issue that
24 the Secretary of State should be addressing more
25 generally, whether or not we should be adopting further

1 rules to avoid this from happening, or whether this was
2 truly an individual problem that should not recur on the
3 basis of personal changes.

4 MS. SULLIVAN: Thank you. I agree.

5 MR. MASHBURN: And it is one of the provisions of 202
6 that is very important that's just been passed where the
7 county has to -- has to report how many votes it had cast
8 so there will be a lot of eyes able to check on how many
9 votes have cast versus how many have been counted, and
10 that's an important detail that 202 has in it.

11 MS. SULLIVAN: And we have a motion and a second.
12 All in favor, please signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MS. SULLIVAN: Any opposed? None opposed, and that
15 motion passes. The next new investigation case we have
16 today is 2020-205, Fulton County. Ms. Watson?

17 MS. WATSON: Yes. In November of 2020, we received 8
18 complaints regarding the processing of uniform and
19 overseas citizen absentee voting ballots during the Fulton
20 County 2020 general election. Out of those eight, there
21 were three that were confirmed. The first was a voter,
22 Cory Riscek [ph.] requested but did not receive an
23 absentee ballot. Voter Jessica Vaughan's [ph.] absentee
24 ballot was mailed to her address of record instead of her
25 overseas address during the general election, and voter

1 Mr. Kim's [ph.] absentee ballot was mailed to her -- Ms.
2 Kim's absentee ballot was mailed to her address of record
3 instead of her overseas address during the Fulton County
4 2020 general election. Our recommendation is for former
5 Fulton County Chief Registrar Ralph Jones and Fulton
6 County Registration and Elections Division be bound over
7 to the Attorney General's Office for a violation of 21-2-
8 381(a)(2), 21-2-73, preservation of primary and election
9 records, when the Elections Office was unable to find a
10 2020 general election application for absentee ballot for
11 voter Jessican Vaughan, and SEB rule 183-1-14-.11, when
12 the Elections Office failed to issue an absentee ballot to
13 voter Ms. Kim at her requested overseas address.

14 MS. THOMAS: We have David Lowman and Shamira
15 Marshall from Fulton County on the line.

16 MS. SULLIVAN: Go ahead, Mr. Lowman.

17 MR. LOWMAN: Good afternoon. Good afternoon. With
18 respect to the way that absentee ballots are processed in
19 Fulton County, the department has been reorganized and new
20 positions have been created so the process is different,
21 will be different going forward. So with respect to the
22 three remaining allegations, I would ask that a letter of
23 instruction be issued, and if the Board has any specific
24 questions, Ms. Marshall is online to answer any of those.
25 Thanks.

1 MS. SULLIVAN: Thank you. Do any of the Board
2 members have any questions?

3 MR. MASHBURN: No questions, Matt Mashburn. I --

4 MS. GHAZAL: This is Sara Ghazal.

5 MR. MASHBURN: -- make a motion that we accept the
6 recommendation. I'm sorry.

7 MS. GHAZAL: I'm sorry. I just had a very quick
8 question.

9 MR. MASHBURN: Sara, I'm sorry. I'm sorry, Sara.

10 MS. GHAZAL: That's okay. It's okay, part of the
11 problem with doing these remotely. I -- my question is
12 whether or not any of these voters were advised to do an
13 emergency write-in ballot which is the -- a less optimal
14 but at least a -- a solution that UOCAVA voters uniquely
15 have to avoid being disenfranchised. Was that option made
16 available to these voters?

17 MR. LOWMAN: This is Mr. Lowman. It's my
18 understanding that the second allegation that that was
19 what happened and was completed in this case.

20 MS. GHAZAL: I'm glad to hear that, and I hope that
21 that is a -- a practice that will be pursued. Hopefully,
22 we won't see cases like this moving forward, but on the
23 other hand, this needs to be standard practice that they
24 are offered to all voters who -- because overseas voters,
25 I have been one myself, and I understand the challenges,

1 and this option needs to be publicized for folks who don't
2 get their ballots.

3 MS. SULLIVAN: Thank you, Ms. Ghazal. Any further
4 questions? I believe, Mr. Mashburn, you were going to
5 make a motion.

6 MR. MASHBURN: I was going to make a motion that we
7 accept the recommendation of the investigators and refer
8 it to the Attorney General.

9 MS. SULLIVAN: We have a motion. I'll second that.
10 Is there any further discussion? All in favor, please say
11 aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: And there's none opposed. That motion
14 passes. The last thing on our agenda today is the
15 Attorney General's report. At this point, I'll recognize
16 the Attorney General's Office to do that, their report.
17 Ms. Charlene McGowan, please go ahead.

18 MS. MCGOWAN: Thank you, Madam Chair, and good
19 afternoon, Board members. For the Attorney General's
20 report for this meeting, I'm presenting a number of
21 consent orders as well as two orders of dismissal for the
22 cases that are laid out in the agenda. I'm happy to
23 answer any questions that any of the Board members may
24 have about individual cases, but it is our Office's
25 recommendation that these consent orders and orders of

1 dismissal be approved by the Board.

2 MS. SULLIVAN: Thank you, Ms. McGowan.

3 MR. MASHBURN: Unless any Board member has a
4 question, I move that they be accepted in bulk.

5 MS. GHAZAL: I second.

6 MS. SULLIVAN: We have a motion. Do we have -- we
7 have a motion and a second. Is there any further
8 discussion? All in favor, please signify by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MS. SULLIVAN: And there are none opposed, and that
11 motion passes. That concludes our agenda today. I will
12 entertain a motion to adjourn at this time.

13 MR. MASHBURN: Move to dismiss -- move to adjourn.
14 Sorry.

15 MS. LE: Second.

16 MS. SULLIVAN: We have a motion and a second, and all
17 in favor, please signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: And the meeting is adjourned. Thank
20 you all for attending.

21 (Meeting adjourned 1:45 P.M.)

CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 157 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 15th day of September, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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In The Matter Of:
STATE ELECTION BOARD HEARING

September 21, 2021

*Steven Ray Green Court Reporting LLC
1579 Monroe Drive, NE
Suite F, Number 614
Atlanta, Georgia 30324
404-733-6070*

THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

September 21st, 2021
9:00 A.M.

PRESIDING OFFICER: REBECCA SULLIVAN
VICE CHAIR, STATE ELECTION BOARD

STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR

Atlanta, Georgia

APPEARANCE OF THE PANEL

Rebecca Sullivan, vice chair

Anh Le

Matthew Mashburn

Sara Tindall Ghazal

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Frances Watson

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

(???) - Audio feed unclear

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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1 P R O C E E D I N G S

2 MS. SULLIVAN: I believe Ms. Le is on the call.
3 Please speak, Ms. Le.

4 MS. LE: Good morning, this is Anh Le. Can you hear
5 me okay?

6 MS. SULLIVAN: The first -- we're having a bit of
7 technical difficulties. For purposes of the record, I'm
8 going to take roll one more time. Ms. Ghazal?

9 MS. GHAZAL: Here.

10 MS. SULLIVAN: Mr. Mashburn?

11 MR. MASHBURN: Present.

12 MS. SULLIVAN: Ms. Le?

13 MS. LE: Here.

14 MS. SULLIVAN: Thank you. The first item for action
15 by the Board is approval of the Board meeting minutes.
16 There is -- you all have those Board meeting minutes that
17 have been provided to you that say August 18th, 2021 Board
18 Meeting and Hearing. We did realize that there is a typo
19 that should be corrected on the second page. It should
20 read that the motion passes unanimously with a vote of 4
21 to 0 instead of 0 to 4. Those numbers are reversed, so at
22 this time, I'll take a motion to approve the minutes with
23 that change to the minutes.

24 MS. GHAZAL: So move.

25 MS. SULLIVAN: Ms. Ghazal has made a motion. Do we

1 have a second?

2 MR. MASHBURN: Second.

3 MS. SULLIVAN: We have a motion and a second. Is
4 there any further discussion or any further changes to the
5 minutes? If not, all in favor of approving the minutes
6 with the typo corrected, please signify by saying aye.

7 THE BOARD MEMBERS: Aye.

8 MS. SULLIVAN: Any opposed? There are none opposed,
9 and that motion passes. The next section on our agenda is
10 public comment on proposed rules. We would ask that each
11 of you limit your -- who have signed up for public comment
12 -- you will be called on. We ask that you limit your
13 comments to two minutes per person, and they should be
14 limited to the posted proposed rules.

15 MR. NORTHEN: First up for public comment is Jeanne
16 Dufort on rule 183-1-12-.08 and several others.

17 MS. SULLIVAN: Ms. Dufort, you may go ahead. Has Ms.
18 Dufort been unmuted? You should be able to speak, Ms.
19 Dufort.

20 MS. DUFORT: Sorry. Thank you. Good morning. My
21 name is Jeanne Dufort. I'm a Morgan County voter and a
22 member of the Coalition for Good Governance. The election
23 cycle of 2020 offered many lessons. To me, the biggest
24 question facing the State Election Board is this: how can
25 the conduct of Georgia elections be improved to build

1 voter confidence? Nearly eighty percent of one party's
2 voters do not believe that Joe Biden won Georgia fair and
3 square. That's a problem for all of us, but especially
4 for you.

5 When you proposed changes to rule 183-1-12-.08, logic
6 and accuracy testing, why not strengthen the effectiveness
7 of L&A by requiring every combination on every ballot
8 style to be tested on every machine as we did on the old
9 system? It will take time, but L&A is merely election
10 theater with its current shortcuts. When you proposed
11 changes for rule 183-1-12-.12, tabulating results, why
12 wait up to 30 days before reconciling ballots cast with
13 voters receiving credit? Shouldn't this be done prior to
14 certification? The hand count audit revealed that our
15 counties lack robust canvassing procedures that ensure
16 every vote is included and certified results every time.
17 Reconciling the number of voters and ballots cast should
18 be done before certification or there will be no recourse
19 if and when discrepancies are found.

20 And what about your Snapchat solution for online
21 ballot applications? Rule 183-1-14-.12, eligibility of
22 application for absentee ballots, says confidential voter
23 information entered into these web-based solution tools or
24 applications shall not be stored. Georgia is already
25 among the worst states for identity theft and substituted

1 PII for signature is a terrible idea, but a ballot
2 application with no validating trail to audit is worse.
3 Remember when the GBI was able to audit Cobb's signatures.
4 Election administrators across the state are counting on
5 you to make rules that build not erode voter confidence.
6 Thank you.

7 MS. SULLIVAN: Thank you, Ms. Dufort.

8 MR. NORTHEN: The next speaker is Liz Throop, and
9 that was two minutes exactly. Liz will be unmuted
10 momentarily.

11 MS. SULLIVAN: You may go ahead.

12 MS. THROOP: Thank you. I'm Liz Throop, a member of
13 Coalition for Good Governance, and I live in DeKalb
14 County. Thank you for your proposed clarifications of
15 183-1-12-.08. Logic and accuracy testing is vital to
16 running accurate voting. Members of the public should be
17 able to see for themselves the great lengths that workers
18 go to to run smooth elections. The rule allows the public
19 to be present during equipment testing, but we need enough
20 access to make meaningful observations about whether
21 important procedures are being followed.

22 In one county, when I tried to observe LAT, I was
23 kept behind a barrier more than twenty feet away from any
24 equipment and was too far away to see if printed ballots
25 could be read by the scanners. In another county, I could

1 only observe ballot-marking devices from the end of a long
2 hallway. Some of the testing was happening more than 50
3 feet away. Current proposed language that the counties
4 shall not prevent members of the public from thoroughly
5 observing testing could be strengthened. Please say that
6 the superintendent shall ensure that members of the public
7 should have visual access adequate to verify that machine
8 inputs and outputs are accurate and that they should be
9 able to detect discrepancies in the testing results.

10 I understand the fears about people disrupting
11 equipment testing. The proposed language for 183-12-.08
12 already states that members of the public shall not
13 interfere, can be asked to leave, and can be cited for
14 interference. Election workers must be protected, and
15 observers who are there for legitimate oversight should be
16 given proper access. Thank you.

17 MS. SULLIVAN: Thank you, Ms. Throop.

18 MR. NORTHEN: The next speaker is Sandra Burchardt on
19 183-1-12-.11. Sandra will be able to speak in just one
20 moment.

21 MS. SULLIVAN: You may go ahead.

22 MR. NORTHEN: She has not unmuted.

23 MS. SULLIVAN: You can unmute yourself, Ms.
24 Burchardt.

25 MS. BURCHARDT: Thank you for the time to speak. My

1 name is Sandra Burchardt. As a law-abiding legitimate
2 voter in Fulton County, I could not be more disappointed
3 and concerned by the conduct of the Fulton County
4 Commissioners. First, they negated the justified firing
5 of Richard Barron by the Fulton Election Board and rehired
6 him. Then, [sound cuts out] Chairman Pence validated the
7 justification for Kathy Lollard through as Chairman of the
8 Fulton Election Board. The entire --

9 MS. SULLIVAN: Ma'am, do you have any comments
10 regarding any of the proposed rules?

11 MS. BURCHARDT: This is --

12 MS. SULLIVAN: At this time -- at this time, we are
13 receiving public comment regarding the rules that have
14 been posted for public comment. If you have any comments
15 regarding the proposed rules, please go ahead.

16 MS. BURCHARDT: It's concerning the conduct of the
17 elections.

18 MS. SULLIVAN: I'm sorry. This public comment period
19 is reserved to comments on the proposed rules. We'll move
20 on to the next speaker. Thank you.

21 MR. NORTHEN: Next speaker is Victoria Salvia.
22 Victoria is allowed to speak now and may unmute herself.

23 MS. SULLIVAN: You may go ahead. You should be able
24 to unmute yourself.

25 MS. SALVIA: Hello. Okay. Great. Hi. My name is

1 Victoria Salvia, and I am a resident of Fulton County. I
2 am speaking on the proposed rule of conducting elections,
3 and basically, for the real elephant in the room, this
4 election process as it stands is incredibly antiquated and
5 unnecessarily complicated. There's no doubt in my mind
6 that the technology exists for an efficient, streamlined,
7 and fair election process.

8 To put it simply and briefly, each election can begin
9 to use smart contracts utilizing block chain technology
10 with each registered voter having his or her individual QR
11 code. The results would be recorded, trackable, and not
12 able to be duplicated. Each person would be able to
13 submit their vote in person or online. There would be no
14 room for -- there would be no room for confusion and
15 discrepancies and inefficiencies that exist today. More
16 details to come on future calls. Thank you for your time.

17 MS. SULLIVAN: Thank you.

18 MR. NORTHEN: Thank you. Next speaker is Susan
19 McWethy. Susan, you should be able to unmute yourself.

20 MS. MCWETHY: Hello? Good morning.

21 MS. SULLIVAN: Yes. You may go ahead. We can hear
22 you.

23 MS. MCWETHY: Thank you. I'm speaking as a poll
24 worker today about my concerns for the rules for
25 provisional voting. Among the many jobs I've performed at

1 the polls, provisional clerk is one that I found
2 particularly important in enabling everyone a chance to
3 cast a ballot. We were never allowed to turn a voter
4 away. SB 202 has severely complicated provisional voting.
5 It restricts in-county out of precinct voters to the last
6 two hours of the voting day or 5 o'clock P.M. to closing.
7 In my experience, voters arrive all day long from various
8 precincts within the county and for multiple valid
9 reasons. Many people need to vote close to where they
10 work. Precincts can change at the last minute, so voters
11 turn up at the wrong place through no fault of their own.
12 Voters with limited transportation lack flexibility to get
13 to their assigned polling places.

14 In addition to the 5 o'clock P.M. or later rule,
15 the new law forces voters who need provisional ballots
16 earlier in the day to complete sworn statements wit --
17 excuse me -- witnessed by a poll official stating that
18 they are unable to vote at their correct polling place and
19 give a reason, as well as completing an official voter
20 registration form and a provisional ballot voting
21 certificate that requires information about the place,
22 manner, and approximate date on which the person
23 registered to vote. I don't know about most of you, but I
24 couldn't tell you any details about my registering to vote
25 after moving to Georgia almost 30 years ago. I certainly

1 don't remember where I did it or the manner in which I did
2 it. These unnecessary hoops that provisional voters must
3 jump through are nothing less than a very devious form of
4 voter suppression. Provisional ballots should be
5 available in county -- to in-county out of precinct voters
6 all day long, and those voters shouldn't have to provide
7 superfluous details.

8 MS. SULLIVAN: Ma'am, your two minutes have elapsed,
9 if you would wrap up.

10 MS. MCWETHY: Okay. I understand that this is now
11 the law, but I would like the State Election Board members
12 and the public to be fully aware of the absurd burdens
13 that this law places on voters. Terrible --

14 MS. SULLIVAN: Thank you.

15 MS. MCWETHY: -- it needs to be abolished. Thank
16 you.

17 MR. NORTHEN: Thank you. The next speaker is Scotty
18 Crow. Scotty, you should be able to unmute yourself.

19 MS. SULLIVAN: Please go ahead.

20 MR. CROW: Hi. Good morning, y'all. My name is
21 Scotty Crow. Thank you for the time. I'm a voter from
22 Fulton County. I just want to start by thanking you all
23 on the State Election Board for drafting these proposed
24 rules to give guidance to our counties for essential
25 components of voting such as ballot processing,

1 provisional ballots, and absentee ballot applications. As
2 a voter, however, I have to say that I feel some confusion
3 over many changes in process from SB 202 and how the
4 changes are going to affect upcoming ways that voting is
5 facilitated and managed across the state, and so I just
6 want to urge you all to make a concerted and full effort
7 to provide thorough information, support, and direction
8 for election administrations throughout the state so that
9 we can retain the trust in the system that led to the
10 record turnout we saw in this past year's election. Part
11 of that election -- part of that trust is the relationship
12 that I and other voters across the state have in our local
13 county BOEs, and I ask you to continue to support our
14 counties and the great work they're doing to support
15 voters.

16 As a previous resident of Glenn, Bleckley, and now
17 Fulton County, I really have carried this trust in my
18 county BOE through different elections and urge this
19 continued support to the counties across the state.
20 Lastly, I'll just say that I believe that the goal of
21 today's work should be to expand and continue to make our
22 elections as accessible as possible to all eligible
23 voters. One example of a clarification that I think is
24 needed from today is a timeline and framework for
25 notifying voters of ballot defects or rejected ballots, so

1 thank you for the time. I urge you all today to make our
2 elections carry a sense of access to folks at every level
3 of the process across the state. Thank you.

4 MS. SULLIVAN: Thank you, Mr. Crow.

5 MR. NORTHEN: Next speaker is George Balbona. You
6 should be able to unmute yourself there.

7 MR. BALBONA: George Balbona, Cobb County. I'm going
8 to speak about storage and L&A testing. On March 30th,
9 2021, I witnessed boxes of election records under seal
10 unlawfully delivered to the Cobb BRE without the approval
11 or even the knowledge of the Cobb County Superior Court.
12 Janine Eveler explained, quote, the boxes are housed in
13 our warehouse but are under the control of the court. My
14 staff member called the warehouse and asked for them to be
15 brought to West Park. They will be returned, and everyone
16 has been informed that we do not have jurisdiction of
17 those boxes, unquote.

18 The mere fact that a county BRE employee can order
19 like a pizza election records which should be under the
20 control of the superior court is utterly unacceptable.
21 Under the current conditions, the proposal to keep
22 security sealed numbers away from the public is untenable.
23 Georgia currently hides election records under seal with
24 county superior courts. While I appreciate election
25 records being retained for 24 months, the fact that only

1 people with financial wherewithal to conduct a lawsuit
2 will even be given the opportunity to seek a superior
3 judge's approval to view election records whose sole
4 purpose is transparency and accountability is truly
5 shameful.

6 L&A testing must be required after any changes are
7 made to voting equipment, especially when equipment leaves
8 the chain of custody of a county election department.

9 Janine Eveler stated that someone took 200 poll pads off
10 site to update their voter list files the Sunday prior to
11 the June 9th, 2020 primary election, yet Janine has no
12 documentation of this. Supposedly, the first duty of the
13 SEB is to obtain uniformity in the practices and
14 proceedings of superintendents and county election
15 officials. Nevertheless, the SEB allows some Georgia
16 counties to utilize Easy Vote software and others to go
17 without. While Easy Vote CEO Ron Davis would like for us
18 all to believe that Easy Vote software is not used for
19 voting, clearly, he's --

20 MS. SULLIVAN: Thank you, Mr. Balbona. Your time has
21 elapsed. Thank you.

22 MR. BALBONA: -- Easy Vote are utilized -- no.
23 Actually, I have a full two minutes -- 159 Georgia
24 counties should either utilize the same Easy Vote software
25 or none at all, and if any Easy Vote software is to be

1 used in Georgia, it must be certified and have L&A testing
2 conducted.

3 MS. SULLIVAN: Thank you, Mr. Balbona.

4 MR. NORTHEN: Next speaker is Doctor Janice Johnston.

5 DR. JOHNSTON: Thank you for the opportunity to
6 speak. The duty of the State Election Board is to, quote,
7 take action consistent with law to be conducive to the
8 fair, legal, and orderly conduct of primaries and
9 elections. Last month, this Board took the important
10 first step by acting to form a performance review board of
11 Fulton County Registration and Elections. For the past 8
12 years, Richard Barron has been the director conducting
13 these elections. His performance --

14 MS. SULLIVAN: Dr. Johnston, do you have any comments
15 regarding the proposed rules?

16 DR. JOHNSTON: Yes. This is about conducting
17 elections and Richard Barron's poor performance. He meets
18 the criteria --

19 MR. MASHBURN: What -- what rule is that, please?

20 DR. JOHNSTON: It is --

21 MR. MASHBURN: What rule is that, so I can follow
22 along, please?

23 DR. JOHNSTON: 183-1-12-.11.

24 MS. SULLIVAN: If you would please keep your comments
25 to the proposed rule.

1 DR. JOHNSTON: Georgia code states that --

2 MS. SULLIVAN: Just about the proposed rule.

3 DR. JOHNSTON: The proposed rule 183-1-12-.11,
4 Georgia code states that the Chair of State Board of
5 Elections must be nonpartisan. It's only fair that the
6 same should be true for the Chair of Fulton County
7 Election Board. Kathy Willard's appointment is a conflict
8 of interest which is too great. Willard's bias is too
9 blatant. Fulton County residents will consider every vote
10 as partisan and suspect. Kathy Willard meets the criteria
11 for disqualification --

12 MS. SULLIVAN: Ma'am, thank you for your comments.
13 These are not related to the proposed rules. We'll move
14 on to the next person who's signed up for public comment
15 regarding one of the proposed rules.

16 MR. NORTHEN: Next speaker is Helen Butler. Helen,
17 you should be able to unmute yourself.

18 MS. BUTLER: Good morning, and I'm speaking on rule
19 183-1-14-.12. The State of Georgia requires third parties
20 to use the same absentee ballot application form provided
21 by the Secretary of State. Therefore, to require a
22 disclaimer that it is not an official government
23 application -- publication is misleading. These absentee
24 ballot applications are accepted by county election
25 officials because they are official county government

1 publications, so this claim -- disclaimer is likely to
2 discourage voters and -- because they may feel they are
3 not going to receive a correct ballot. If you would like
4 to have a disclaimer, maybe it should read it was sent by
5 or provided by a third party instead of saying it is not
6 an official government publications. And perhaps it would
7 be also good to promulgate a rule that the rules for
8 publishing these applications be on the Secretary of State
9 and the county's website so that third parties will know
10 the requirements. Thank you so much.

11 MS. SULLIVAN: Thank you.

12 MR. NORTHEN: Thank you. The next speaker is Saira
13 Draper. You should be able to speak or unmute yourself.

14 MS. SULLIVAN: Please go ahead.

15 MS. DRAPER: Yes, hello. Can you hear me?

16 MS. SULLIVAN: Yes.

17 MS. DRAPER: Okay. Hi. Good morning. My name is
18 Saira Draper, and I'm the Voter Protection Director at the
19 Democratic Party of Georgia. My comment is regarding
20 proposed rule 183-1-12-.18 on provisional ballots. In my
21 job, I spend a lot of time explaining SB 202 to voters,
22 and by far, the new rule regarding out of precinct
23 provisional ballots is one of the most complex to explain,
24 and it's one of the most difficult ones for voters to
25 understand, and to be clear, the DPG was adamantly opposed

1 to the rule while SB 202 was being drafted. However, now
2 that it is law, we want to ensure that voters are not
3 disenfranchised simply because they do not understand
4 these complex changes or because poll workers don't
5 understand these complex changes and inadvertently give
6 bad advice.

7 So to that end, we have a low tech, common sense
8 solution that we propose. If a voter is told that they
9 are not in the correct precinct, we propose that a poll
10 worker provide a letter to the voter explaining what would
11 happen to the voter if they were to vote a provisional
12 ballot, and in this way, the voters have the information
13 they need to make an educated decision and then poll
14 workers are always providing accurate information. I have
15 provided the Board with an example of such a letter that
16 could be provided to voters. I hope that you will
17 consider adopting it and incorporating this change into
18 183-1-12-.18. Thank you very much.

19 MS. SULLIVAN: Thank you for your comments.

20 MR. NORTEN: Next speaker is Aileen Nakamura.

21 MS. NAKAMURA: Good morning. My name is Aileen
22 Nakamura. I'm a voter from Fulton County and a member of
23 the Coalition for Good Governance. On June 15th and July
24 13th this year, I observed tabulation procedures for a
25 special election and runoff in Cobb County. For both

1 elections, absentee ballot scanning and tabulation
2 occurred on Election Day starting at 5 P.M. When I
3 arrived, I had to surrender my phone at the check-in desk
4 before I was allowed in, and no laptops were allowed. We
5 were sequestered in the tabulation room until the polls
6 closed at 7 P.M. These procedures are vital in ensuring
7 that election observers and others involved in the
8 tabulation process such as poll workers, partisan ballot
9 duplication team members, partisan vote review panel
10 members, and partisan tabulation monitors do not have any
11 means of communicating to the outside world any
12 information pertaining to election results that they may
13 have gleaned from handling ballots, scanning them, and
14 other tabulation activities.

15 I'd like to remind you that prior to the pandemic,
16 absentee ballots were not scanned until early on Election
17 Day and only with these kinds of sequestration procedures
18 in place. COVID prompted the number of absentee ballots
19 to balloon, and because the public and media clamor for
20 election results immediately, the Secretary of State
21 decided to allow early absentee ballot scanning without
22 these types of important security measures in place. So
23 now that SB 202 has codified the early scanning of
24 absentee ballots starting two weeks before Election Day,
25 how will you guarantee that information about vote trends

1 will not get out? Poll workers, ballot duplication team
2 members, vote review panel members, and observers
3 certainly cannot be sequestered for two weeks, and phones
4 and laptops will be available every time they walk out of
5 the tabulation room. For Georgia to have truly fair and
6 secure elections, I believe the SEB must promulgate rules
7 that will prohibit early scanning unless sequ -- I'm
8 sorry, sequestration of those involved is possible for the
9 duration of the scanning. Otherwise, counties should not
10 be scanning or tabulation absentee ballots until Election
11 Day. Thank you.

12 MS. SULLIVAN: Thank you, Ms. Nakamura.

13 MR. NORTHEN: The next speaker is Traci George.
14 Traci, you should be able to unmute yourself.

15 MS. GEORGE: Yes, good morning. My name is Traci
16 George, and I reside in Augusta, Georgia, Richmond County.
17 I would like to thank the SEB for drafting proposed rules
18 that seek to provide guidance to counties on important
19 issues such as ballot processing, provisional ballots, and
20 absentee ballot applications. I would love to see more
21 work to clarify these proposed rules, especially after SB
22 202 has changed many election processes. I hope that you
23 guys will do the job to provide support and direction for
24 local elections administration. For instance, the SEB
25 should work to make sure elections are as accessible as

1 possible through actions like creating rules on timelines
2 for notifying voters of ballot defects. The SEB must
3 focus on supporting Georgia counties and Georgia voters,
4 not on subverting the will of the people by oversee --
5 overseeing any takeover of any county board of elections.
6 Thank you, guys. Good morning.

7 MS. SULLIVAN: Thank you.

8 MR. NORTEN: The next speaker is Marilyn Marks.

9 MS. MARKS: Good morning. Thank you, Election Board
10 members. I'm Marilyn Marks, Executive Director of
11 Coalition for Good Governance. We trust you received our
12 comments yesterday on the early scanning of ballots and
13 L&A testing. Regarding the early scanning, the proposed
14 rule like the underlying law makes compliance by the
15 counties impossible. The act of scanning is also the act
16 of tabulating. They cannot be separated as the proposed
17 rule commands. Additionally, the practice of early
18 scanning invites election manipulation by numerous people
19 including partisan-appointed monitors and officials who
20 can see the voting trends as ballots are being opened and
21 scanned. That valuable information is just too easily
22 disclosed to interested parties. I've served as an
23 election worker in a small jurisdiction and was pressured
24 by candidates to disclose what I had observed in early
25 scanning. The same thing will happen in Georgia, and

1 election workers and election monitors will be pressured
2 by campaigns for that valuable early information.

3 Further, SB 202 permits this early scanning but
4 without even an adequate provision in the law or rules
5 that would prevent disclosure of the trends observed by
6 the monitor or worker or press. The only prohibition is a
7 disclosure -- upon disclosure relates to the actual
8 results but not the early trends, so without clear
9 prohibitions, why wouldn't the press report on the trends
10 they observed as ballots are being scanned in the days and
11 weeks prior to Election Day?

12 The ban on tabulation prior to Election Day is
13 inconsistent with the permission to scan ballots two weeks
14 before Election Day. This conflict must be resolved by
15 the General Assembly before the Board promulgates this
16 rule to permit early scanning which conflicts with the ban
17 on pre-Election Day tabulation. Scanning is tabulation.
18 We urge the Board to discourage counties from early
19 scanning until such time as the General Assembly crafts
20 new legislation to address the impossible conflict and bad
21 public policy underlying the early scanning concept.

22 Thank you.

23 MS. SULLIVAN: Thank you, Ms. Marks.

24 MR. NORTEN: The next speaker is Lauren Waits.

25 MS. WAITS: Good morning. Can you hear me?

1 MS. SULLIVAN: We can. Yes.

2 MS. WAITS: All right. I really appreciate this
3 opportunity for public comment. I'm speaking to request
4 more clarification of the timelines and the standards to
5 address voter errors in the new rule. I've lived in
6 Fulton County for 22 years. Before that, I spent 10 years
7 living in DeKalb County. I have voted in every election
8 that has taken place in those places, and my experience
9 has been -- for the most part been very, very good. I
10 appreciate the hard work of the staff in every season. I
11 also thank the hard work that's gone into drafting the new
12 rules. I have voted in person. I have voted early. I
13 have voted same day, absentee, and by mail. My two
14 children both registered as soon as they turned 18. I
15 have also assisted my 84-year-old father with his mail-in
16 ballots.

17 My concern is that the rules currently are not clear
18 enough to address voter errors in the application and on
19 ballots. I think it's really important that we have
20 standard timelines across the counties, turnaround times
21 for resolving and addressing those errors with all of
22 these important new rules. There would be no need for a
23 takeover. We can do things just fine in Fulton County.
24 Thank you very much.

25 MS. SULLIVAN: Thank you.

1 MR. NORTHEN: The next speaker is Patty Nathan.

2 MS. SULLIVAN: You may go ahead. Ms. Nathan, you
3 should be able to unmute yourself.

4 MS. NATHAN: Can you hear me now?

5 MS. SULLIVAN: We can.

6 MS. NATHAN: Okay. I'm a Fulton County resident, and
7 I'm just -- I'm talking about the county board takeover.
8 The nation is watching. The State of Georgia --

9 MS. SULLIVAN: Ma'am, -- ma'am. This period of
10 public comment is limited to the proposed rules for public
11 comment.

12 MS. NATHAN: Okay. Thank you. Sorry.

13 MS. SULLIVAN: Thank you.

14 MR. NORTHEN: Next speaker is Debra Thompson.

15 MS. THOMPSON: Yes, thank you. The guidelines as I
16 see it are mostly 65 pages of waste, that voters will be
17 denied their right to vote. What about guidelines for
18 notifying voters of ballot defects in a timely manner or
19 new guidelines for a faster turnaround for getting
20 absentee ballots in the hands of voters? We can't pretend
21 that an absentee ballot request can be received 11 days
22 before an election, processed, mailed back, received by a
23 voter, completed, and returned by mail in time to be
24 counted. Speaking from personal experience, it has taken
25 over a month for me to receive an absentee ballot in the

1 past. I have exercised my right to vote in every major
2 election for the last 48 years. 43 of those have been
3 here in Georgia.

4 Millions of voters like myself have been unhappy with
5 the outcome of many elections, but we have accepted
6 results and moved on. Never have the results been
7 questioned or flat out denied, and there has never been
8 seen a need to overhaul the process.

9 MS. SULLIVAN: Ma'am, do you have any comments
10 regarding the proposed rules?

11 MS. THOMPSON: This is about the rules, and why the
12 rules are needed in the first place. It seems that we see
13 that these guidelines are offered to fix something that
14 isn't broken. It is really an attempt to take over the
15 Fulton County Election Board, a blatant attempt by
16 Republicans to squash --

17 MS. SULLIVAN: Thank you for your comments.

18 MS. THOMPSON: At every turn, the --

19 MS. SULLIVAN: Thank you for your comment.

20 MR. NORTHEN: The next speaker is Laura Walker.

21 MS. WALKER: Yes, hello. My name is Laura Walker,
22 and I'm a voter in Muscogee County. I'm also a very
23 involved elections -- local elections office volunteer in
24 normal election times and during the recounts and the
25 audits, and so I'm here today just to encourage you to

1 make -- let these elections offices and these local
2 workers feel as supported and as informed as they possibly
3 can be. They are the ones doing the heavy lifting here
4 during our elections, and with the changes and with SB 202
5 becoming law, they deserve all of your work to make sure
6 that they have clear, you know, clear information about
7 these changes -- excuse me -- so that they can conduct the
8 elections competently. I want to thank you for keeping
9 accessibility of voting at the top of mind.

10 And as I close, I want to encourage you also to
11 remember that some parts of our country look at Georgia
12 and think that we have a high level of integrity in our
13 Secretary of State's Office and our State Election Board,
14 and that's an important thing. So when you're creating --
15 when you're at this meeting today and you're addressing
16 each of these specific rules and how you can communicate
17 them better or find the instructions better for your
18 elections offices, keep in mind that your family is
19 looking at you, and they know your integrity. Your state
20 citizens and your legislators expect full integrity, and
21 the country also looks to Georgia to have elections rules
22 and elections officials that promote integrity. Thank
23 you.

24 MR. NORTEN: Thank you. The next speaker is Robert
25 Fredrick.

1 MR. FREDRICK: Hi, my name is Robert Fredrick. Can
2 you hear me?

3 MS. SULLIVAN: Yes, we can.

4 MR. FREDRICK: Yes. I'm a voter from DeKalb County,
5 and I'd like to thank the SEB for drafting proposed rules
6 that seek to provide guidance to counties on important
7 issues such as ballot processing, provisional ballots, and
8 absentee ballot applications. However, more work is
9 needed to clarify these proposed rules, especially after
10 SB 202 changed many election processes. I hope that the
11 SEB will do its job to provide support and direction for
12 local elections administration. Further, the SEB must
13 focus on supporting Georgia counties and Georgia voters,
14 not subverting the will of the people by overtak --
15 overseeing takeover of the Fulton County Board of
16 Elections. It is important to not politicize the voting
17 process, especially any actions from SEB that might
18 diminish the county election boards. Thank you.

19 MR. NORTHEN: The next speaker is Angie Thomas.

20 MS. THOMAS: Morning. Can you hear me?

21 MS. SULLIVAN: We can.

22 MS. THOMAS: Yes. Thank you so much for all of the
23 work that you've done already with, obviously, the ballot
24 processing, the provisional ballots, absentee ballots.
25 I'm talking as a private citizen, and also, I've been a

1 volunteer for the elections. In fact, I participated in
2 the recounts, and so any rules or things, it seems like
3 geez, we're going to just keep counting until we can find
4 something wrong to -- another viewer's point was about --
5 was about that. People think sometimes Georgia is idiots
6 [sic] because we keep doing all these different things.
7 Thank you for the things that you do to help to make it
8 easier, the rules. It's going to be so important how
9 those rules are communicated, and especially looking along
10 with the absentee voting and all the changes with SB 202
11 there and to make sure that indeed they are short and
12 clear, that those rules are short and clear, and help to
13 make it easier and more fairly and, of course, legally,
14 the right -- right to vote.

15 With all the pressure that you all get from national,
16 please pay attention to these local elections and the will
17 of all of us, all of us Georgia voters, and not the will
18 of the Fulton County Board of Elections. Please do
19 everything to not get things turned over there and to
20 indeed go by our votes. Thank you so much for your time.

21 MR. NORTHEN: Next speaker is Alyssa Specht. You
22 should be able to unmute yourself.

23 MS. SPECHT: Yes, good morning. My name is Alyssa
24 Gonzalez Specht. I'm the Election Integrity Counsel at
25 the Republican National Committee. The RNC submitted a

1 comment with respect to the notices of the proposed rule
2 amendments. The RNC supports the proposed rules by the
3 Georgia State Election Board with a few exceptions. The
4 proposed rules amendments to the rule 183-1-14-.12,
5 eligibility of application for absentee ballots, creates
6 safeguards and requirements for those applying to -- for
7 absentee ballots.

8 However, section 2 of the AB application rule allows
9 for voters to request an absentee ballot via web-based
10 tool or application. The RNC has concerns regarding this
11 amendment to the rule because it fails to state that the
12 identifying information in section 1 is required to
13 request an absentee ballot using the web-based tool or
14 application. To avoid any uncertainty, we encourage the
15 SEB to add the identifying language from section 1 or
16 otherwise make it clear that those fields in section 1
17 apply to the online application process. Additionally,
18 the rules should be amended further to require or specify
19 that the only web-based tool or application that will
20 accept absentee ballot applications will be provided by
21 the Secretary of State. The SEB -- there -- therefore, as
22 I stated in my comment, you will see that it should
23 specify that only web-based tools or applications provided
24 by the Secretary of State will allow otherwise voters to
25 request an absentee ballot, et cetera.

1 The SEB has a critical role under Georgia law to
2 ensure elections are conducted uniformly, accurately,
3 efficiently, and transparently. These proposed rules
4 amendments, new rules, and enactment of S -- SB 202 help
5 restore this confidence in Georgia elections
6 administration process. We urge you to consider our
7 suggested modifications regarding the web-based tool
8 application processes and support the rest of the proposed
9 rulemaking. Thank you.

10 MS. SULLIVAN: Thank you.

11 MR. NORTHERN: The next speaker is Caroline Stover.

12 MS. SULLIVAN: Ms. Stover, you may go ahead. You
13 should be able to unmute yourself.

14 MS. STOVER: Okay. I'm unmuted, and good morning. I
15 actually want to be very brief because I really just want
16 to second a lot of the things that have already been said
17 by my fellow voters. I'm a voter and resident of DeKalb
18 County. I'm thanking the SEB for drafting these rules to
19 provide guidance, but I'm very concerned, as others voters
20 seem to be, about the rules on timelines for notifying
21 voters if there's a problem with their ballots. Please,
22 I'm imploring the SEB to work on that. Also, to focus on
23 supporting the Georgia counties and Georgia voters and by
24 not subverting the will of the voters by overseeing
25 takeovers of county boards of elections, so that's all,

1 and I thank you very much for this time for public
2 comments.

3 MS. SULLIVAN: Thank you.

4 MR. NORTHEN: The next speaker is Alan Meil.

5 MS. SULLIVAN: You may go ahead. You should be able
6 to unmute yourself.

7 MR. NORTHEN: It looks like Alan is no longer on the
8 call. The next speaker is Jane Crain.

9 MS. SULLIVAN: Ms. Crain, you may speak.

10 MS. CRAIN: Thank you. I am a community voter
11 registration volunteer in DeKalb County and have been for
12 some ten years. This ongoing issue that we seem to have
13 with the validity and faith in absentee ballot is just
14 astounding to me. This new absentee ballot application is
15 an improvement over the last attempt by the Secretary of
16 State, but the most confusing aspects of voting relate to
17 the identification and how you provide it. The section 7
18 is about the same size on the form as the more threatening
19 sections 8, 9, and 10 telling voters how they can be
20 prosecuted and how many hundreds of thousands of dollars
21 they'll have to pay. I even took this to one of the
22 election offices, and the person there said that frankly,
23 they don't understand why this is configured in this way
24 and why it is so confusing when really if you have a
25 driver's license or a state ID, all you have to do is put

1 the number in the boxes. The rest of this is just not
2 applicable at that point.

3 A voter ID -- if the issue of all this overhaul has
4 been to make our election more secure, then why is it that
5 five acceptable forms of identification are not even photo
6 IDs? It's very confusing on page 2 of the application to
7 figure out what it is that you are supposed to return and
8 how you would make it fit inside this little box. The
9 fact remains the clerk told me oh, no, just put it on the
10 regular sized piece of paper and --

11 MS. SULLIVAN: Thank you, Ms. Crain. Your time has
12 elapsed if you want to wrap up.

13 MS. CRAIN: I do want to wrap up. I want to thank
14 the State Board for taking this on with very little
15 support, and you guys are really our lifeline for this.
16 Thank you.

17 MS. SULLIVAN: Thank you.

18 MR. NORTHEN: The next speaker is Terri Wright.
19 Theresa Wright, you should be able to unmute yourself.

20 MS. WRIGHT: Yes. My concern is the -- the oversight
21 that you have on these rules. We obviously in Floyd
22 County have a very partisan election board, and instead of
23 leaving that for the counties, can't the State somehow put
24 in a rule that we have bipartisan election boards. That
25 way, there is oversight. There is a little more fairness

1 in the election, and these rules are all fine and good,
2 but where is the oversight for these rules? That is my
3 big concern. You guys have a done a great job. Again, my
4 concern is there is no oversight, and we are seeing that
5 in Floyd County.

6 We've been for three months trying to get all of our
7 violations heard in the county, and the representatives
8 from the State, deaf ears. It's falling on deaf ears, so
9 somehow, we need an alternative way to reach the State
10 with all these violations. We have at least 120
11 violations that are being ignored in Floyd County right
12 now.

13 MS. SULLIVAN: Thank you, Ms. Wright. Do you have
14 any comments regarding the specific rules that were posted
15 for public comment?

16 MS. WRIGHT: And -- and that was it. It was about
17 the rules completely as a whole, that you have some type
18 of oversight over them, and I do appreciate that maybe you
19 could add to those rules sometimes that you have control,
20 that there is no bi -- that there is bipartisan in the
21 election boards. Thank you very much for your time.

22 MS. SULLIVAN: Thank you, Ms. Wright.

23 MR. NORTHEN: The next speaker is Denise Williams.
24 Ms. Williams, you should be able to unmute yourself.

25 MS. WILLIAMS: Good morning. My name is Denise

1 Williams, and I'm a voter in Cobb County. I'm also a
2 longtime elections volunteer. I wanted to discuss
3 proposed rule 183-1-12-.18. I'm over 65. 2020 was my
4 first time voting absentee. I found the process to be
5 easy, convenient, and accessible. The SEB rules that
6 we're discussing today are based on SB 202, which in my
7 opinion deny accessibility, ease of voting, and
8 convenience. I'd like the SEB to focus its energy on
9 increasing turnout as well as secure, safe, and convenient
10 elections. That's my comment for today.

11 MS. SULLIVAN: Thank you, Ms. Williams.

12 MR. NORTHEN: The next speaker is Collette Frix. Ms.
13 Frix, you should be able to unmute yourself.

14 MS. FRIX: Thank you. I'm a registered voter in
15 DeKalb County, and I have a disability. In fact, I feel
16 quite intimidated after hearing everybody else speak so
17 well. But thank you for holding this call today, and I
18 hope that you would have another one at night, so that
19 people who aren't available during the day could
20 participate at night.

21 But I'm asking you to make sure that the guidelines
22 are understandable by disabled voters. Part of my
23 disability is that some days, my brain thinks very well.
24 I used to be a CPA. And other days, it does think well at
25 all, and sometimes, disabled voters need things stated

1 very clearly and a little less legalistically. So if you
2 would consider the needs of disabled voters as you're
3 making your guidelines, that would be very helpful, and it
4 would also be helpful if something was sent to us directly
5 -- to the citizens directly without us having to look for
6 -- like, I haven't received anything in the mail or online
7 about this SB 202, and so it would be nice if I had
8 beforehand.

9 But the main thing is just that -- oh. Another thing
10 is that I have enough time to correct --

11 MS. SULLIVAN: Ms. Frix, your time has elapsed if you
12 want to just wrap up really quickly.

13 MS. FRIX: Yes, ma'am. Sometimes, people with
14 disabilities, our signatures are not always the same every
15 time, and so if you would just consider the needs of
16 people with disabilities as you do your guidelines, and
17 thank you so very much for all of your hard work.

18 MS. SULLIVAN: Thank you.

19 MR. NORTHEN: Next speaker is Ann O'Mara.

20 MS. SULLIVAN: You may go ahead. You should be able
21 to unmute yourself. Ms. O'Mara? You may go ahead. Okay.
22 We'll move on to the next person.

23 MR. NORTHEN: That is it. That is it for people
24 that have replied before the cutoff at 9:05 as stated on
25 the screen.

1 MS. SULLIVAN: Okay. Thank you so much. Public
2 comment has now closed on the proposed rules. The next
3 item on our agenda is to consider the proposed rules that
4 were posted for public comment. At this time, I'm going
5 to ask Mr. Germany with the Secretary of State's Office to
6 address the rules that were posted. You may go ahead.

7 MR. GERMANY: Thank you, Madam Chair. This is Ryan
8 Germany. I'm the General Counsel for the Secretary of
9 State's Office. The rules that have been posted and we
10 just received public comment on after -- I'll do a quick
11 review of those rules, and then based on the public
12 comment we received, we do have some suggested amendments
13 to the rules. I would ask that the Board post the rules -
14 - or adopt the rules as posted, and then we'll -- and then
15 I'll go through the proposed amendments that we'll post
16 for public comment. The amendments are clarifying and
17 non-substantive changes, so if the Board adopts the rules
18 as posted, they'll be in effect for the November municipal
19 elections, which I think will be helpful.

20 But just to do a quick recap, and I'll remind all the
21 members we've had additional Rules Working Group meetings
22 prior to this meeting, and we're working on some
23 additional rules that are -- that are not ready -- that
24 are unfortunately not ready for this meeting, but the
25 rulemaking process continues. There are additional

1 subjects that we're working out rules on including some of
2 the subjects that were brought up in public comment, so I
3 appreciate all of the -- the commentators and just know that
4 additional rules implementing SB 202 are forthcoming.

5 The rules that have been posted, as a brief reminder,
6 are changes in SB 202 to logic and accuracy testing.
7 Those are changes to 183-1-12-.08, changes in 183-1-12-
8 .11, dealing with the tracking of wait times of lines,
9 183-1-1-12-.12 -- this implements some of 202 regarding
10 the posting of what I'd refer to as a denominator rule,
11 posting the total number of votes cast, and also defining
12 the shall not cease requirement, shall not cease counting
13 requirement in 202 to clarify that reasonable breaks are
14 allowed. 183-1-12-.13 deals with storage and returns and
15 is a rule about how ballot images are now public, and that
16 needs to be -- counties need to be able to provide those
17 in Open Records Requests. 183-1-12-.18 are the changes to
18 provisional ballots regarding the changes to out of
19 precinct voting. 183-1-14-.12 deals with eligibility of
20 an application for absentee ballot, talking about
21 basically the changes on the absentee ballot application.
22 Then, there's an additional change to 183-1-14 regarding
23 the early scanning procedure. Those are the rules that
24 have been posted and that I would ask the Board to adopt
25 at this time, and then after that, if the Board --

1 depending on the will of the Chair, I can get into the
2 amendments to the posted rules that I would ask the Board
3 to adopt or to post for public comment.

4 MS. SULLIVAN: Thank you, Mr. Germany. We appreciate
5 your assistance and the assistance of the Secretary of
6 State's staff in putting together these rules, as well as
7 the Rules Working Group that has worked so diligently on
8 them. At this time, would any of the Board members like
9 to make a motion to adopt the rules that we've just
10 discussed as posted?

11 MR. MASHBURN: This is Matt Mashburn. I move that
12 the rules be adopted as posted.

13 MS. SULLIVAN: Thank you. We have a motion. Is
14 there a second?

15 MS. GHAZAL: This is Sara Ghazal. I will second this
16 because it's absolutely critical that counties have rules
17 that they need for municipal elections, but I -- with my
18 second, I want to comment how important it is to get these
19 right, so I expect that we will be seeing a lot of new
20 rules and hope that -- that both the members and the
21 public will be engaged in making sure we do get these
22 rules right moving forward for the entire season coming
23 up, which there's going to be a tremendous amount of
24 pressure on the counties because so much is changing. So
25 we owe it to the counties to get this right and to do it

1 as expeditiously as possible.

2 MS. SULLIVAN: Thank you. We have a motion and a
3 second. Is there any further discussion regarding this
4 motion? All in favor, please signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: And are there any opposed? Thank you.
7 That motion passes. At this time, Mr. Germany, I would
8 appreciate it if you would address some of the amendments
9 to the rules that we just adopted.

10 MR. GERMANY: Thank you, Madam Chair. What I'm about
11 to present are the rules -- the amendments to the rules
12 that were just adopted that I would ask the Board to vote
13 to post for public comment. These are based on some of
14 the comments that we received regarding the posted rules,
15 and like Ms. Ghazal just said, I think the rules that were
16 just adopted are really kind of a foundation, and I expect
17 there to be potentially even further amendments to -- to
18 those rules, and, of course, we're working on other rules
19 as well, and I -- I do expect this to be a process where
20 that will continue to be perfected for the next few months
21 at least and probably into next year as well.

22 The first amendment is an amendment to rule 183-1-12-
23 .12, tabulating results, and the amendment is to section
24 (b)(4), and it's based on a comment that we received from
25 some county election officials regarding SB 202's

1 requirement that counting shall not cease. I think in the
2 law, that -- that requirement is not meant to apply to
3 provisional ballots and UOCAVA ballots that come in after
4 the -- the regular deadline for elections. So what this
5 rule does is clarify the no counting can of course cease
6 prior to those -- those being tabulated because counties
7 have three days to research and then -- and then tabulate
8 provisional ballots that are being accessible and, of
9 course, UOCAVA ballots can come in if they're postmarked
10 by Election Day up to three days after the election, and
11 so those -- those obviously can't fall into the shall not
12 cease requirement. So the proposed language in there just
13 clarifies, I think, that requirement based on comments
14 from the elections officials. We appreciate those
15 comments.

16 The -- the next amendment is in section (c)(1) of
17 that rule, and, again, it's trying to clarify the new
18 rules regarding the denominator rule, as I call it, that
19 the county as quickly as possible post the total number of
20 votes cast -- or total number of votes submitted by the
21 election deadline, and it just clarifies the type -- the
22 votes that are counted in that denominator from the
23 precincts, trying to tie it back to the previous section
24 of the rule.

25 Next section is to section (e) of that rule -- next

1 amendment is to section (e) of that rule, the
2 reconciliation report. This is based on a comment from
3 the counties as well. The changes to the rule is instead
4 of no later than 30 days, it says as soon as possible but
5 no later than 30 days upon the certification of election
6 results, the county should -- should submit a
7 reconciliation report. This is based on a comment from
8 counties given the runoff schedule and how that initial 30
9 days from election deadline could complicate that. I want
10 to add too that I think one of the rules that we are
11 thinking at the Rules Working Group level is a rule about
12 canvassing. This reconciliation report is not in lieu of
13 canvassing, just it should occur before certification if
14 it does occur, so I think that's another thing, and one of
15 the public commentators mentioned it, that leads to -- we
16 need to make sure that that's happening as well, and that
17 could be a topic for us to ensure uniformity in that
18 process across the state.

19 The next section where I would ask the Board to post
20 a proposed amendment for public comment is rule 183-1-12-
21 .13, storage and returns. This deals with the ballot
22 images public records requests, and this is based on a
23 comment from counties that -- the amendment is that the
24 superintendent shall not use any media provided by the
25 public, that the superintendent shall use their -- their

1 own media and may charge the actual cost of the media, and
2 that's just to ensure security.

3 The next amendments are changes to rule 183-1-12-.18,
4 provisional ballots, and these are clarifying the new
5 rules regarding -- or the new law regarding out of
6 precinct voting. These amendments are just to make -- to
7 make it clearer that -- well, there's two things. We want
8 to attempt to make kind of clearer structure of the rules.
9 If a person shows up in the wrong precinct in their
10 county, but makes a good faith belief that they should be
11 assigned to that -- to the correct -- to the precinct
12 where they are, that they should be offered a provisional
13 ballot. The other thing that the amendments do is clarify
14 that any voter in line prior to the regular closing time
15 of the polls, if they cast a vote, that vote is cast --
16 deemed cast prior to the regular closing time of the
17 polls, that that's existing law in practice. So it's just
18 a clarification on that front.

19 The next amendment is to rule 183-1-14, eligibility
20 of application for absentee ballot, paragraph two of that
21 -- in that rule, based on a comment from the RNC that the
22 absentee ballot application, that web-based tool or
23 application should allow people to fill out the
24 application, but if the -- they have to be the application
25 described in paragraph one, which includes all the

1 identifying information. Of course, the -- SB 202
2 requires all absentee ballot requests to be -- to utilize
3 that application, and so I think that works, and this is
4 just clarifying -- clarifying that based on that comment.

5 The final amendment is to paragraph 3 of that rule to
6 clarify that application sent by the -- absentee ballot
7 applications sent by the elections or registrar at the
8 request of the elector do not need to maintain the -- the
9 disclaimer that the law requires, and I would mention also
10 that I think there was -- there was a public comment about
11 the language of the disclaimer that I think was well put,
12 and that's something that -- that we can discuss at the
13 Rules Working Group. Unfortunately, the language is in
14 the statute, and so that's something that we're going to
15 try to work with the General Assembly, I think, to
16 clarify. Those are all the amendments to the posted rules
17 that I would ask -- or I should say to the adopted rules
18 now that I would ask the Board to -- to post for public
19 comment.

20 MS. SULLIVAN: Thank you. Do any of the Board
21 members have any questions or comments regarding these
22 proposed amendments? Mr. Mashburn, go ahead.

23 MR. MASHBURN: Thank you. I just have one question
24 of clarification. Ryan, when you said that the storage
25 media issue related to security, I assume that means when

1 someone making that request shows up and says, hey, put
2 that on my flash drive here, and the flash drive contains
3 a bug or a virus. We're stopping that from happening;
4 correct?

5 MR. GERMANY: Right. Yeah, apparently people --
6 well, probably in an attempt to be helpful -- will send in
7 media the county can use, and this is just to clarify that
8 no, the counties are not -- are not allowed to use that.
9 They have to use their own -- their own media that can
10 ensure the security of the votes.

11 MR. MASHBURN: Thank you.

12 MS. SULLIVAN: Do any of the other Board members have
13 any questions or comments regarding these amendments?

14 MS. GHAZAL: My only comment is that public comment
15 is really helpful. Early public comment is even more
16 helpful to give all of us time to review it, so...

17 MS. SULLIVAN: Thank you, Ms. Ghazal.

18 MR. MASHBURN: I move to post the amendments for
19 public comment.

20 MS. SULLIVAN: Yes. Mr. Mashburn has made a motion
21 to post the amendments to these rules for public comment.
22 Is there a second?

23 MS. GHAZAL: Second.

24 MS. SULLIVAN: We have a motion and a second. Is
25 there any further discussion? All in favor of posting

1 these rules -- of these amendments for public comment,
2 please signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: And there are none opposed, and those
5 new amendments to the rules adopted earlier will be posted
6 for a public comment period. At this time, we're going to
7 take a five-minute break. It's 10:10. We'll be back at
8 10:15. Thank you.

9 (Meeting break)

10 (Meeting resumes)

11 MS. SULLIVAN: I will bring this meeting back to
12 order after our brief break. The next item on our agenda
13 is the investigations reports, and we'll start with the
14 consent cases. We have two cases that I know that we will
15 pull off for discussion. That will be SEB case number
16 2020-130 and SEB case 2021-122. As is our custom, we will
17 pull off any of the cases from this block that any of the
18 Board members would like to speak to or would like to pull
19 off for individual discussion.

20 MS. GHAZAL: This case was mentioned, right, Madam
21 Chair, 2020-130? Yes.

22 MS. SULLIVAN: Thank you. Ms. Le, are there any
23 cases you would like pull off the agenda for individual
24 discussion?

25 MS. LE: No. Not at this time, but I did not hear

1 the cases -- was it Ms. Sara who pulled off some cases? I
2 didn't get those numbers.

3 MS. SULLIVAN: It's -- it's 2020-130, DeKalb County,
4 ADA requirements.

5 MS. LE: Thank you.

6 MS. SULLIVAN: Do we have any individuals who have
7 signed up to speak regarding any of the consent cases?

8 MR. NORTHEN: Ms. Christine Law [ph.] has signed up
9 to speak on the Henry County 2020-296 case. However, that
10 is -- that's been continued.

11 MS. SULLIVAN: Yes. That case is -- Ms. Law, SEB
12 2020-296, Henry County, has been granted a continuance,
13 and we will not be considering that case today.

14 MR. NORTHEN: As a reminder, folks, many of you guys
15 are raising your hands. If you wish to speak on these
16 cases, and you are related to the case or affiliated,
17 please submit your name and the case number in the Q&A
18 box, as well as your affiliation to the case. Thank you.

19 MS. SULLIVAN: Okay. So we'll pull off -- we've
20 pulled off SEB 2020-130 and SEB 2021-122 for further
21 discussion. 2020-010, Lee County, and 2020-296, Henry
22 County, have both been granted a continuance. We have a
23 recommendation to dismiss the remaining cases on our con -
24 - consent calendar today. Would any of the Board members
25 like to make that motion?

1 MR. MASHBURN: So move.

2 MS. SULLIVAN: Mr. Mashburn has made a motion. Is
3 there a second?

4 MS. GHAZAL: Second.

5 MS. SULLIVAN: We have a motion and a second. Any
6 further discussion? All in favor, please say aye.

7 THE BOARD MEMBERS: Aye.

8 MS. SULLIVAN: And there are none opposed. That
9 motion passes. Ms. Watson, if we can go ahead and discuss
10 SEB 2020-130, if you wouldn't mind presenting that.

11 MS. WATSON: Okay. We received a complaint from a
12 DeKalb County voter alleging that at the Tucker Library
13 polling location, they did not have any protocols in place
14 for assisting the blind. The voter alleged he requested
15 assistance of poll workers and was told they could not
16 assist him. He states a random person was recruited to
17 assist him by the poll workers. Poll workers state that a
18 female voter had overheard the conversation and
19 volunteered to assist the gentleman, and he accepted the
20 assistance and proceeded to -- to vote. The oath section
21 on the disabled voter's application requesting assistance
22 was signed by the complainant and by the person assisting,
23 and we found that there was insufficient evidence to
24 support a violation of the state election code, and we're
25 recommending a dismissal. The voter also alleged that due

1 to the assistance from the person that they also did not
2 provide him the secrecy of the ballot.

3 MS. SULLIVAN: Thank you, Ms. Watson. Do any of the
4 Board members have any questions for Ms. Watson? Ms.
5 Ghazal?

6 MS. GHAZAL: Yes. I -- I don't question your
7 findings that there was no technical violation, but I do
8 feel that this voter's rights were violated, perhaps not
9 necessarily by the -- the poll workers, but this can't be
10 the answer. Right? We've seen repeatedly before this
11 body, before committees, the legislature from
12 representatives of the disabled community, people who are
13 officially disabled, we've had comments today from a
14 disabled voter that their needs are not being met by our
15 policies and procedures, so that's why I wanted to pull
16 this case and discuss it a little bit more in detail. It
17 can't be the right answer that a voter has to rely on a
18 stranger in line to cast their ballot and that they lose
19 their right to a secret vote. Aren't our machines set up
20 to allow sufficiently impaired voters to be able to cast a
21 ballot independently, and if they are, why weren't they
22 prepared to do so at the polling station? I just -- we've
23 got a lot more work to do to make sure that our disabled
24 community is able to participate freely and independently
25 in the election process.

1 MS. SULLIVAN: Thank you, Ms. Ghazal.

2 MS. LE: Madame Chairman? This is

3 MS. SULLIVAN: I believe we have one person who would
4 like to -- oh. Go ahead, Ms. Le.

5 MS. LE: I just wanted to state for the record I will
6 recuse myself from this case, please.

7 MS. SULLIVAN: Okay. I believe we have one person
8 who has signed up to speak to -- regarding this case.

9 MR. NORTHEN: Irene Vanderels, you should be unmuted
10 and able to speak.

11 MS. VANDERELS: Thank you. Good morning.

12 MS. SULLIVAN: Go ahead.

13 MS. VANDERELS: Thank you. This is Irene Vanderels.
14 I'm the counsel for the DeKalb County Board of
15 Registration and Elections and just wanted to provide a
16 bit more detail regarding this case. It is my
17 understanding that the voter in question did receive
18 assistance in completion of the absentee application for
19 absentee in person voting but was assisted by the -- by
20 the elections staff in actually completing the vote using
21 the voting equipment. So there -- my understanding is
22 that staff deferred to the volunteer voter who assisted
23 completion of the application, just to the extent that is
24 helpful to the Board in considering this case. I just
25 wanted to pass that information along.

1 MS. SULLIVAN: Thank you. Do you have any questions,
2 Ms. Ghazal?

3 MS. GHAZAL: So -- so in fact, it was the personnel -
4 - the polling place personnel who -- do you know if they
5 utilized the visually impaired audio capabilities of the
6 machine, or did they cast the vote on behalf of the voter?

7 MS. VANDERELS: My understanding is that they
8 assisted in using the visually impaired machine, but I can
9 confirm that if the -- if the Board would like. I'm not a
10 hundred percent sure, but that's my understanding.

11 MS. GHAZAL: I think that would be helpful,
12 particularly as we move forward. If we need to either
13 formulate better rules with regard to assisting disabled
14 voters or perhaps in informing the training component of
15 what the Secretary of State's Office is -- provides for
16 counties, I think it would be very helpful to have more
17 detail to know exactly what more is needed moving forward.

18 MS. VANDERELS: Sure. I'd be glad to confirm that
19 information in -- in this particular instance with the
20 poll manager about what equipment was used.

21 MS. GHAZAL: Thank you.

22 MS. SULLIVAN: Thank you. The recommendation is to
23 dismiss this complaint. Would any of the Board members
24 like to make that motion?

25 MR. MASHBURN: I move that we accept the

1 recommendation and dismiss the complaint.

2 MS. SULLIVAN: We have a motion. Is there a second?

3 MS. GHAZAL: Second.

4 MS. SULLIVAN: A motion and a second, any further
5 discussion? All in favor, please say aye.

6 THE BOARD MEMBERS: Aye.

7 MS. SULLIVAN: And any not in favor, please say no.
8 Please let the record reflect that Ms. Le recused herself
9 from this case and did not vote. That motion passes.
10 Next is SEB case 2021-122. Ms. Watson, if you wouldn't
11 mind presenting this case.

12 MS. WATSON: Yes. On August the 10th, 2021, we
13 received a complaint that a Fulton County voter, Ms. Julie
14 Blanchard [ph.], voted during the November general
15 election in Georgia and requested an absentee by mail
16 ballot for the January 2021 election and was residing in
17 Texas. The investigation revealed that Julie Blanchard
18 states she considers her residence to be in Georgia. She
19 states her husband owns a home in Texas, that they do
20 spend time there. She has a Georgia driver's license and
21 Georgia vehicle registration, owns property in Atlanta,
22 and has utilities in her name. She has a business in
23 Georgia and pays Georgia income taxes. Our recommendation
24 is for the case to be dismissed with no violation.

25 MS. SULLIVAN: Thank you, Ms. Watson. Do any of the

1 Board members have any questions regarding this case for
2 Ms. Watson? Are there any members that want to speak on
3 this case?

4 MR. NORTHEN: Counsel to Julie Blanchard is on the
5 line if comment is necessary.

6 MS. SULLIVAN: Would you -- the motion -- the
7 recommendation in this case is to dismiss the complaint.
8 Would anyone like to make that motion?

9 MR. MASHBURN: I move that we accept the
10 recommendation and dismiss the complaint.

11 MS. SULLIVAN: And I'll second that motion. Is there
12 any further discussion? All in favor, please signify by
13 saying aye.

14 THE BOARD MEMBERS: Aye.

15 MS. SULLIVAN: And there are none opposed, and that
16 motion passes. Moving on, the next item on the agenda is
17 the letter cases. The recommendation is to issue a letter
18 of instruction in those three matters. Would any -- we
19 normally vote on those in a block unless any member of the
20 Board or public would like to pull that off for individual
21 discussion. Would any members of the Board like to pull
22 off any of the letter cases for individual discussion at
23 this time, and do we have any members of the public who
24 are signed up to speak regarding one of these cases?

25 MR. NORTHEN: We have two members of the public. One

1 for SEB 2020-057 and one for 2020-266.

2 MS. SULLIVAN: Okay. We'll go ahead and consider
3 each of these cases individually then. Ms. Watson, would
4 you mind presenting SEB case 2020-057?

5 MS. WATSON: Yes. We received the following
6 complaints for Henry County. Complainant Barry Millchair
7 [ph.] submitted an application to receive an absentee
8 ballot for the May 19th, 2020 general primary election to
9 the Henry County Elections and Registration Office by
10 email. Barry Millchair did not receive an absentee
11 ballot, and he was disenfranchised from voting in the
12 election was the complaint. The complainant Sanjin
13 Vorjees [ph.] reported on October the 12th, 2020 a poll
14 watcher took a photograph at the Henry County Elections
15 and Registration Office during advance voting. The
16 photograph was posted on the Henry County Republican Party
17 Facebook page. Sanjin Vorjees provided a screenshot of
18 the photograph. The Henry County Elections and
19 Registration Office contacted the Secretary of State's
20 Office about two fraudulent registration applications that
21 were submitted to their office. The applications were
22 submitted in the names of Natalie Harris and Christopher
23 Parker.

24 Investigations into allegation one and three were not
25 substantiated. In reference to allegation two, the

1 investigation revealed that Nargis Halter, while acting as
2 a poll watcher, did take a photograph of herself and
3 another poll watcher at the Henry County Elections and
4 Registration Office during advance voting. Halter
5 admitted taking the photograph and placing the photograph
6 on the Internet. Halter advised she was not aware she
7 could not take the photograph, and we also were not able
8 to confirm that there were any voters at the poll during -
9 - when the photo was taken. We're asking that allegations
10 one and three be dismissed, and Ms. Halter, Nargis Halter,
11 the poll watcher, be issued a letter of instruction.

12 MS. SULLIVAN: Thank you. And who do we have here to
13 speak on this case?

14 MR. NORTHEN: Ms. Halter was signed up for public
15 comment and just dropped off the call about forty-five
16 seconds ago.

17 MS. SULLIVAN: Okay. The recommendation is to issue
18 a letter of instruction to Ms. Halter. She is no longer
19 with us. Okay. She is no longer with us on the call.
20 Would any of the Board members like to make a motion in
21 this case?

22 MS. GHAZAL: I move that we accept the
23 recommendation.

24 MR. MASHBURN: Second.

25 MS. SULLIVAN: We have a motion and a second. Any

1 further discussion? All in favor, please say aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: And there are none opposed, and that
4 motion passes. SEB 2020-266.

5 MS. LE: Madam Chair, this is Anh Le. I'd like to
6 recuse myself from this case too, please.

7 MS. SULLIVAN: Okay.

8 MS. WATSON: On December the 15th, 2020, we received
9 a complaint that a voter was unable to scan and read the
10 information contained in the QR barcode printed on his
11 ballot. During interviews with Todd and Wyatt Thompson,
12 they both confirmed that they scanned and photographed the
13 QR barcodes on their ballots. They provided written
14 statements, and Todd provided a copy of his photograph.
15 During the course of this investigation, it was revealed
16 that Todd Thompson did not receive credit for voting in
17 the November 2020 general election until after he
18 contacted the Election Office on 12/02/2020 to inquire
19 about his voting record. It was determined that poll
20 manager Jill Shopshire [ph.] failed to enter credit for
21 voting information into Election Net when he early voted
22 on October 12th, 2020. Our recommendation is for voters
23 Todd and Wyatt Thompson be issued a letter of instruction
24 for 21-2-413(e) and for Dekalb County Elections Director
25 Erica Hamilton and poll manager Jill Shopshire be issued a

1 letter of instruction for SEB rule 183-1-12-1.19(3) for
2 failure to enter credit for voting in the November 3rd,
3 2020 election prior to November 3rd.

4 MS. SULLIVAN: Do any Board members have any
5 questions for Ms. Watson? And who do we have to speak on
6 this case?

7 MR. NORTHEN: Todd Thompson is on the line, and he
8 should be able to unmute himself.

9 MS. SULLIVAN: Mr. Thompson, if you would like to
10 speak, you may unmute yourself and speak now.

11 MR. THOMPSON: Thank you. Can you hear me?

12 MS. SULLIVAN: Yes. We can hear you.

13 MR. THOMPSON: Thank you for hearing me. This is --
14 yeah. I was -- the reason I took a photograph of my QR
15 code, obviously, it's of nobody in the election precinct,
16 but we wanted to confirm that our -- I guess it was the
17 Dominion I had not seen before -- you know, it was going
18 to register our vote because in the 2020 election, the
19 poll official actually asked to see my vote and took it
20 and said he would process it. I had never seen the
21 Dominion election process. Previously, it had always been
22 just the electronic cards. I received a note in the mail
23 saying my election -- I should say my voting record was
24 mediocre -- probably by some political campaign, and so I
25 called the Board of Elections, and they said and confirmed

1 that I had not voted in the early elections, which
2 concerned me. So that's why we took the -- took the
3 photographs of the QR code, so no malicious intent but
4 just concern about the integrity of our election and --
5 and the vote.

6 MS. SULLIVAN: Thank you, Mr. Thompson. Are there
7 any other individuals?

8 MR. NORTHEN: No.

9 MS. SULLIVAN: Thank you. Do any of the Board
10 members have any questions for Mr. Thompson? The
11 recommendation is that letters of instruction be issued in
12 these -- in this case. Would any Board member like to
13 make that motion?

14 MS. GHAZAL: I move that we accept the
15 recommendation.

16 MR. MASHBURN: Second.

17 MS. SULLIVAN: We have a motion and a second. Is
18 there any further discussion? All in favor, please say
19 aye.

20 THE BOARD MEMBERS: Aye.

21 MS. SULLIVAN: And let the record reflect that Ms. Le
22 recused herself, but that motion passes unanimously.
23 Then, SEB case 2021-029, the recommendation has been made
24 to issue a letter of instruction in this case. Would any
25 of the Board members like to discuss this case

1 individually? There are no members here to speak on this
2 case. I'll make a motion that we issue a letter of
3 instruction in case 2021-029 as recommended.

4 MR. MASHBURN: Second.

5 MS. SULLIVAN: My motion is seconded. Is there any
6 further discussion? All in favor, please say aye.

7 THE BOARD MEMBERS: Aye.

8 MS. SULLIVAN: And there are none opposed so that
9 motion passes unanimously. Moving on to the new
10 investigation cases, SEB 2018-104, Habersham County. Ms.
11 Watson, if you would please present that case?

12 MS. WATSON: Yes. This complaint stems from the race
13 for House District 28 runoff in December of 2018.
14 Candidate Gasaway filed a contest to the election results
15 asserting 21 votes had been illegally cast. The Board
16 ruled that there was insufficient evidence of violations
17 regarding 17 of those listed. The judge ruled that 4
18 listed did have sufficient evidence of possible violations
19 for their ballots cast in Habersham County. Elector
20 Carrie Acres [ph.] was determined by the courts to have
21 voted in Habersham while residing in Banks County.
22 Elector Constance Franklin [ph.] was found to have voted
23 out of district. She did list the new address correctly
24 on the voter certificate presented to the poll worker.
25 The voter had moved in October of 27 [sic] and had time to

1 correct her voter registration prior to going to the
2 polls.

3 Elector Candance Bower [ph.] was found by the Superior
4 Court to have moved within the County of Habersham in 2017
5 but outside House District 28. She did complete a change
6 of address at the polls in May of 2018. When she went to
7 vote for the runoffs, she assumed the Elections Office had
8 updated her voter registration and did not realize she was
9 voting out of district. Again, at the runoffs, she
10 notified the poll worker again that her address had
11 changed.

12 It was also alleged that Michael C. Berrell [ph.] had
13 voted twice during early advance voting. Both had similar
14 signatures on each. Mr. Berrell was shown the first
15 absentee ballot application when he went to vote the
16 second time and advised the first part of the signature
17 looked like his, but the second part did not. Mr. Berrell
18 volunteered to provide handwriting samples to our
19 investigators. They were submitted to the FBI for
20 handwriting analysis. The results of the analysis was
21 inconclusive. The dates of the votes were November 28th
22 and November 30th.

23 Our recommendation is for Carrie Acres to be issued an
24 order to cease and desist and a public reprimand for 21-2-
25 571. She has not voted since 2018. And Constance

1 Franklin and Patricia Bower to be issued a cease and
2 desist and public reprimand for 21-2-218(c).

3 MS. SULLIVAN: Has anyone signed up to speak
4 regarding this case?

5 MR. NORTHEN: Mr. Gasaway is present and should be
6 able to unmute himself.

7 MS. SULLIVAN: Mr. Gasaway, you may speak now.

8 MR. GASAWAY: Can you hear me?

9 MS. SULLIVAN: Yes, sir. Go ahead.

10 MR. GASAWAY: I would just like to state my name is
11 Dan Gasaway, and I'm a resident of Banks County, Georgia.
12 I was the state representative from 2012 to 2018. I was
13 the candidate, as she's already mentioned, who brought the
14 successful election challenge. In addition to the illegal
15 voting and corruption and criminal activity that's already
16 been highlighted, there were numerous examples in this
17 case that we discovered after the case was over. In
18 addition, the Superior Court judge missed a lot of the
19 criminal activity in this case. I've not been interviewed
20 by anyone, and to my knowledge, my attorney has not been
21 interviewed by anyone about this criminal activity. Over
22 a year ago, I asked this Board to use their bipartisan
23 voice to get the Justice Department to come into Georgia
24 and help us because we have tremendous criminal activity
25 by election superintendents and election board members as

1 well as county commissioners impacting elections all over
2 Georgia. My case is just one glaring example of where
3 this corruption has changed the outcome of a state
4 legislative race.

5 So again, I ask you to consider this. I have heard
6 your plans to deal with these criminal voters. I don't
7 think until we start prosecuting people, we're going to
8 see improvement in the State of Georgia. I appreciate
9 your service to the State of Georgia, and I would be glad
10 to talk with any of you about this publicly or privately.
11 Thank you.

12 MS. SULLIVAN: Thank you for your comments. Do any
13 of the Board members have any questions?

14 MS. GHAZAL: Yes, yes.

15 MS. SULLIVAN: Ms. Ghazal, go ahead.

16 MS. GHAZAL: On allegation one, Carrie Acres, Ms.
17 Acres was in the process of -- she -- if I get this --
18 correct me if I get the facts wrong. She had sold one
19 residence and was in the process of building a second
20 residence, but in the meantime was temporarily staying
21 outside of the county with her parents; is that correct?

22 MS. WATSON: Yes.

23 MS. GHAZAL: My reading of 21-2-217 is that a person
24 who is temporarily residing outside of the county but does
25 not have an intention to remain there does not necessarily

1 lose their residence, and therefore, I think it is -- I'm
2 not certain I agree with the opinion that she had actually
3 changed residence formally outside of the county, when her
4 stay was necessarily temporary. And I say this knowing
5 that we have looked at other cases in which --
6 particularly students but also other voters who were
7 temporarily outside of the state even for purposes of
8 employment, they did not give up their residence. So I
9 just want to make sure that we are treated similarly
10 situated voters in a similar manner. This has no bearing
11 at all on the fourth case, obviously, because, you know,
12 the voter was doing that. Our purview is not the behavior
13 of the voter. So I would just ask my fellow Board members
14 to consider both our treatment of other voters and also
15 the -- the language of 21-2-217.

16 And in allegation two, Ms. Franklin, can you clarify
17 when she moved in relation to the date of the -- the
18 primary?

19 MS. WATSON: She moved in October of 2017.

20 MS. GHAZAL: And in May of 2018, she provided her new
21 address to the -- to the Board; is that right? When she
22 filled out the absentee ballot application for early
23 voting?

24 MS. WATSON: That's correct.

25 MS. GHAZAL: Did the county update her records at

1 that point?

2 MS. WATSON: She was not updated in the system.

3 MS. GHAZAL: Right. But she affirmatively provided
4 her information to the county at that time?

5 MS. WATSON: She did.

6 MS. GHAZAL: So that -- at that moment, she did
7 fulfill her duty to inform them, not within thirty days,
8 but she filled -- she provided it prior to the November
9 election.

10 MS. WATSON: That's correct.

11 MS. GHAZAL: Those are my only questions.

12 MS. SULLIVAN: Were there any other questions by any
13 of the Board members?

14 MS. GHAZAL: Sorry.

15 MS. SULLIVAN: Go ahead.

16 MS. GHAZAL: I did have one more question. In
17 allegation four, where there -- the voter was -- somebody
18 voted twice under -- under the voter's name. Was it ever
19 clarified how E-net -- how -- how the county actually
20 allowed that to happen in E-net? If there was an
21 application, an absentee ballot application in the voter's
22 name, and then he came in person; is that correct?

23 MS. WATSON: For Mr. Berrell?

24 MS. GHAZAL: Yes, for Mr. Berrell. One was an
25 absentee by mail and one was in person?

1 MS. WATSON: Yes.

2 MS. GHAZAL: Was the county cited in this case at all
3 for -- because this seems to be -- seems to be an error on
4 the part of the county as well? Perhaps not on the part
5 of the voter but certainly on the part of the county, or
6 not?

7 MS. WATSON: Right. We do not have the -- we do not
8 have the county cited with a violation.

9 MS. GHAZAL: And in allegation two, I believe the
10 county should have been cited for failure to update the
11 voter's information in E-net. That's what led to the
12 wrong ballot being issued and the wrong -- and the vote
13 being invalid.

14 MS. SULLIVAN: Is there anyone here from the county
15 to speak? They were not -- were they gi -- they were not
16 given notice of a cite, so we can bring that -- that back
17 with a continuance. Do you want to continue the entire
18 case or --

19 MS. GHAZAL: Yes. I would say that we continue it.
20 I move to continue this case.

21 MS. SULLIVAN: Ms. Ghazal has made a motion to
22 continue SEB case 2018-104. Is there a second?

23 MR. MASHBURN: Second.

24 MS. SULLIVAN: We have a motion and a second. Any
25 further discussion? All right. All in favor, please say

1 aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: And there are none opposed, and we
4 will bring this case back at our next meeting. SEB case
5 2019-004 has been given a continuance. The next case on
6 our agenda is 2020-025, Liberty County. Ms. Watson?

7 MS. WATSON: Yes. This case was previously presented
8 at our last meeting. The attorney for Liberty County was
9 not able to speak at that meeting due to audio issues and
10 has requested to be able to address the Board. Would you
11 like for me to just do a brief recap of what this case was
12 in reference to?

13 MS. SULLIVAN: Yes. That would be helpful. Thank
14 you. And as well as the disposition.

15 MS. WATSON: Yes. The allegations were that there
16 were multiple poll locations that did not open on time,
17 and our recommendation and what the Board decided was to
18 refer the case to the Attorney General's Office for
19 violation of 21-2-403 for failure to open polls on time,
20 and also the delayed time ranged from 10 minutes up to 2
21 hours in opening, and the reasons provided were power,
22 poll pads, and setup issues. The setup issues refer to
23 inadequate training of election workers in setting up the
24 machines and related accessories, and a petition was filed
25 by Liberty County, and the polls were extended on the date

1 of the election.

2 MS. SULLIVAN: Thank you, Ms. Watson. We have the
3 attorney from Liberty County here to speak, and we'll try
4 this again. His name is...?

5 MS. WATSON: Kelly Davis.

6 MS. SULLIVAN: Kelly Davis? Kelly Davis is not here.
7 Is there any other member of the public that's here to
8 speak regarding this case?

9 MR. NORTHEN: No one has followed instructions to
10 submit their name and case number through the Q&A
11 function, so if they are here to speak on this case, they
12 will not be able to do so today.

13 MS. SULLIVAN: If there is anyone here to speak
14 regarding this case, can they raise their hand?

15 MR. NORTHEN: Kelly Davis is calling in, I've just
16 been told.

17 MS. SULLIVAN: Okay. We need to let Kelly Davis --

18 MR. NORTHEN: Yeah. Okay.

19 MS. SULLIVAN: And at this time, any member -- any
20 member of the public who is here and would to speak to one
21 of these cases, you can still go ahead and notify us in
22 the Q&A that you're here to speak to one of the cases that
23 are coming up on our agenda. Please do so. Indicate the
24 case -- your name, the case number, and your affiliation
25 with the case.

1 MR. NORTHEN: Okay. Kelly Davis should be able to
2 unmute themselves now.

3 MS. SULLIVAN: You may go ahead, Kelly Davis. You
4 should be able to unmute yourself and speak.

5 MR. NORTHEN: There is currently one phone caller.
6 That person has been given access to speak.

7 MS. SULLIVAN: Ms. Davis [sic]? Kelly Davis, we
8 believe that you have been unmuted. You should be able to
9 speak. Yeah, all right. We'll go ahead and come back to
10 this case. Go ahead?

11 MR. NORTHEN: Ronda Walthour, who submitted the
12 message, reminded me to allow that person to speak.

13 MS. SULLIVAN: We do have someone who would like to -
14 - who is signed up to speak to this case. Ronda Walthour?

15 MR. NORTHEN: They sent in a message on behalf of
16 Kelly Davis. Can we just see if they --

17 MS. SULLIVAN: Yes.

18 MR. NORTHEN: All right. Ronda, you should be able
19 to speak.

20 MS. WALTHOUR: Good morning. Yes. Hi.

21 MS. SULLIVAN: Who is this?

22 MS. WALTHOUR: He's trying to call in. Hold on just
23 a second. Kelly, go ahead.

24 MR. DAVIS: Hey, can you hold your phone up so that I
25 can speak to the Board? I still can't unmute.

1 MS. WALTHOUR: Can you all hear him now?

2 MS. SULLIVAN: We can -- we can hear him. Please go
3 ahead.

4 MS. WALTHOUR: They can hear you, Kelly.

5 MR. DAVIS: All right. My -- my apologies, Board
6 members. Good morning. I appreciate the opportunity to
7 briefly address you, and I think at your last meeting when
8 this matter was heard I was concerned that the case
9 presentation neglected to mention two important facts that
10 I think are relevant to your decision. I think the first,
11 briefly alluded to by Investigator Watson that was not at
12 your first meeting -- and that was the remedial action
13 that was taken on Election Day to obtain an order from the
14 Superior Court extending the hours of all affected polling
15 locations, and that was for a period equal to the length
16 of interruption that was experienced at each of those
17 locations. Additionally, extensive post-election
18 performance audits of the election were conducted by both
19 the Board and my office with outside assistance from a
20 consultant and following these reviews, the Board took
21 action to ensure that future elections were administer --
22 administered without any meaningful interruptions of
23 polling place operations, and the measures implemented by
24 the Board were entirely successful, and the administration
25 for the November election was about as close to perfect as

1 we could hope to obtain.

2 But most importantly, and I'm sure this might have
3 been addressed by other cases or other counties that
4 experienced similar problems, but I think the Board should
5 take into consideration the unprecedented historic
6 challenges presented by the June election with which we're
7 all familiar. It's obviously an understatement to say
8 that these circumstances strained our election system, but
9 not withstanding these extraordinary challenges, election
10 workers in Liberty County and around the state, I think,
11 performed heroically and also at great personal risk. I
12 think this should not be forgotten, and so for that
13 reason, as well as the successful remedial measures taken,
14 I ask that the State dismiss the case without any further
15 action, but if you feel compelled to take action other
16 than dismissal, I ask that a letter of instruction be
17 issued, and I'm happy to answer any questions, and thank
18 you for your time.

19 MS. SULLIVAN: Thank you, Mr. Davis. Do any of the
20 Board members have any questions for Mr. Davis? This case
21 has been referred to the Attorney General's Office
22 already, so unless any of the Board members want to make a
23 motion for reconsideration at this time, there is no
24 action required by the Board regarding this case.

25 MR. MASHBURN: I think the attorney's presentation

1 was very -- very well-made, and I always appreciate
2 counties when they -- when they go and work very hard
3 after things happen to correct things, and I'm really
4 pleasantly receiving the information that their last
5 election went -- went very well and nearly flawless, but
6 that being said, I don't see a purpose to reopen this when
7 it's already over at the Secretary of State -- I mean, the
8 Attorney General's Office and being handled over there.
9 But I do want to heap praise on counties that take actions
10 to fix things, and it's great to hear that it turned out
11 well.

12 MS. SULLIVAN: Thank you, Mr. Mashburn. Thank you,
13 Mr. Davis.

14 MR. DAVIS: Thank you for your time, Board members.
15 I appreciate it

16 MS. SULLIVAN: All right. We'll move onto the next
17 case, SEB 2020-036, Long County. Ms. Watson?

18 MS. WATSON: Yes. We received multiple complaints
19 concerning the June 9th, 2020 election in Long County.
20 All of the allegation were not substantiated with the
21 exception of the following: in -- Mindy Register [ph.]
22 alleged an elector named Hamilton Evans [ph.] was reported
23 he voted twice in the election. An investigator later
24 learned that electors Glenda Lynn Davis [ph.], Ernest
25 Walker [ph.], Kenneth Luscolet [ph.], Diane Luscolet

1 [ph.], and Cornell Palmer [ph.] were also repeat voters in
2 the election. House Representative Jeff Jones alleged
3 Long County Elections Supervisor Tranina Harris [ph.]
4 failed to notify the Secretary of State's Office at least
5 seven days prior to scanning absentee ballots prior to the
6 Election Day on June 9th, 2020. During a review of
7 election documents for the investigation, it was found
8 that seven applications for a person voting did not list
9 the type of identification provided and confirmed for the
10 voter.

11 In regards to allegation 6, investigation revealed
12 that the listed 6 electors in Long County, Hamilton Evans,
13 Glenda Lynn Davis, Ernest Walker, Kenneth Luscolet, Diane
14 Luscolet, Cornell Palmer, were repeat voters in the June
15 9th, 2020 general primary election. During an election
16 contest hearing, it was verified that two voters -- two
17 votes were cast by the six voters, as their absentee
18 ballots were not properly cancelled or other curative
19 action taken, and the court ruled that only one voter may
20 have had nefarious intent.

21 Cornell Palmer and Kenneth and Diane Luscolet advised
22 they thought it was two different elections. Diane asked
23 the poll worker if they could verify if she had already
24 voted, as she could not recall if she may have voted, and
25 the poll worker advised they had no way to verify, and

1 Diane asked what do you want me to do? And she was
2 advised to complete the affidavit and to vote. Ernest
3 Walker does not recall voting twice in the same election
4 but seemed confused when answering questions. His
5 daughter, present during the interviews, advised her
6 father had previously had a stroke. Glenda Lynn Davis did
7 not recall voting twice but advised if she did, it was not
8 intentional.

9 Hamilton Evans advised he went with his wife on
10 Election Day, and when he went to he poll, they asked him
11 for his identification, and he handed it to them, thinking
12 they would see that he already voted during advance
13 voting. He was issued a voter access card and proceeded
14 to vote, knowing that he had already voted in the
15 election. Mr. Evans then told Sheriff Nobles [ph.] what
16 he did and that he was not trying to do anything illegal,
17 but there was a flaw in the system that allowed him to
18 vote twice.

19 In regards to allegation 17, investigation revealed
20 that Long County Elections Supervisor Tranina Harris
21 failed to notify the Secretary of State in writing at
22 least seven days prior to processing the absentee ballots
23 prior to Election Day. In regards to allegation 18,
24 investigation revealed that seven applications for in
25 person absentee voting were not marked by poll workers to

1 indicate the type of identification provided by the
2 elector. All other allegations were unsubstantiated. Our
3 recommendation is for Hamilton Evans, Glenda Lynn Davis,
4 Ernest Walker, Kenneth Luscolet, Diane Luscolet, Cornell
5 Palmer be referred to the AG's Office for 21-2-572, repeat
6 voting, and Long County Board of Elections and
7 Registration and Tranina Harris, the Elections Supervisor,
8 be bound over for violation of 21-2-590 and SEB rule 183-
9 1-14-0.9-.155, processing absentee ballots prior to
10 Election Day, and SEB rule 183-1-12-.11(2)(a), when the
11 poll officers failed to verify the identity of the person
12 that was voting for seven electors.

13 MS. SULLIVAN: Thank you. Are there any members
14 signed up to speak -- any members of the public? No one
15 has signed up to speak regarding this case. Do any of the
16 Board members have any questions for Ms. Watson or any
17 comments?

18 MS. GHAZAL: Yes. Ms. Watson, can you tell me if the
19 voters had inquired as to whether or not they had
20 previously voted? And the reason I say this is it's
21 really important to understand the context of this because
22 this was the primaries in 2020 where the presidential
23 preference primary started in March, early voting had
24 started, and then it was halted. It was combined. It was
25 rescheduled for May and then happened in June, so it was

1 an incredibly complex electoral environment even for those
2 of us who are fairly well versed in this, much less a
3 regular voter. So can you just explain for me one more
4 time which voters had actually asked to research whether
5 or not they had previously voted because they could not
6 remember?

7 MS. WATSON: Diane Luscolet asked the poll worker if
8 they could verify if she had already voted as she could
9 not recall. She may have voted already, and the poll
10 worker advised they had no way to verify. Diane asked
11 what did she wanted to do and was advised to complete
12 the certificate and to vote. And Cornell Palmer, Kenneth
13 and Diane Luscolet advised that they thought it was two
14 separate elections.

15 MS. GHAZAL: Thank you. And is there any -- any
16 evidence as to how -- how the system allowed this to
17 happen? How it was that their votes did not appear on E-
18 net when they went to check in as voters?

19 MS. WATSON: The credit for if they voted early
20 absentee -- the -- it should have been uploaded to show in
21 the system.

22 MS. GHAZAL: Correct. Okay. Is the county being
23 cited for this?

24 MS. WATSON: Yes.

25 MS. LE: Ms. Watson, this is Anh. I have a question.

1 Were there sample ballots posted that Ms. Luscolet and
2 others could have viewed to see if it was the same ballot
3 they voted before in that same election, please?

4 MS. WATSON: Yes. Sample ballots were posted.

5 MS. LE: So the voters could have viewed and seen if
6 it was something that had cast a vote on; correct?

7 MS. WATSON: They would have been able to view the
8 sample ballots. That is correct.

9 MS. LE: Thank you.

10 MS. SULLIVAN: What is the pleasure of the Board?

11 MR. MASHBURN: I move that we accept the
12 recommendation -- the recommendation made for all cases.

13 MS. SULLIVAN: We have a motion. Is there a second?

14 MS. LE: This is Anh, and I'll second it.

15 MS. SULLIVAN: We have a motion and a second. Is
16 there any further discussion? All in favor, please
17 signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MS. SULLIVAN: And any opposed? And that motion
20 passes. We'll move onto the next case, which is SEB 2020

21 --

22 MR. MASHBURN: I'm sorry, Madame Chair.

23 MS. SULLIVAN: Yes.

24 MR. MASHBURN: If I might have just a second, I was
25 thinking I might want to also move that we send the one

1 with nefarious intent, Hamilton Evans, for referral to the
2 DA. So I make a motion that in addition to the resolution
3 that the Board just approved that Hamilton Evans also be
4 referred to the DA.

5 MS. SULLIVAN: Okay. Is there a second to that
6 motion?

7 MS. GHAZAL: Second.

8 MS. SULLIVAN: Motion and a second for referral to
9 the DA. Any further discussion? All in favor, please say
10 aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: Is there any opposed? And that motion
13 passes. Now, we will move onto SEB 2020-077, Cobb County.
14 Ms. Watson?

15 MS. WATSON: We opened this investigation following
16 complaints from this complainant who alleged that the Cobb
17 County Board of Elections and Registration had the police
18 improperly remove him from a tabulation center during the
19 August 2020 general primary runoff election while he was
20 present as a public observer. The Turner Chapel Cathedral
21 locked its doors during the June 2020 general primary
22 election, preventing the public from observing closing of
23 the poll activities. Cobb County violated official
24 election record document processing, failed to properly
25 post tabulated results after the polls closed, reset the

1 protection counter on a voting machine, and submitted
2 incorrect documentation to hide votes, did not properly
3 investigate and/or reconcile the total number of ballots
4 from the June 9th, 2020 election as the number of pre-
5 scanned ballots which was 288 did not match the ballots
6 printed at closing which was noted on the ballot recap
7 sheet which was 290, a discrepancy of two, and did not
8 preserve primary and election records by failing to
9 maintain a zero-tape reflecting voting devices were set to
10 zero verifying no votes were present on the voting
11 equipment.

12 Investigation revealed in reference to allegation 1,
13 the complainant provided a recording of a 911 call made to
14 the police by the security guard at the poll. He was
15 heard telling the 911 operator that the complainant was
16 just hanging around the poll location, and the poll worker
17 wanted him to leave. The poll manager reported to
18 Director Eveler that the security officer employed by the
19 church called the police because the complainant was being
20 disruptive to the point the elections employees became
21 alarmed by his behavior.

22 Complainant Mr. Balbona advised his interaction with
23 the poll workers began when he asked a few questions about
24 the tabulation process. When the time came for the poll
25 officer to announce the results, there was a discrepancy

1 with the numbers. Mr. Balbona openly stated that the
2 election code requires a discrepancy to be reconciled, and
3 several minutes later, he was approached by the security
4 guard. To refute this allegation, Mr. Balbona submitted a
5 second audio/video recording that captured his
6 interactions with the poll workers during tabulation and
7 police while at the poll location. The complainant stated
8 he was there to obtain the poll results and after speaking
9 with the officers, was advised he could remain to do so.

10 In reference to allegation 2, both the area
11 supervisor and poll manager at Turner Chapel Cathedral
12 rejected the notion that the doors were locked. The
13 complainant provided photographs. However, the photos do
14 not definitively prove the doors were locked. The
15 complainant spoke to the area supervisor that exited the
16 door and inquired about post-election activities but did
17 not in -- did not inquire regarding access to the
18 location.

19 In reference to allegation 3, investigation
20 identified that Cobb County election officials at precinct
21 MR5C failed to properly document that a ballot box was
22 sealed because the seal number was omitted from the form
23 required to capture such information. They failed to
24 document that the ballot scanners all indicated zero
25 counts prior to the opening of the polls, printed 26

1 ballots on a ballot-marking device that was not confirmed
2 as being zeroed-out at poll opening, and failed to ensure
3 that all zero-tapes required to be printed from the ballot
4 scanner at the close of the polls were signed.

5 In reference to allegation four, the complainant
6 provided a video of all entrances of the polling location
7 for Turner Chapel Cathedral after the poll had closed, and
8 the video revealed no signs of tabulated results posted on
9 the doors. In reference to allegation five, that Cobb
10 County reset the protective counter on the voting machine
11 and submitted inaccurate documentation, it was
12 unsubstantiated. In the complaint, the complainant
13 alleged the protective counter on their ICP scanner was
14 reset from 428 to 384 to hide 44 missing ballots. It was
15 determined that the protective counter on an ICP scanner
16 cannot be reset. The investigation further revealed on
17 June 9th, 2020 MR5C attempted to scan 288 ballots. After
18 the 44th ballot, the scanner experienced a jam, making the
19 scanner inoperable. MR5C added the 44 ballots back to the
20 original batch for a total of 288 ballots. It transferred
21 the scanner to the central office for repair and all 288
22 ballots were rescanned on June 15th, 2020. When the
23 scanner was zeroed on June 15th, 2020 before the 288
24 ballots were scanned, the protective counter read 96.
25 When 288 is added to 96, that gives a total of 384.

1 As to allegation six, that Cobb County did not
2 properly investigate and/or reconcile the total number of
3 ballots following the discrepancy and palpable error, Cobb
4 County Board of Elections and Registration reported and
5 provided a zero-tape reflecting that 288 ballots from the
6 June 9th, 2020 election were rescanned on June 15th.
7 However, the ballot recount sheet that accompanied the
8 June 9th, 2020 election paperwork revealed a total of 290
9 ballots printed at closing. There was no notation of
10 spoiled ballots, nor was there a spoiled ballot log on
11 file with our office to account for the two-ballot
12 discrepancy after the ballot recap sheet failed to note
13 the number of ballots from the emergency bin that could
14 not be scanned.

15 In reference to allegation seven, that Cobb County
16 Election Board and Registration did not preserve primary
17 election records being a previous zero-tape showing a
18 voting device was set to zero verifying no votes were
19 present on the voting equipment when the ballots were
20 rescanned, and a new zero-tape was printed and became the
21 official record, Cobb County contends that once the
22 scanner was reset to zero and a new tape printed that the
23 previous tape was no longer part of the election
24 documentation. The complainant contends it should have
25 been retained.

1 Our recommendation is for Janine Eveler, Elections
2 Director, Cobb County Board of Elections and Registration,
3 and Board members of the Cobb County Board of Elections
4 and Registration be referred to the Attorney General's
5 Office for violation of 21-2-379.1(1)(b) for procedure of
6 tabulation of votes and also for 21-2-450(c)(3), opening
7 of polls, procedures and ballot labels and the
8 certification by managers, for failing to properly
9 document the ballot box was sealed because the seal number
10 was omitted from the form, failed to document that the
11 ballot scanners all indicated zero counts prior to the
12 opening of the polls, and printed twenty-six ballots on a
13 ballot-marking device that was not confirmed as being
14 zeroed out at opening of the polls, and Board rule 183-1-
15 12-.12(a), the poll manager and the two witnesses shall
16 cause each ballot scanner to print three tapes of the
17 tabulated results and shall sign each tape indicating that
18 it's a true and correct copy of the tape produced by the
19 ballot scanner, and 21-2-493(b), when they failed to
20 properly complete the ballot recap sheet.

21 MS. SULLIVAN: Thank you. Do we have anyone signed
22 up to speak regarding this case?

23 MR. NORTHEN: Yes, Madam Chairman. We have -- the
24 first person speaking is Georga Balbona. He should be
25 able to unmute himself and speak at this time.

1 MS. SULLIVAN: Yes. Please go ahead, Mr. Balbona.

2 MR. BALBONA: Can you hear me?

3 MS. SULLIVAN: Yes, sir.

4 MR. BALBONA: Okay. I'm George Balbona. I live in
5 Cobb County. I'll answer questions after my statement
6 regarding SEB case number 2020-077. I'd like to thank the
7 State Election Board for taking the time to hear my case.
8 I also want to thank all of the Georgia county election
9 officials and poll workers who worked so hard to handle an
10 extremely difficult task: managing the largest voting
11 system rollout in American history on an abbreviated
12 schedule while conducting a primary, a runoff, and a
13 presidential election during a deadly pandemic. That's a
14 very tall order. No one was expecting perfection. I know
15 I wasn't. I just wanted what I always want: fair, secure,
16 and transparent elections. If any problems occurred, I
17 expected elections officials and poll workers to be honest
18 and forthright about them.

19 SOS Investigator Gilbert Humes explained the evidence
20 was, quote, contrary to the statements that were provided
21 by the witnesses, so you are not a Respondent, unquote. I
22 asked so I'm not a Respondent means that the allegations
23 were proven to not be true? He answered, that is correct.
24 He explained, quote, there was no evidence whatsoever
25 presented on the audio or videotape to even suggest that

1 you were overly aggressive or hostile, and that's what's
2 documented in my report, unquote. The reason I'm starting
3 with this allegation is because it's a felony. If the
4 Secretary of State's preliminary investigation report
5 summary is to be believed, a poll manager, an area
6 supervisor, and a security guard all stated that I was
7 disruptive and interfered with the August 11th, 2020
8 runoff election.

9 One of the sentences of the SOS summary caught my
10 attention. Quote, the Marietta Police Department reported
11 that though the complainant was erroneously asked to leave
12 a polling location, the complainant exhibited behavior
13 that a reasonable person could interpret as somewhat
14 hostile, unquote. So we decided to call Major Brian
15 Marshall [ph.] of the Marietta Police Department and ask
16 him his thoughts about this sentence. Major Marshall
17 stated I never made that statement. He also said I would
18 not have classified it as hostile, and I certainly hope
19 that they're not drawing that conclusion from anything
20 that we've said. What makes this particularly damning is
21 that Major Marshall was the only person at the Marietta
22 Police Department that the Secretary of State investigator
23 spoke with.

24 On August 11th, 2020, four Marietta police officers
25 unlawfully removed me from a polling location where I was

1 peacefully observing post-runoff election activities. The
2 very next week, I met with the Deputy Chief of the
3 Marietta Police Department and a major. They said that
4 between the two of them, they had over 50 years of Georgia
5 police experience and that they had never heard of the
6 election code that I had cited. They admitted that they
7 had wrongfully removed me, and then they apologized to me.
8 More importantly, they promised that it would never happen
9 again because they were going to properly train all
10 Marietta police officers on relevant election code. I
11 asked them if I could help them develop their training
12 material, and they said yes. We developed an 18 slide
13 PowerPoint presentation, and all Marietta police officers
14 received proper election code training before the 2020
15 presidential election. I then emailed this training
16 material to all 159 Georgia county election directors, and
17 I asked them to please train all of their law enforcement
18 and security guards. In short, I did the work that the
19 SEB should be doing.

20 Cobb County Elections Director Janine Eveler denies
21 any responsibility at all for this incident. She states
22 that the security guard made the 911 call to have me
23 removed. However, on the 911 call and in video in front
24 of the police officers, the security guard admits that he
25 was asked to remove me by a poll worker. Furthermore,

1 Kara Pringle [ph.] was the acting area supervisor for the
2 runoff election, and she spoke with the poll manager just
3 after I left. In a text that she sent to Janine, she
4 states, quote, he made a scene per the manager. That is
5 why the police asked him to leave, unquote. Now, you know
6 that the poll manager at Turner Chapel is who asked me to
7 be removed. Let me tell you why.

8 I witnessed firsthand that the number of voters
9 checked in did not equal the total number of ballots
10 scanned. At the next COBB County BRE meeting, I asked
11 that the Cobb runoff results not be certified due to
12 irregularities. I was ignored, and they were certified.
13 What makes this particularly galling is that Janine Eveler
14 experienced this during the primary election and knew that
15 this was a serious issue. At 5:21 A.M. on the morning of
16 June 19th, 2020, the morning that the primary elections
17 were certified, Janine Eveler wrote an email to David
18 Greenwalt [ph.], the Southeast Elections Director for No
19 Inc., the poll pad company. She stated, quote, the
20 numbers recorded by the poll workers on the recaps do not
21 match the number of votes cast, and there are no paper
22 voter certificates to compare numbers as we had before.
23 Some are off by hundreds, and there appear to be
24 synchronization issues, and some are off by ten to twenty
25 and are probably caused by duplicate cards being created.

1 There doesn't seem to be a way to reconcile the check-ins
2 to the ballots cast, unquote. State Elections Director
3 Chris Harvey was also CC-ed on this email.

4 Last month at the GAVREO conference, the Georgia
5 Association of Voter Registration and Election Officials,
6 a training presentation about checks and balances stated,
7 quote, check-in equal voter, scanner counter equal ballot,
8 voter equal ballot. If off, oops, unquote. Any voting
9 system that regularly permits properly checked in voters
10 to not have their ballots scanned and counted is
11 unconstitutional.

12 In case you're wondering about the seven allegations
13 I made against Cobb County BRE, Investigator Humes stated,
14 quote, probably about seven of the issues that you brought
15 up were substantiated. I can't go into detail, but there
16 were some findings that will result in violations,
17 unquote. Let's listen to how George Smith, the Turner
18 Chapel area supervisor, treated me before the polls opened
19 on presidential election morning.

20 [audio recording] How am I being disruptive, George?
21 You're coming in -- I'm coming here and citing law. Okay.
22 I'm not trying to hear your law. You're not trying to
23 hear my law? No. I'm not trying to hear your law. You
24 don't want to hear about the official code of Georgia? I
25 know about everything that is associated with the election

1 that is pertinent to what we are supposed to be doing.

2 [audio recording end]

3 And what was Janine Eveler's response to me that
4 morning? [audio recording] you want to -- if you want to
5 sue us, that's fine. [audio recording end] That sounds
6 like reasonable advice considering false felony
7 allegations were made against me.

8 SOS Chief Investigator Frances Watson should have
9 supplied to you a 57-minute audio and video recording
10 which overwhelmingly demonstrates that the charges against
11 me were false. I believe the legal term for it is
12 defamation of character. After having this allegation
13 hanging over my head for six months, I just call it
14 intimidation. Any questions? I wanted to make sure I got
15 that out of the way.

16 As far as the original zero-tape, Janine Eveler made
17 a unilateral decision to destroy and/or discard an
18 election record, which is in violation of OCGA 21-2-73.
19 You never destroy election records before the retention
20 period has expired. It has a retention period of 24
21 months, and she didn't know where it was after -- before,
22 you know, like, two months, okay? I'm more than happy to
23 talk about anything you -- you want. I -- I have to give
24 the Secretary of State -- I have to give Frances credit
25 for the summary. It was good. My point is not that they

1 could have changed it. It's just that three days out
2 after the election, Janine didn't know where the poll
3 tapes were or if they had even been created, and
4 everything seemed to have gone rogue. There was no
5 documentation about the emergency ballots that were just
6 not scanned and put into the -- put into the ballot
7 scanner box, and not only that, the -- it was like an open
8 book test.

9 I literally saw George Smith, the area supervisor, in
10 front of Turner Chapel, and he -- I asked him how's it
11 going? When are you going to -- you know, we're working
12 on the poll tapes is what he tells me. I said give me a
13 ballpark. He says about an hour. He was getting the area
14 supervisor guidebook out of his car, and he had -- he had
15 -- he had at least a poll manager and an assistant manager
16 there and him and all the proper procedures, and they
17 failed miserably. I -- this is just unacceptable.

18 As far as the locked doors, yeah. They didn't like
19 it because all I had was the picture and an audio of me
20 saying the doors are locked, but it happens to be an
21 interesting thing is when I went back in the morning for
22 the presidential election, it was locked, and I have me
23 stating it, the security guard at Turner Chapel stating
24 it, and another public observer stating it. So that's for
25 your consideration. So does anyone --

1 MS. SULLIVAN: Thank you.

2 MR. BALBONA: Yeah. Does anyone have any questions?

3 MS. SULLIVAN: Thank you, Mr. Balbona. Any questions
4 Mr. Balbona?

5 MR. MASHBURN: So Mr. Balbona, your video of -- at
6 the Turner Chapel is in the record?

7 MR. BALBONA: It is.

8 MR. MASHBURN: Okay.

9 MS. SULLIVAN: Thank you. I think --

10 MR. BALBONA: Not only -- if you -- I have not only
11 my video. I have all the body cameras of the police
12 officers. I have the 911 tape. I think that call was
13 provided to you as well. I have a cornucopia of evidence,
14 and I think you guys got two things. She did cover some
15 of it, but it's -- as you can tell, it's very involved,
16 and to really get a feel for it, you've got to do a little
17 bit of reading.

18 MS. SULLIVAN: Thank you, Mr. Balbona. At this time,
19 we'll give Cobb County an opportunity to speak.

20 MR. NORTHEN: All right. So at this time, Ms. Eveler
21 should be able to unmute herself and speak to the group.

22 MS. EVELER: Yes. Good morning. This is Janine
23 Eveler. Can you hear me okay?

24 MS. SULLIVAN: Yes, ma'am. We can. Thank you.

25 MS. EVELER: Thank you. So I would like to just

1 address a few things in the investigative report rather
2 than rebut some of the things that Mr. Balbona has said.
3 First of all, the security guard who called 911 did not
4 work for Cobb County Elections. He was employed by and he
5 took direction from the church, which others have said,
6 Turner Chapel Cathedral, where the poll is located. Cobb
7 County obtains poll security services only from Cobb
8 County Sheriff's Department. The sheriff's deputies visit
9 polls in rotation or as needed if they're called
10 throughout the day, and we do not hire outside security.

11 So from my interview with the poll manager, Ms.
12 Locket [ph.], it is my understanding that Mr. Balbona was
13 asking a lot of questions and challenging what was going
14 on while she was trying to close down the poll, and the
15 church security guard wanted to hurry things along so he
16 could close up the church and go home. He asked her if
17 Mr. Balbona was making her uncomfortable, and she answered
18 yes. However, she did not tell him to remove Mr. Balbona
19 or to call the police. At most, she indicated that she
20 may have said I wish he would just leave, and the actions
21 of the church employee were not directed by the Cobb poll
22 workers or this office.

23 Regarding the fact that we were doing activities that
24 were not in public view, our training classes have always
25 included a slide that says do not lock the doors. All

1 closing activities must be in public view. Our poll
2 workers get this training every election. At one point in
3 the evening, Mr. Balbona did call me. He has my phone
4 number, and it was -- it was either in this election or
5 the runoff that was subsequent to this which Mr. Balbona
6 also mentioned were some issues. At that time, we
7 discussed whether or not an enclosed space still exists
8 after voting stops. At one point, he was apparently right
9 up with the poll workers because he said there was no
10 longer an enclosed space after voting stops. I asked that
11 he please step back to where the space would be if the
12 poll is open so that the workers can complete their
13 duties. Even though it was -- he was perhaps not overtly
14 hostile, his proximity to the workers might be considered
15 intimidating or interfering with their closing activities,
16 and as a side note, it would be nice to have a rule from
17 the SEB to clarify where the observers can be once voting
18 stops.

19 Regarding allegation number three, improper
20 documentation, I do stipulate that there was improper
21 documentation of seal numbers. However, the poll manager
22 and both assistant managers signed a Secretary of State's
23 document that's called opening the polls zero-count form,
24 in which they attested that the ballot box was empty, that
25 the scanner count, the poll book counts, and the BMD,

1 ballot-marking device, counts were all zero, and that the
2 ballot box is secure. So although one or -- the recount,
3 I guess, document did not have these seal numbers
4 documented or did perhaps say that the count was not zero,
5 other documents did. So I think there's a discrepancy in
6 that regard.

7 And lastly, I'd like to speak to allegation four, the
8 not posting of tabulated results. The poll workers could
9 not close the precinct scanner because as it was mentioned
10 earlier, it jammed on the 44th ballot, and so a results
11 tape could not be obtained from that scanner to post on
12 the door. Because the workers were not sure what to do in
13 this situation, they just completed the paperwork with the
14 best of their ability, and there isn't a final count on
15 that -- on that paperwork. After the election, our
16 intention was to scan the unscanned ballots as we're
17 required to do. However, once the precinct scanner was
18 unjammed, and our staff broke the seal on the ballot
19 container, we found that we could not determine which of
20 the ballots were the 44 that have already been scanned and
21 which were unscanned. The poll workers did not use the
22 bags that we had provided to separate those two types of
23 ballots. For that reason, we decided that we would zero
24 out the scanner and rescan all 288 ballots present in the
25 container.

1 Unfortunately, the paperwork which would be the recap
2 was not revised after we did this so the final results,
3 you know, on the paperwork did not match what we had
4 actually completed after the fact, and the results tape
5 and zero-tape from that action, we considered to be the
6 final paperwork or the final record of those tabulation
7 results. And the final results that we certified were
8 accurate for the precinct of Marietta 5B, and that's all I
9 have to contribute. Thank you.

10 MS. SULLIVAN: Thank you very much, Ms. Eveler. Do
11 any of the Board members have any questions for Ms.
12 Eveler? Ms. Ghazal?

13 MS. GHAZAL: Yes. Thank you very much for your
14 clarification, Ms. Eveler. Can I ask whether you believe
15 that current regulation and law are adequate to the
16 circumstances that you faced? Do you think that you as a
17 supervisor or other counties need additional guidance, or
18 poll workers need additional training? Is there anything
19 that you think this Board should be doing moving forward
20 in order to help avoid these circumstances in the future?

21 MS. EVELER: As I mentioned earlier, -- thank you,
22 Ms. Ghazal. There does need to be some kind of a guidance
23 about the closing activities. You know, the law says they
24 must be in public view, but what is -- what are the
25 boundaries around that? How much activity can go on

1 during that closing, and in the case of a poll monitor or
2 a poll watcher, they can be up close with the poll
3 workers, but what about public observers? There's also
4 the idea of questioning the workers. Again, a poll
5 watcher is required to contact the superintendent if they
6 see anything awry, and yet, an observer doesn't have that
7 kind of a guideline, and so they -- Mr. Balbona has
8 peppered us with questions, and that -- that's a
9 disruption to the activity at the poll.

10 MS. SULLIVAN: Thank you, Ms. Eveler. We have made
11 note of that request for further clarification regarding
12 closing activities.

13 MS. GHAZAL: One further question, Ms. Eveler. Do
14 you think that the current training on recap sheets and
15 the training that we have provided to poll workers on how
16 to set aside ballots in an emergency envelope that cannot
17 be scanned on site is -- are the resources that you have
18 adequate?

19 MS. EVELER: Going forward, of course, that was
20 corrected -- or not corrected but emphasized more in our
21 training, but as others have talked about on this -- in
22 this meeting, the June election or the June primary was
23 unusual in that it had been, you know, postponed many
24 times, and poll workers, in our case, were only provided
25 online training, and so they had gone to training back in

1 February for the March presidential primary. We had no
2 forms at that point. They had not yet been developed by
3 the Secretary's Office, so by the time we got the forms,
4 we were only doing online training, and I would say that
5 was not adequate for them to learn those forms, so that
6 was kind of an extenuating circumstance that's specific
7 just to that primary because of the difficulties that we
8 had with training workers. But after that fact, we have
9 not had a similar instance, where this -- for instance,
10 the seal numbers were not recorded or any of that.

11 MS. GHAZAL: Thank you.

12 MR. MASHBURN: I do have a question for Cobb County.
13 So do I understand that what your request is on
14 allegations three and four that we issue a letter of
15 instruction?

16 MS. EVELER: I would not presume to ask for that, but
17 that would certainly be up to the Board.

18 MR. MASHBURN: Would that be agreeable to the County?

19 MS. EVELER: Oh, absolutely.

20 MR. MASHBURN: Is there any more...?

21 MS. SULLIVAN: No more.

22 MR. MASHBURN: I'd like to make a motion.

23 MS. SULLIVAN: Please go ahead.

24 MR. MASHBURN: Okay. I did watch the videotape, and
25 I think Mr. Balbona was treated with incredible grace and

1 care and politeness, especially the Cobb County Police
2 Department, so I want to take a moment to just commend
3 them. While they didn't -- it's clear they didn't know
4 the election law, and I'm really happy y'all worked
5 together to create some training there and get that -- get
6 that done, so I applaud you for that, Mr. Balbona, but at
7 the same time, I thought Cobb County has nothing to
8 apologize for in the way that you were treated because the
9 videotape shows that they acted at all times with extreme
10 grace and care and concern for the public's rights and
11 especially the female officer who stood and waited with
12 you when you said that you weren't going to leave. You
13 were correct in quoting the law, but I thought she showed
14 exceptional grace and just stood there and waited with you
15 and became a -- a public observer herself as well for a
16 while.

17 So I'm going to move that allegation one be
18 dismissed. I'm going to move that we accept the rec --
19 recommendation on allegation two, that it be dismissed as
20 unsubstantiated. I move that we accept the county's
21 request of a letter of instruction on three and four. I
22 move that five be dismissed, I move that six be dismissed,
23 and I move that seven be dismissed, and I -- and I hope we
24 can get the name of that female officer who stood with you
25 to give her a public statement of a well-done -- well-done

1 job.

2 MS. SULLIVAN: Okay. We have a motion on the table.
3 Would anyone like to second Mr. -- several -- several-part
4 motion, like to second Mr. Mashburn's motion?

5 MS. LE: Mr. Mashburn, this is Anh Le. Could you
6 clarify again? I'm sorry. I lost track there. Dismiss
7 all but which ones, and it was a letter of instruction?
8 Was that number five?

9 MR. MASHBURN: Yeah. Yeah. Dismiss all but three
10 and four, and issue letters of instruction on those, so we
11 would -- we would agree with the county's request on three
12 and four and issue letters of instruction on three and
13 four and dismiss the rest.

14 MS. LE: May -- may I make a friendly adjustment to
15 your motion, sir?

16 MR. MASHBURN: Sure.

17 MS. LE: And that would be to include in the letter
18 of instruction training for those individuals?

19 MR. MASHBURN: Yes. That's a good mo -- that's a
20 good amendment to my motion, so I accept -- I accept it as
21 a friendly -- as a friendly amendment.

22 MS. LE: I second that motion.

23 MR. MASHBURN: I restate my motion as amended.

24 MS. SULLIVAN: Okay. We've got a motion and a
25 second. Is there any further discussion? All in favor,

1 please signify by saying aye.

2 THE BOARD MEMBERS: Aye.

3 MS. SULLIVAN: And there are none opposed, and that
4 motion passes. Moving onto SEB case 2020-124, which is
5 DeKalb County.

6 MS. WATSON: Yes. We received several complaints
7 alleging that poll workers at the Dunwoody Library and the
8 Lynwood Recreation Center in DeKalb County, Georgia were
9 asking voters to see their voted ballots to view the QR
10 matrix barcode in order to direct voters to the
11 appropriate scanner as DeKalb County was using split
12 ballot styles. As a result, poll workers were able to see
13 the selected candidates on the voted ballot.

14 Investigation shows that the allegation that poll workers
15 in DeKalb were looking at a voter's ballot was
16 substantiated at two polling sites through poll manager
17 and witness statements. The poll manager at the Berean
18 Christian Church polling precinct confirmed poll workers
19 were asking voters to see the precinct ID on the vote --
20 the voted ballot in order to direct the voters to the
21 appropriate scanner. Three separate and independent
22 complaints were reported to the Georgia Secretary of
23 State's Office that alleged poll workers at the Dunwoody
24 Library polling location were looking at voter -- voter's
25 ballots to direct voters to the proper scanner.

1 The investigation also substantiated the allegation
2 of illegal campaigning. Three campaign signs promoting
3 candidate Gary Wine [ph.] for State Senate were found
4 within a hundred and fifty feet of the outer edge of the
5 building where voting was occurring. The location where
6 the signs were posted did not have voter surv -- video
7 surveillance. Therefore, it could not be determined who
8 placed the signs within the restricted boundaries. Our
9 recommendation is for Michael Walker [ph.], poll manager
10 at Berean Christian Church, and Sherry Method [ph.], poll
11 manager at Dunwoody Library, and DeKalb County Board of
12 Election and Registration be referred for SEB rule 183-1-
13 12-.11, when poll workers looked at the precinct ID on a
14 voter's voted ballot to identify the appropriate scanner,
15 and DeKalb County Board of Registration and Election be
16 referred to the AG's Office for 21-2-99(a), instruction of
17 poll officers, when they failed to provide adequate
18 training to the poll workers to ensure poll workers were
19 not asking to view completed ballots.

20 MS. SULLIVAN: Is anyone signed up to speak?

21 MR. NORTHEN: Yes. We have Shelley Momo and Irene
22 Vanderels. I believe that they are both separate, but
23 this is the caller that had a disability so this might be
24 someone assisting them with their comment.

25 MS. SULLIVAN: Okay.

1 MR. NORTHEN: So Shelley, you are able to speak.

2 MS. SULLIVAN: Shelley, you should be able to unmute
3 yourself and speak.

4 MS. MOMO: Good morning. My name is Shelley Momo. I
5 am actually here with my co-counsel, Irene Vanderels, who
6 will speak to this matter if she could be able to unmute.
7 Thank you.

8 MS. SULLIVAN: Sure. You should be able to unmute
9 now.

10 MS. VANDERELS: Thank you. This is Irene Vanderels
11 on behalf of the DeKalb County Board of Registration and
12 Elections. I just wanted to provide some additional
13 background. During the advance voting period for the
14 November general election in 2020, DeKalb received some
15 instructions I believe from the Center for Election
16 Services to allocate voters at the advance voting
17 locations to specific scanners based on the precinct name,
18 and this was to prevent any issues with overloading the
19 memory cards on the scanners due to the length of the
20 ballot for the general election and the number of
21 precincts in DeKalb County. So the voters at these
22 locations were supposed to scan their ballots at a scanner
23 designated either A through L or M through Z based on
24 their precinct, and poll workers attempted to give voters
25 verbal instructions as to how to identify their precinct

1 names on the ballots, but unfortunately, some of the
2 voters were unable to locate the precinct name on their
3 ballots, and the poll workers in those instances did try
4 to help the voters by viewing just the precinct name above
5 the QR code to direct the voter to the correct scanner.

6 As indicated in the SEB -- I'm sorry, the
7 investigation report, they attempted to cover the actual
8 votes on the ballots using a sheet of paper, and they also
9 posted samples of ballots to try to indicate to voters
10 where the precinct name could be located. There was no
11 intention on the part of any of the poll workers to view
12 votes. They were simply trying to assist voters to
13 identify the right scanner to use, and it appears that
14 this is an issue specific to the use of the new equipment
15 during the general election in November, and that it would
16 likely not arise again, so we'd ask for a letter of
17 instruction to be issued with respect to this case.

18 MS. SULLIVAN: Thank you, Ms. Vanderels. Are there
19 any questions? Do Board members have any questions for
20 DeKalb County?

21 MS. LE: Madame Chair, this is Anh Le. I wanted for
22 the record to reflect that I'm going to recuse myself from
23 this case. Thank you.

24 MS. SULLIVAN: Thank you. It's noted. Go ahead.

25 MS. GHAZAL: What -- my first question is a technical

1 question. Is it -- is it just physically impossible for
2 one scanner to accept all precinct styles in early voting
3 in counties such as DeKalb?

4 MS. WATSON: It depends on the length of the ballot.

5 MS. GHAZAL: Okay. So -- so there can be --

6 MS. WATSON: The different -- different ballot
7 styles, the number.

8 MS. GHAZAL: Is this, again, an area ripe for at
9 least guidance to provide counties a -- a standard method
10 to make sure that voters can on their own ability without
11 having to go through poll workers determine which ballot
12 scanner to use? Is there a way of making sure that voters
13 can be wholly independent, and they don't have to show
14 their ballots?

15 MS. WATSON: What -- what I saw at another county was
16 they provided you the precinct number on a little Post-It
17 note when you got your voter access card, so you had that
18 with you to be able to be directed to the proper scanner
19 without them having to view it.

20 MS. GHAZAL: And I think -- correct me if I'm wrong.
21 I think under the new law the precinct name and code will
22 be printed on the ballot itself now under 202.

23 MS. WATSON: I believe that's correct.

24 MS. GHAZAL: So hopefully, this won't come up in the
25 future, and hopefully, we can provide -- counties can

1 provide signage, and it will be a lot easier. Okay.

2 Thank you.

3 MR. MASHBURN: The County has requested that we issue
4 a letter of instruction?

5 MS. SULLIVAN: That is correct.

6 MR. MASHBURN: I move that we accept the
7 recommendation and also the County's request of a letter
8 of instruction.

9 MS. GHAZAL: Second.

10 MS. SULLIVAN: We have a motion and a second. Is
11 there any further discussion? All in favor, signify by
12 saying aye.

13 THE BOARD MEMBERS: Aye.

14 MS. SULLIVAN: And there are none opposed. Let the
15 record reflect that Ms. Le recused herself from that case.
16 I believe that 2020-169 has been granted a continuance, so
17 we will move on here to case 2020-191, which I believe is
18 being partially re-presented today.

19 MS. WATSON: Right. That's -- that's correct. The
20 case was previously presented, and all but one Respondent
21 was resolved. The case was referred back to re-look at
22 the violation cited as it referred to Respondent Elena
23 Roderick. The complaint was received that Elena Roderick
24 had registered at an address in Forsyth County that she
25 did not reside at. This was reported by the owner of the

1 residence. It was determined that Elena Roderick was, in
2 fact, registered at 4650 Alister Drive in Cumming with a
3 registration date in September of 2020. On this
4 registration date, the address was not one that she or
5 anyone she knew resided at at the time she registered.
6 She requested an absentee ballot from Forsyth County on
7 October the 16th, 2020 for the November 3rd, 2020 general
8 election but did not vote or return the ballot to the
9 Elections Office. Elena Roderick was found to be
10 attending dental college in Augusta and residing in South
11 Carolina while attending college. The voter registration
12 has been updated to an address in Cobb County at this
13 time. Our recommendation is to refer Elena Roderick to
14 the Attorney General's Office for a violation of 21-2-562,
15 when she submitted a voter registration and absentee
16 ballot request in Forsyth County knowing the address was
17 not her residential address at the time she submitted the
18 request.

19 MS. SULLIVAN: Thank you. Is Ms. Roderick here?

20 MS. WATSON: I believe she has an -- has an attorney.

21 MR. NORTHEN: Mr. Sells is here, Bryan Sells.

22 MS. SULLIVAN: Mr. Sells, you can go ahead.

23 MR. NORTHEN: You should be able to unmute yourself,
24 sir.

25 MR. SELLS: There we go. Good morning. Can you hear

1 me now?

2 MS. SULLIVAN: We can. Go ahead.

3 MR. SELLS: Great. I'm Bryan Sells, and I represent
4 Elena Roderick, who is one of the Respondents in 2020-191.
5 The complaint against Ms. Roderick should be dismissed
6 because her unsuccessful attempt to request an absentee
7 ballot in the 2020 general election was not fraudulent.
8 The facts here do not add up to a prima facie violation of
9 the voter fraud statute, and this Board should not subject
10 her to further jeopardy for what is a felony violation.

11 Ms. Roderick is a resident of Georgia, and she has
12 been since she was 4 years old. Since 2018, Ms. Roderick
13 has been a full-time student at the Dental College of
14 Georgia, which is part of Augusta University, in Augusta,
15 Georgia. Prior to her matriculation there, Ms. Roderick
16 and her husband lived with her husband's parents in
17 Forsyth County. She hopes to return to Forsyth County
18 following her graduation from dental school, and she has
19 already begun looking to purchase an existing dental
20 practice. She also has a job offer currently with a
21 practice in Alpharetta following her graduation next
22 spring.

23 Now, at the time of the 2020 election, she was living
24 just across the line in Beacon, South Carolina, and her
25 in-laws had moved from the Forsyth County address where

1 she had registered to vote. The staff alleges that Ms.
2 Roderick violated section 21-2-562 of the Georgia Code
3 when she requested an absentee ballot and registered in
4 the 2020 election using her in-laws' Forsyth County
5 address as her residence. That statute requires a, quote,
6 willful violation. Willful is a legal term of art, and it
7 means that Ms. Roderick must have voluntarily and
8 intentionally violated a known legal duty. In other
9 words, Ms. Roderick must have known that the Forsyth
10 County address was not her legal address when she
11 requested an absentee ballot.

12 Under Georgia law, however, the Forsyth County
13 address probably was her legal address at the time of the
14 2020 election, and that's because Georgia law provides in
15 section 21-2-217 that no person shall be deemed to have
16 gained or lost their residence by reason of such person's
17 presence or absence while enrolled as a student at any
18 college, university, or other institution of learning in
19 this state. Ms. Roderick clearly comes under the
20 protection of this residency statute because she was
21 enrolled at the time at the Dental College of Georgia.
22 She cannot have lost her residence by going away to school
23 in Georgia as she did. Under the same statute, moreover,
24 her residence probably didn't move with her in-laws when
25 they moved from the Forsyth County -- County address

1 because she was not living with them at their new address.

2 Now, it's also possible under the residency statute
3 that her legal residence reverted back to her father's
4 address in Cobb County where she lived before moving in
5 with her in-laws in Forsyth County. The Board, of course,
6 doesn't need to resolve that question of what was her
7 legal residence at the time of the 2020 election, but
8 should -- it should be clear from the ambiguity in the
9 statute that Ms. Roderick cannot have had the requisite
10 mens rea or bad faith that is necessary to establish a
11 violation of 21-2-562 when she tried to register and cast
12 her ballot. She was simply trying to in good faith
13 participate in the 2020 election, and those undisputed
14 facts do not add up to a prima facie violation of the
15 code, so we respectfully ask that the Board dismiss this
16 case as to Ms. Roderick.

17 MR. MASHBURN: This is Matt Mashburn. I have a
18 question, counselor, if I might. Clear up for me this
19 address issue. Not with -- not residency issue, but
20 address issue. Did she or did she not use an address that
21 the in-laws no longer lived at as her address that she
22 registered or filed paperwork under; correct or incorrect?

23 MR. SELLS: So when she registered and requested the
24 absentee ballot in Forsyth County, she used the address
25 where her in-laws had previously lived, but at the time,

1 they did not. The forms that she signed in doing so don't
2 state that she was living there. It states that that's
3 her legal residence, and it -- it's certainly not a bad
4 faith belief that that address was her legal residence
5 despite her in-laws having moved at the time.

6 MR. MASHBURN: So no one that she was related to
7 lived at that place that she used as her address? Related
8 to by blood or marriage or --

9 MR. SELLS: That's correct. The situation is not at
10 all uncommon when, for example, we've got military people
11 who are registered here, stationed here, and then move
12 away. They continue to use their Georgia addresses even
13 though they don't live there anymore, and someone else
14 might actually be living in those kinds of places. It's
15 not -- not a particularly uncommon situation. What we
16 have in this case is the -- the owner of the in-laws'
17 house, the next owner, has made a complaint, and that's
18 the reason why it has come to the Board's attention here.
19 But -- but if this Board finds that this situation amounts
20 to a probable cause of a felony violation, it could have
21 serious repercussions across the state and particularly
22 for our military voters who know -- who remain registered
23 and lawfully so in Georgia despite no longer living at the
24 address where they are registered.

25 MS. GHAZAL: Mr. Sells, I have an additional

1 question. When was this voter registered? Did she
2 register in 2020 at this address, or had she previously
3 been registered at this address -- this address, and it
4 just carried on?

5 MR. SELLS: Sure. I can -- I think I can answer that
6 question. Her residence -- her voter registration
7 residence has bounced back and forth between her father's
8 address in Cobb County and this Fulton -- this Forsyth
9 County address. She registered in Forsyth County in
10 September of last year in an effort to try to vote in the
11 2020 election. She registered just before the deadline,
12 and that registration was actually an update of her
13 previous registration.

14 MR. MASHBURN: This is Matt Mashburn. I have a -- I
15 have a motion. The Respondent here has no burden of proof
16 at all. The burden of proof is all on the State, and I
17 believe the State has met its burden of proof to believe a
18 violation has occurred here, and for that reason, I
19 recommend -- I make a motion that it be referred to the
20 Attorney General's Office. I have no doubt that the
21 counsellor will be able to ably represent his client there
22 as he has done here, and I thank him for his excellent
23 presentation.

24 MS. SULLIVAN: We have a motion. I'll second that
25 motion. Is there any further discussion? All in favor,

1 please signify by saying aye.

2 THE BOARD MEMBERS (except Ms. Ghazal): Aye.

3 MS. SULLIVAN: Is there any opposed?

4 MS. GHAZAL: No.

5 MS. SULLIVAN: That motion -- we have one opposed,
6 and that motion passes. We're going to take one more case
7 before we have a lunch case, so the next case is SEB 2020-
8 198.

9 MS. WATSON: Between November 2020 and December 2020,
10 we received three complaints regarding the residency
11 status of Fulton County voters during the 2020 general
12 election. Corbin Pendleton [ph.] was alleged to currently
13 live in New York and voted in Fulton County 2020 general
14 election. Heather and Christopher Dobbins [ph.] currently
15 residing in Alabama and voted in the Fulton County 2020
16 general election, and Mary Alice Wynette [ph.], currently
17 lives in Florida, voted in the Fulton County 2020 general
18 election. Allegations one and three were not
19 substantiated due to the fact that Corbin Pendleton was
20 residing in New York for work, however still owned
21 property in Atlanta that she has every intention to move
22 back to. She also maintains her Georgia car registration
23 and driver's license. Mary Alice Wynette works for Delta
24 and owned a home in Tampa and Hapesville. She was
25 spending time in both locations and sold the Georgia home

1 in March of 2021, well after the general and runoff
2 elections.

3 Allegation two was substantiated. Heather and
4 Christopher Dobbins moved to Alabama in August of 2018.
5 This was confirmed with the property owner of the
6 residence they are renting in Alabama. Their motor
7 vehicle was also registered in Alabama, and they are both
8 employed in Alabama. Christopher Dobbins registered to
9 vote in Alabama on 11/03/2020, according to the Alabama
10 Secretary of State. According to the Dobbins' Facebook
11 account, they are married and have lived in Alabama since
12 August of 2018. In one Facebook post, she stated I've
13 never been happier I didn't change my registration hahaha
14 in response to another post referencing Fulton County
15 politics. Christopher Dobbins was also a candidate for
16 the Reece City, Alabama City Council to run for City
17 Council. He must be a resident of Reece City. Many
18 attempts were made by investigators to contact the
19 Dobbins. To date, they have not made contact.

20 Heather Dobbins voted in Fulton County by absentee by
21 mail for the November election and for the January runoff.
22 Christopher Dobbins requested an absentee ballot from
23 Forsyth County for the November 2018 general election
24 after having moved to Alabama in August of 2018. Mr.
25 Dobbins registered to vote in Alabama in 2019 and voted in

1 Alabama for the November 2020 general election. Our
2 recommendation is for Heather and Christopher Dobbins to
3 be referred to the Attorney General's Office for
4 violations of 21-2-573.

5 MS. SULLIVAN: Do we have anyone signed up to speak?
6 No one has signed up to speak.

7 MR. MASHBURN: I move that we accept the
8 recommendation.

9 MS. GHAZAL: I'll second.

10 MS. SULLIVAN: Motion and a second. Is there any
11 further discussion? All in favor, please say aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: And there are none opposed, and that
14 motion passes. Let's take a thirty-five-minute break for
15 lunch. We will reconvene at 12:30. Thank you.

16 (Meeting break)

17 (Meeting resumes)

18 MS. SULLIVAN: This is Rebecca Sullivan. It's 12:30,
19 and we'll be calling this meeting back to order. The next
20 case on the agenda is SEB 2020-206. Ms. Watson?

21 MS. WATSON: Yes. The allegation is that Pamela Graf
22 changed her name and voted after being notified she could
23 not vote due to being on probation. Betty McCann [ph.]
24 lives in Glenn County and voted in Fulton County. Taylor
25 Peough [ph.] lives in New Orleans and voted in Fulton

1 County, and Skylier Ross moved to New York two years ago
2 and voted in Fulton County.

3 Investigation as to allegation one: it was verified
4 that Pamela Graf was serving a felony sentence and was
5 released on parole in 2016, with the parole running until
6 March 11th, 2021. Pamela Graf stated she changed her name
7 legally to Truth Graf, and when she was released on parole
8 and got her driver's license, she registered to vote. She
9 states she was not aware that she could not do so and did
10 not understand the terminology convicted of a felony of
11 moral turpitude. However, both Forsyth and Fulton County
12 had notified her in writing that she was not eligible to
13 vote due to the felony conviction. She registered again
14 through D -- driver services in July of 2020 in Fulton
15 County. It was verified that she voted November 2016,
16 November 2017, and November 2020, all while under sentence
17 for a felony conviction.

18 As to allegation two, it was determined that Betty
19 McCann had bought a second home in Glenn County but still
20 maintained her Fulton County home until after the general
21 election when the Fulton County home was sold and at which
22 time she changed her driver's license and voter
23 registration to Glenn County. Betty McCann voted in
24 person in Fulton County having cast and scanned her
25 ballot. There was no violation substantiated against

1 Betty McCann. However, there was no credit for voting
2 entered into the statewide system by Fulton County for her
3 in person vote.

4 Allegation three, Taylor Peough advised that she was
5 born in Georgia and has always lived in Georgia until she
6 went to UCLA to attend college. She then moved back to
7 Georgia after completing college in 2019. She advised she
8 still considers Georgia her home, maintains her Georgia
9 driver's license, and pays taxes in Georgia. She advised
10 that she moved to New Orleans temporarily while completing
11 training as a research assistant at a company in New
12 Orleans. Taylor is in the process of interviewing with
13 colleges to pursue her PhD in neuroscience. Taylor
14 provided copies of her driver's license and tax documents
15 as proof of residency.

16 As to allegation 4, records indicate that Skylier
17 Ross did vote via absentee in the November 2020 election
18 and the January 2021 runoff. Mr. Ross advised he moved to
19 New York in 2018 with the intent to live in New York. Mr.
20 Ross stated that you have to be a resident of New York for
21 a year before you can qualify to register to vote. This
22 is not an accurate statement, as the residency requirement
23 is thirty days. Mr. Ross was asked why if he was not a
24 resident of Georgia would he vote in Georgia. He stated
25 that he wanted to vote and still has his Georgia ID which

1 allowed him to vote in Georgia. Mr. Ross claims that due
2 to the coronavirus he was unable to get the identification
3 he needed in order to vote in New York prior to the
4 election.

5 Our recommendation is to refer Truth Pamela Graf for
6 21-2-561 and 21-2-216(b) and Fulton County Board of
7 Registration and Elections, Fulton County Elections
8 Director Richard Barron, and Fulton County Registration
9 Manager Ralph Jones for 21-2-386(i), and Skylier Ross for
10 violation of 21-2-217, 4 counts.

11 MS. SULLIVAN: Do we have anyone signed up to speak
12 on this case?

13 MR. NORTHEN: Yes, ma'am. We have -- the first
14 person here to speak is David Lowman. He should be able
15 to unmute himself and speak at this time.

16 MR. LOWMAN: Good afternoon.

17 MS. SULLIVAN: Thank you. Go ahead.

18 MR. LOWMAN: This is David Lowman from the office of
19 the Fulton County attorney. With respect to the one
20 allegation that involves Fulton County personnel, I would
21 ask that a letter of instruction be issued. The statute
22 that is cited in the allegation is incorrect. I don't
23 believe that statutory -- statutory section exists. I
24 think that that is just simply a misstatement of the
25 actual code section. However, our staff has undertaken

1 the investigation to try to collect the information to
2 make sure that Ms. McCann's information is entered, so
3 that the credit for voting is maintained, and that is our
4 intent going forward, to make sure that that information
5 is entered, and because of that, I would ask that a letter
6 of instruction be issued.

7 MS. SULLIVAN: Does anybody have any questions for
8 Mr. Lowman at this time?

9 MR. LOWMAN: And excuse me if I may, I just got the
10 confirmation from -- from staff that the application
11 information has been located, and so it will be entered
12 into the system.

13 MS. SULLIVAN: Thank you.

14 MR. NORTHEN: The next speaker is Skylier Ross, who
15 should be able to unmute themselves and speak at this
16 time.

17 MR. ROSS: Hello? Can you guys hear me?

18 MS. SULLIVAN: We can.

19 MR. ROSS: Thank you, ladies and gentlemen of the
20 Secretary of State. My -- my name is Skylier Ross, and
21 the only reason why I did an absentee ballot was because
22 of the pandemic. I have schizophrenia, and I -- I do take
23 accountability for not doing my due process of doing
24 enough research. I -- I just -- sorry. I -- I'm sorry,
25 guys,

1 MS. SULLIVAN: It's okay, sir. Take your time.

2 MR. ROSS: I -- I wasn't trying to do fraud. I just
3 wanted my voice to be counted. I called my mom and
4 friends in Georgia, and they told me that it might be the
5 only way to -- to get my voice counted. However, I do
6 take account -- acco -- accountability for not doing my
7 due pro -- process, and I'm sorry.

8 MS. SULLIVAN: Mr. Ross, thank you for being here
9 today and speaking to the Board.

10 MR. ROSS: Thank you for even allowing me to talk.

11 MS. SULLIVAN: Of course. Do we have anyone else
12 signed up?

13 MR. NORTHEN: We do. Truth Graf should be unmuted --
14 unmuted at this time and able to speak.

15 MS. GRAF: Hello. Can you hear me?

16 MS. SULLIVAN: Yes, we can. Go ahead.

17 MS. GRAF: Hello. From 2009 to 2016, I served the
18 State of Georgia in prison for a drug-related charge, 7
19 years. A prisoner called me Truth when I first got there,
20 and I've kept the name for the past 13 years. As soon as
21 I was released, I legally changed my name to Truth Pamela
22 Graf via judge in Forsyth County. I have the final order
23 here dated June 25th, 2016. In the past 6 years since my
24 release as a person with 13 years in long recovery from
25 addiction, I worked four years of community service as a

1 certified peer specialist through the State of Georgia.
2 For the past two years, I've worked for Fulton County
3 Superior Court as a peer support specialist in
4 accountability court.

5 During this time, I lived in four counties. Every
6 time I would change my address, I would go to the DMV, DDS
7 to get a new license, register to vote, and hopefully take
8 a better picture. I would receive my voter registration
9 card in the mail from each county: Forsyth, Cherokee,
10 Cobb, and Fulton, and in 2016 and in 2020, I cast my vote.
11 In 2017, I supported the first black man to run for public
12 office in Forsyth County. My parole ended back in March,
13 six months ago.

14 I don't understand why it is my fault for each county
15 issuing me a voter registration card to vote. If the
16 State of Georgia whom I work for doesn't want me to vote
17 as even more punishment for a mistake made 13 years ago,
18 shouldn't there be some type of bell that dings or
19 something in your voter registration system that prohibits
20 me from registering to vote? I believe that every US
21 citizen should have the right to vote, and the right to
22 vote should never be taken away or suppressed for
23 political gain. As a citizen of the State of Georgia for
24 the past 16 years, I have more than paid my debt to
25 society giving 7 years of my life in prison, giving my

1 fellow Georgians almost 1500 hours of community service in
2 the fight for recovery from the disease of addiction in
3 this opioid epidemic. Now, I am a valued employee of
4 Fulton County Superior Court. Is the punishment I endured
5 and the service I have given to our state not enough to
6 make me worthy of voting? Why am I barred in my state of
7 Georgia from having a voice in our community, our state,
8 and our country? I respectfully ask to be issued a letter
9 of instruction, please. I will never vote again. Thank
10 you.

11 MS. SULLIVAN: Thank you, Ms. Graf. Do any of the
12 Board members have any questions for any of the people
13 that are here with us today?

14 MS. GHAZAL: This is Sara Ghazal. First, Mr. Ross, I
15 want to add my thanks to you for being willing to come on
16 and speak, and I'm -- I'm hopeful that the Attorney
17 General's Office will take into account your willingness
18 and accountability in this issue, so thank you. I know
19 how difficult it must be. With regards to Ms. Graf, I
20 have a question of whether or not the felony system
21 notified either Fulton County or any of the -- any of her
22 counties of residence, whether her name came up or -- as a
23 -- as a felon who was registered and therefore should have
24 been removed from the voting list.

25 MS. WATSON: They did. They were notified. Both of

1 them did notify her in writing that she was not eligible
2 to vote due to the felony.

3 MS. GRAF: Ma'am, could you please tell me when I was
4 notified in writing, please? Because I've never read
5 that. Were the letters certified?

6 MS. WATSON: As far as whether they are -- were
7 certified, I do not have that information. Forsyth County
8 sent the letter on July 9th, 2018, and Fulton County sent
9 the letter on March 6th, 2020.

10 MS. GRAF: Isn't there something about being flagged
11 or banned if you're -- if you're not allowed to vote or
12 not allowed to register? I just don't know how it works.

13 MS. GHAZAL: Have either of the counties been cited
14 as violated the [sound distortion] disenfranchisement code
15 because they -- the registration should have been
16 cancelled in both of these cases?

17 MS. GRAF: Right. But it -- it wasn't, and I had my
18 voter registration card. That's what I'm asking. Please.
19 I was allowed to vote. I received my voter registration
20 card, but I will not vote again in the State of Georgia,
21 and I would respectfully ask to be issued a letter of
22 instruction, please.

23 MS. WATSON: To your question, the county was not
24 cited, and I would defer to Blake as to the process for
25 the felony conviction process and how that goes to the

1 county when a new voter registers.

2 MR. BLAKE: Yeah, I would need to look into it a
3 little more if the county was wrong in the way that they
4 handled this particular case.

5 MS. SULLIVAN: We could -- so we could vote on the
6 rest of this case but leave that issue open to revisit.

7 MS. GHAZAL: I move for a continuance with regard to
8 Ms. Graf.

9 MR. MASHBURN: Does that need to be seconded or are
10 we just...

11 MS. SULLIVAN: We have a -- I think so.

12 MR. MASHBURN: I'll second if it needs to be
13 seconded.

14 MS. SULLIVAN: Okay. We have a motion and a second
15 to -- to continue regarding the claims -- the allegations
16 regarding Ms. Graf. Any discussion? All in favor, please
17 say aye.

18 THE BOARD MEMBERS: Aye.

19 MS. LE: I -- I have a comment. I support the
20 motion, but I just want to make a comment to Ms. Graf's
21 request that we issue a letter of instruction in lieu of
22 her never voting again. I want to just let everyone know
23 out there including Ms. Graf that when you're eligible to
24 vote, we strongly encourage anyone and everyone who's
25 eligible to vote even after completing sentence to please

1 do so and take full advantage of your right to vote when
2 you're eligible. If it turns out that we're issuing a
3 letter of instruction or take other action, it will not be
4 because of your offer that you will never vote again.
5 That will not be the reason for any action that is taken
6 by the Board. It is simply because it's the right thing
7 to do. But when you're eligible to -- I just want to put
8 on the record to please vote. Just vote in a manner that
9 is prescribed by law but thank you for being here today.
10 I really appreciate it, and I support the motion to
11 continue.

12 MS. GRAF: I appreciate that. I just don't know --
13 could you tell me what the extension is for? I -- I
14 didn't understand why you're delaying the --

15 MS. SULLIVAN: Ms. Graf, the -- I'll let Ms. Ghazal
16 explain her motion.

17 MS. GRAF: Thank you.

18 MS. GHAZAL: We need to -- we need to investigate
19 further why it was that the counties allowed you to remain
20 on the registration roll because that is what led to your
21 misunderstanding about your ability to vote, so we need to
22 investigate why in both cases, in the case of Forsyth and
23 Fulton County, you were not removed from the voter rolls.

24 MS. SULLIVAN: And we will -- you will be notified
25 when this case is back before us, Ms. Graf.

1 MS. GRAF: Thank you. All right. I appreciate it,
2 y'all.

3 MS. GHAZAL: And as a matter of policy, I do agree
4 that the terminology that is used in state statute about
5 moral turpitude is extraordinarily confusing. The way it
6 is applied right now is just a felony full stop. There
7 needs to be work done by our legislature on this issue to
8 provide much clearer guidance to our voters, so they are
9 not placed in this situation to begin with because we want
10 to be encouraging people to vote no matter what their
11 background is as long as they are eligible. Eligibility
12 needs to be crystal clear.

13 MS. GRAF: Thank you.

14 MS. SULLIVAN: With regard to the remainder of this
15 case, the cite -- I believe Mr. Lowman is correct. The
16 citation in 21-2-386(i) appears to be incorrect. Do we
17 have the correct citation?

18 STAFF MEMBER: Yes, I can get it for you. I believe
19 it's 21-2-215(i).

20 MS. GRAF: Hello?

21 MS. SULLIVAN: Yes, ma'am. The Board is considering
22 the remainder of the case. Ms. Graf, your case has been
23 continued.

24 MS. GRAF: Oh, okay. Okay. Thank you.

25 MS. SULLIVAN: Mmm-hmm. What is the pleasure of the

1 Board with regard to the remainder of the allegations?

2 MR. MASHBURN: So the recommendation is no -- no
3 violation for Peough? I -- we'll just have to break these
4 down, I think. So I'll move that we accept the
5 recommendation for Peough of no violation.

6 MS. GHAZAL: Second.

7 MS. SULLIVAN: Motion and a second. All in favor,
8 please -- well, any discussion? All in favor, please say
9 aye.

10 THE BOARD MEMBERS: Aye.

11 MS. SULLIVAN: There are none opposed.

12 MR. MASHBURN: And on Ross, Mr. Ross, are you still
13 there?

14 MR. NORTHEN: I would have to unmute him.

15 MR. MASHBURN: Mr. Ross, are you still there?

16 MR. ROSS: Can you hear me?

17 MS. SULLIVAN: Yes. We can hear you.

18 MR. ROSS: Yeah.

19 MR. MASHBURN: Okay. So -- so the way I understand
20 it is you're -- you're living in New York now, and no
21 present intention to come back to Georgia, right?

22 MR. ROSS: No, sir.

23 MR. MASHBURN: Okay. And so you're -- you're either
24 going to cancel your registration in Georgia, or you've
25 already cancelled your registration in Georgia?

1 MR. ROSS: I -- I just cancelled my registration in
2 Georgia. Yes, sir.

3 MR. MASHBURN: Okay. Are you going to try to
4 register in New York?

5 MR. ROSS: Yes, sir. I -- I will do the right thing
6 and register to vote in New York. Again, I apologize for
7 even putting you guys in this situation. I just -- you
8 know, with the pandemic and my mental illness, it got the
9 best of me, and I wasn't trying in any way to -- to create
10 any type of a fraud or malintent. I just didn't do enough
11 research, and that's -- that's on me.

12 MR. MASHBURN: I just don't see any benefit of
13 sending Mr. Ross to the Attorney General. I just don't --
14 I think he's got it. I think he's learned his lesson, and
15 I think he's got it.

16 MR. ROSS: Yes, sir.

17 MR. MASHBURN: So I -- I move that we issue a letter
18 of instruction to Mr. Ross and close his case.

19 MS. LE: I second that motion.

20 MR. ROSS: Thank you. Thank you. Thank you.

21 MS. SULLIVAN: We have a motion and a second. All in
22 favor, please say aye.

23 THE BOARD MEMBERS: Aye.

24 MR. ROSS: Thank you, guys.

25 MS. SULLIVAN: Thank you, Mr. Ross.

1 MR. MASHBURN: Mr. Lowman, are you still there?

2 MR. LOWMAN: I am, sir.

3 MR. MASHBURN: I understood that you're willing to
4 accept a letter of instruction.

5 MR. LOWMAN: Yes.

6 MR. MASHBURN: Since we've -- since we've brought you
7 under the wrong statute, rather than redo you, I'm
8 inclined to just issue a letter of instruction on this
9 one, so I'll make a motion that we issue a letter of
10 instruction rather than re-bring it under the right
11 section, because I don't -- I don't think we can proceed
12 under the wrong section, right?

13 MS. SULLIVAN: Right.

14 MR. MASHBURN: So if you're willing to accept a
15 letter of instruction, I'm willing to go along with that
16 too and make a motion that the county accept a letter of
17 instruction.

18 MR. LOWMAN: The County would accept that.

19 MS. SULLIVAN: I'll second that motion. Is there any
20 further discussion? All in favor, please signify by
21 saying aye.

22 THE BOARD MEMBERS: Aye.

23 MS. SULLIVAN: And there are none opposed, and that
24 motion passes, and I believe that completes that case.

25 2020-215, DeKalb County.

1 MS. WATSON: Yes. On November 19th, 2020, we
2 received a complaint that DeKalb County elections staff
3 found approximately 60 uncounted absentee ballots in the
4 election warehouse for the November general election.
5 During interviews with DeKalb County Elections Director
6 Erica Hamilton and two poll managers, it was confirmed
7 that warehouse associate Ricky Thrower [ph.] accepted two
8 [sound cuts out]

9 MR. NORTHEN: Please hold. We have audio technical
10 difficulties. We will not continue reading the case until
11 they are resolved.

12 MS. SULLIVAN: We're going to take a five-minute
13 break while we resolve our technical difficulties. We'll
14 be back at 1 o'clock. Thank you.

15 (Meeting break)

16 (Meeting resumes)

17 MS. SULLIVAN: Thank you for your patience. I
18 believe we've resolved our technical issues, so I'll call
19 this meeting back to order. Ms. Watson, if you would
20 begin again with presenting 2020-215, please.

21 MS. WATSON: Yes. On November 19th, 2020, we
22 received complaints from DeKalb County election staff that
23 they found approximately 60 unaccount -- uncounted
24 absentee ballots in the election warehouse for the
25 November general election. During interviews with DeKalb

1 County Director Erica Hamilton and two poll managers, it
2 was confirmed that warehouse associate Ricky Thrower
3 accepted two official red absentee ballot bags from the
4 poll managers at Meridian and Stonecrest precincts on
5 October 30th, 2020. Hamilton stated the bags contained
6 60 absentee ballots. Thrower brought the absentee ballot
7 bags inside the election warehouse, and they were mixed in
8 with other election materials and lost that evening.
9 Elections staff did not discover and count the missing
10 absentee ballots until November 17th, 2020.

11 On November 19th, 2020, the Elections Office
12 recertified their election results by adding an additional
13 95 absentee ballots to the original total that was filed
14 on November 12th, 2020. Investigators interviewed DeKalb
15 County Election Supervisor Tiffany Gilbert [ph.] to
16 discuss the number of ballots that were included in the
17 recertification compared to the number of ballots that was
18 reported to be discovered. Clifford Gilbert [ph.] stated
19 the initial number reported was an approximation, and the
20 number included in the recertification was the accurate
21 count. Our recommendation is for Erica Hamilton, Director
22 of Voter Registration and Elections, Ricky Thrower, DeKalb
23 County elections warehouse associate, and DeKalb County
24 Board of Voter Registration and Elections Office be
25 referred to the Attorney General's Office for a violation

1 of 21-2-386, safekeeping of absentee ballots.

2 MS. LE: Madam Chair, this is Anh Le. I'd like to
3 recuse myself from this case, please.

4 MS. SULLIVAN: It's noted. Do we have anyone signed
5 up to speak?

6 MR. NORTHEN: Yes, Madam Chair. We have Shelley
7 Momo, followed by Irene Vanderels.

8 MS. SULLIVAN: I believe that Irene might be
9 presenting on behalf of the County. Yes, ma'am. Please
10 go ahead.

11 MS. MOMO: Good afternoon. This is Shelley Momo on
12 behalf of the Respondents, the Board of Registration and
13 Elections, Erica Hamilton, and Ricky Thrower. DeKalb
14 County, the Board acknowledges the gravity of the
15 allegations against it and is in the midst of performing a
16 pretty thorough investigation of these allegations to
17 determine what happened and how it may be prevented in the
18 future. At this time, we do not contest being referred
19 over to the Attorney General's Office for further
20 discussion.

21 MS. SULLIVAN: Thank you. Do we have Ms. Vanderels?

22 MR. NORTHEN: Yes, ma'am. She should be able to
23 speak.

24 MS. MOMO: Ms. Vanderels won't be presenting on this
25 matter.

1 MS. SULLIVAN: Okay. Thank you.

2 MR. MASHBURN: I move that we accept the County's
3 request to refer it to the Attorney General's Office, as
4 well as the recommendation.

5 MS. SULLIVAN: And I'll -- yes, and I will second
6 that motion. Is there any further discussion? All in
7 favor, signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MS. SULLIVAN: There are none opposed. We'll note
10 that Ms. Le recused herself from that vote. Thank you,
11 Ms. Momo. The next case is State Election Board case
12 2020-219, Morgan County.

13 MS. WATSON: Yes. We received a complaint a John
14 Pisello and Keith Rex had moved out of Morgan County but
15 were continuing to vote there. Investigation revealed
16 that John Pisello and Keith Rex moved from Morgan County
17 to Newton County in January of 2013. Mr. Rex owns three
18 businesses in Morgan County but resides in Newton County
19 with John Pisello. John Pisello and Keith Rex registered
20 to vote at an address that was not the same as where they
21 claim a homestead exemption. John Pisello and Keith Rex
22 each voted in eight elections in Morgan County while
23 living in Newton County. The recommendation is for Bryan
24 Keith Rex and John Pisello to be referred to the Attorney
25 General's Office for 21-2-571 and 21-2-217(a)(14).

1 MS. SULLIVAN: Is there anyone signed up to speak?

2 MR. NORTHEN: Yes, ma'am. Mr. Bryan Rex is the first
3 speaker. He should be able to unmute himself at this
4 time.

5 MS. SULLIVAN: Mr. Rex, please go ahead.

6 MR. REX: Can you hear me?

7 MS. SULLIVAN: Yes, we can.

8 MR. REX: Okay. Well, I had no idea that homestead
9 exemption affected your voting any way. We have three
10 businesses and a big, large house in Morgan County, which
11 we had on the market for sale. We quote on quote moved to
12 Newton County because we were trying to sell the house in
13 Morgan County, and the realtor suggested that we -- you
14 know, we needed to simplify and get stuff out of the
15 house, so we kind of sort of moved, but we never took all
16 of our stuff out of there, so it was still our residence.
17 But we had -- neither one of us had any idea that you
18 could not vote -- we had been registered in Morgan County
19 since 1996. Our driver's license is in Morgan County.
20 Every time we voted in Morgan County, everybody at the
21 polls, they knew us. I mean, they would be, like, oh, you
22 got -- when are you going to get back into your house in
23 Morgan County? I mean, we -- it burned in '19, so people
24 would also ask that question.

25 So I was even a poll watcher in Newton County because

1 they asked me to do that, and I told them that we had a
2 home in Morgan County, and that's where I voted, and they
3 still let me be a poll watcher in Newton County. So no
4 one ever raised a red flag to them. I mean, we did not
5 realize that we could not vote where we owned a five
6 hundred-thousand-dollar house and at the time, five
7 businesses in Morgan County. It was in our best interest
8 to vote in Morgan County because of all our businesses
9 were there and the fact that we owned a big piece of
10 property there.

11 Mr. Pisello never changed his homestead exemption,
12 but he helped me buy property in Newton County, and the
13 mortgage person wanted his name on the deed, so I was in
14 Porterdellem paying my taxes, and the clerk said you need to
15 file for homestead exemption here in Newton County because
16 you own five or six houses. And I said -- she said don't
17 you still -- is that cottage still yours? I said, yeah,
18 that's mine. She said, well, you need to register for the
19 homestead exemption, and I said, -- she said, you don't
20 have the homestead exemption anywhere, do you? And John
21 and I were not married at the time. I said, no, I don't.
22 So I registered for the homestead exemption in Newton
23 County because I was advised to.

24 Well, I had no idea that because John's name was on
25 the deed that that was basically in a sense changing his

1 homestead exemption. But we never were told that. He was
2 never told that. When y'all questioned our voting when we
3 requested an absentee ballot, it was told to us that John
4 had homestead exemption in Newton County, which he never
5 changed it from Rutledge. That was my fault for listing
6 Porterdell, where my -- my Porterdell cottage which was my
7 house before we got married, and that's my homestead
8 exemption. I had no idea and neither did he that it had
9 taken him off of the Morgan County property. So, you
10 know, I didn't think anything about it.

11 My driver's license, you know, they check your
12 driver's license at every polling location, so, you know,
13 we, you know, I -- even State Farm told us not to change
14 our driver's license, not to do anything because we have,
15 like, nine cars, not to do anything until we sold the
16 house in Morgan County and officially moved to Newton
17 County because we still had merc -- we still had our
18 stuff, part of our stuff in Morgan County. We never left
19 that house one hundred percent, so like I said, we were
20 even advised by State Farm no, you don't change anything
21 until you have officially moved to Newton County.

22 So you know, this is not like we did anything -- we
23 had no clue that since we voted since 1996 in Morgan
24 County, still owned all that property that me doing what
25 the County of Newton said, put Porterdell as my homestead

1 exemption, it would change John's homestead exemption or
2 change anything about where we voted. I had no idea the
3 homestead exemption made a difference where you voted. So
4 --

5 MS. SULLIVAN: Thank you, Mr. Rex.

6 MR. REX: -- it was all totally innocent. Yeah. We
7 went -- you know, we voted in front of our friends.
8 Everybody knew, I mean, and no one ever said anything to
9 us about hey, you're not supposed to be voting here. The
10 question was when are y'all going to move back, and then
11 even in Newton County, when I told them I voted in Morgan
12 County, they still let me be a poll watcher, so I -- we
13 didn't think we was doing anything wrong, until this was
14 brought to our attention, so it's totally innocent. You
15 know, nobody -- I'd never known we had to go read all the
16 rules about voting. I just thought, you know, we own
17 property in Morgan County, we have businesses in Morgan
18 County, our driver's licenses are in Morgan County, our
19 cars are registered in Morgan County. I had no idea that
20 because we had took [sic] a temporary residence in Newton
21 County that we would be violating the law. So that's --

22 MS. SULLIVAN: Mr. Rex, did you -- you were residing
23 in Newton County; correct?

24 MR. REX: Well, I had a cottage in Newton County.
25 Yeah, I mean that was -- yeah. Since 19 -- since 2006, --

1 MS. SULLIVAN: Since 2006.

2 MR. REX: -- but it wasn't -- yeah, and I have no
3 idea of when the clerk in Porterdellem said, hey, how come
4 you don't have a homestead exemption here? And I said,
5 well, I'm not here all the time. I didn't know you could.
6 I said -- I just assumed since I was with John most of the
7 time that our homestead exemption was in Newton -- I mean,
8 Morgan County, but, you know, she said, no, if you're not
9 on that house in Morgan County, then you're -- you are --
10 you need to have a homestead exemption. So that's why I
11 did that, and by doing that, that threw John under the bus
12 because his name was on the deed where he helped me buy
13 it.

14 MS. SULLIVAN: Okay. Does anybody -- any of the
15 Board members have any more questions?

16 MR. MASHBURN: This is -- this Matt Mashburn. Is
17 there any indication that he's claiming homestead in
18 Morgan County, a homestead exemption in Morgan County?

19 MS. WATSON: Not that I know of.

20 MR. MASHBURN: Okay.

21 MR. REX: No. I never had a homestead exemption in
22 Morgan County. That was John because we were not married
23 at the time. That was his house. I had Porterdellem. We
24 got married in 2015, and I just didn't change anything
25 because I didn't think it mattered. I said, well, my

1 businesses are in Morgan County. We still own the house
2 in Morgan County. We tried to sell it. We couldn't sell
3 it. We decided to move back in 2019. It burned, and
4 we're still putting that house back together from the fire
5 in 2019, so we never really gave up Morgan County as our
6 home. It just -- that's just the way it was when we were
7 trying to sell it.

8 MR. MASHBURN: All right. While you're participating
9 in the political process in Newton County, you've never
10 ever a single time voted in Newton County, right?

11 MR. REX: No, sir. No, sir. I didn't. Everything
12 was always Morgan County. I'm not sure why they asked me
13 to be a poll watcher in Newton County. Maybe the Mayor of
14 Porterdel [sound cuts out] made a statement. I said, you
15 know, I vote in Morgan County. She says, well, we're so
16 short of poll workers. We just want someone to help watch
17 the election, so they knew. Everybody at the polls knew
18 that I voted in Morgan County at both places. It was,
19 like, never a secret. I mean, it wasn't like we was [sic]
20 trying to sneak. It was always plain as day that we had a
21 house in Newton County. We had a house in Morgan County,
22 and we always voted where we voted since 1996, you know,
23 because we've owned property in 19 -- since 1996 in Morgan
24 County.

25 MR. MASHBURN: Got it. Thank you.

1 MR. REX: And I think John can speak -- he's in
2 Hawaii if he has a connection. He's next, I think, to
3 speak.

4 MS. SULLIVAN: If John would like to speak, he may go
5 -- he may speak now. Mr. Pisello?

6 MR. PISELLO: Yeah. Can you hear me?

7 MS. SULLIVAN: Yes. Go ahead.

8 MR. PISELLO: Okay. I don't -- I don't really have a
9 whole lot to add to what -- what Keith just said other
10 than again to state the fact that my homestead exemption
11 on the property in Morgan County was sort of, you know,
12 removed without my knowledge or consent apparently when
13 Keith filed homestead exemption on that cottage in
14 Porterdel, and my name was on the deed on that property
15 in Porterdel because it was financed by a private
16 financier, and he wanted somebody who had a full-time job
17 to have their name on the deed, which I do. You know,
18 Keith is self-employed, and I'm not. I mean, I'm employed
19 by IBM, so I have a full-time job. So apart from that,
20 yeah, I had no idea that -- well, a, I had no idea that
21 you must vote where your homestead exemption is, but b,
22 even beyond that, I had no idea that my homestead
23 exemption had been changed. No one -- you know, I never
24 got anything in the mail as far as I recall or anything
25 from anyone saying your homestead exemption has been

1 moved. So yeah. I guess that's all I wanted to -- to
2 clarify, but I think Mr. Rex probably already mentioned
3 that to you anyway.

4 MR. MASHBURN: And you -- this is Matt Mashburn
5 again. And you've never ever voted in Newton County
6 either, right?

7 MR. PISELLO: Not until this was brought to our
8 attention. So we did vote in Newton County for the runoff
9 election for the Senate in early -- January, I think it
10 was January 2021 or maybe it was December 2020, whenever
11 that runoff election was. At that point, we had been
12 notified that we were not legally allowed to vote in
13 Morgan County and so we changed our registration to Newton
14 County for that election. So currently, we are both
15 registered to vote in Newton County, but as soon as we
16 move back to Rutledge, to that Rutledge house, we're going
17 to resume -- you know, we're going to put our registration
18 back to Morgan County, and we're going to continue voting
19 in Morgan County.

20 MS. GHAZAL: I would like to echo Mr. Mashburn in his
21 previous comment in a previous case that I don't see what
22 further could be done. These voters did not say they
23 voted there once. They recognized the problem. They have
24 re-registered. They have already taken ameliora --
25 ameliorative action, so I would like to move that they be

1 issued a letter of instruction.

2 MS. SULLIVAN: I believe we have one more person who
3 wanted to speak.

4 MR. NORTHEN: Yes.

5 MS. SULLIVAN: Okay. Well, let's go -- we have a
6 motion. Let's see if there's a second.

7 MR. NORTHEN: Jennifer Doran?

8 MS. SULLIVAN: Let's see if there's a second.

9 MR. MASHBURN: Second.

10 MS. SULLIVAN: Okay. We have a motion and a second,
11 and we'll go ahead and while that motion is pending, we'll
12 go ahead and hear from this next person. Who?

13 MS. WATSON: It's the Elections Supervisor.

14 MR. NORTHEN: Jennifer Doran. You're --

15 MS. SULLIVAN: Ms. Doran?

16 MS. DORAN: Yes. I was just here in case you had any
17 questions. I didn't have any comment.

18 MS. SULLIVAN: All right. Thank you. We have a
19 motion and a second to issue a letter of instruction in
20 this case to both Respondents. No further discussion?
21 All in favor, please say aye.

22 THE BOARD MEMBERS: Aye.

23 MS. SULLIVAN: And that would be none opposed, and
24 the letter of instruction will be issued. Thank you, Mr.
25 Rex and Mr. Pisello for being here. The next case, SEB

1 2020-221, 221, Worth County.

2 MS. WATSON: Yes. The complainant reported the
3 Respondent Dillon Andrew Harris voted by absentee ballot
4 in Worth County. The complainant reported Mr. Harris
5 resides in California but continues to vote in Georgia.
6 An associate of Mr. Harris states that he has known Mr.
7 Harris for most of his life and knows that he resides in
8 California but was voting in Georgia.

9 Investigation shows that Dillon Harris acknowledged
10 ownership of a residence and owning 36,000 acres of land
11 in Worth County, Georgia and paying property and
12 automobile taxes in Worth County. On December 9th, 2020,
13 when an investigator visited the property at 1147 Fivesh
14 Road in Oakville, Georgia, a visitor to the property
15 informed the investigator that the property was a hunting
16 camp. An Open Records Request through Medicino County,
17 California public records indicates that Dillon A. and
18 Wendy R. Harris' property in Medicino County, California
19 is assessed at 705,000 dollars. The investigation
20 revealed that while Mr. Dillon is not an active registered
21 voter in California, he did request an absentee ballot for
22 a 2018 election in California. This absentee ballot was
23 never returned.

24 Mr. Harris stated his wife resides in California, and
25 he has a nine-year-old daughter enrolled in school in

1 California. During a meeting with Mr. Harris on March
2 3rd, 2021, Mr. Harris expressed a desire to complete the
3 work on the house on the property at 1147 Fiveash Road and
4 return to Worth County, Georgia to be near his elderly
5 parents. Our recommendation is for Dillon Andrew Harris
6 to be referred to the AG's Office for 21-2-216(b)(4).

7 MR. NORTHEN: Mr. Harris is on the line and should be
8 able to unmute himself now.

9 MS. SULLIVAN: Mr. Harris, would you like to --

10 MR. HARRIS: Okay. Yes. Can you guys --

11 MS. SULLIVAN: Go ahead. We can hear you.

12 MR. HARRIS: Okay. Well, I don't really know how to
13 respond. I've got a kind of statement because there's a
14 few -- there's a few things in the investigator's findings
15 that are not exactly correct and some assumptions were
16 made. So the few --

17 MS. SULLIVAN: Okay. Go ahead.

18 MR. HARRIS: Excuse me?

19 MS. SULLIVAN: We're having a hard time hearing you.
20 It sounds like you may be moving your face away from the
21 microphone. If you could try to speak up, that would be
22 helpful.

23 MR. HARRIS: Can you hear me better now? Can you
24 hear me?

25 MS. SULLIVAN: We can hear you.

1 MR. HARRIS: Okay. So the tree farm in Georgia
2 that's the 36,000 acres, that belongs to my mother, and I
3 have hunting rights. However, the 9 acres and the house
4 at 1147 Fiveash Road required a property trade in 2006
5 that put a house here. In addition to that, the [sound
6 cuts out]

7 MS. SULLIVAN: We're having -- we're having a really
8 hard time understanding you. Is there --

9 MR. HARRIS: Yeah. I don't understand why. But
10 anyway, the house at 1147 Fiveash Road belongs to me. The
11 hunting camp that was referenced in the findings is 1165
12 Fiveash Road, and it's further down the driveway from my
13 residence, and the -- the man who owns it, his name is
14 supposed to be Donald, but he's a retired CSX conductor
15 from Tallahassee. He and his wife Judy have been running
16 this since 1990. What Mr. Hernandez failed to realize and
17 did not inquire about is the fact that there's another
18 house with buildings further down the driveway beyond the
19 house that have not been used at the hunting camps since
20 the '80s. [sound cuts out] hunting camp for their use and
21 the legal address for the hunting camp is 1165 Fiveash
22 Road.

23 The property in California was acquired via tax-free
24 exchange in 2008 after we subdivided an old property from
25 North Carolina. The California property was our next

1 venture. When we acquired the property at [sound cuts
2 out], we then put a structure with a small house, a garage
3 apartment and [sound cuts out]. It was designed as a
4 guest house.

5 As far as the ballot I requested in California, I
6 requested a ballot due to a desire to vote on state issues
7 that I felt would impact my property value. However, the
8 fact that I had requested a ballot caused me to be
9 concerned with my homestead exemption and eligibility in
10 Georgia. I had a house down in Savannah at the time, so I
11 -- I mean, I -- we sold that house in Savannah, and that's
12 when [sound cuts out]. Now, since then place in
13 California was brought as an investment property, and the
14 exemption rate at the time [sound cuts out] we never -- we
15 never even considered [sound cuts out] 1147 Fiveash Road,
16 the homestead exemption -- in January, you know, I filed
17 for homestead exemption at 1147 Fiveash Road. But [sound
18 cuts out] a California resident, so I'm not sure what --
19 what else to say about this other than it was never my
20 intention to be a California resident.

21 MS. SULLIVAN: Okay. Thank you, Mr. Harris. Do any
22 of the Board members have any questions? Are there any
23 other people signed up to speak on this case?

24 MR. MASHBURN: I move that we accept the
25 recommendation and refer this over to the Attorney

1 General.

2 MS. SULLIVAN: I'll second that motion. Is there any
3 further discussion? All in favor, please signify by
4 saying aye.

5 THE BOARD MEMBERS: Aye.

6 MS. SULLIVAN: And there are none opposed. That
7 motion passes. Thank you, Mr. Harris, for being here.
8 The next case is 2020-258, Fulton County.

9 MS. WATSON: Yes. The complainant alleges that they
10 received information from Fulton County at their address
11 indicating that the previous owner was using their address
12 as their -- their voter address and has requested an
13 absentee ballot that has been mailed to an address in
14 Maryland. The complainant advised that he purchased and
15 moved into the residence located in Sandy Springs, Georgia
16 in 2018. He noted that the Respondent, Ms. Fischer [ph.],
17 was a previous owner who he believed moved out of state.
18 However, she used his address to request an absentee
19 ballot and voted.

20 The investigation revealed that Ms. Fischer did not
21 move out of state but to an address within the same
22 county. The investigation found information that
23 indicated Ms. Fischer lived in an apartment located at 28
24 Park Gate Drive, Atlanta, Georgia. An investigator then
25 traveled to the apartment, attempted to contact someone

1 there with no success, and left a card in the door. The
2 investigator met with apartment staff to confirm that Ms.
3 Fischer is the owner of that apartment and has lived there
4 for approximately 2 years. The investigation revealed
5 that a man named Essessa -- Essessa Fischer [ph.] is the
6 owner of the residence in Maryland where the absentee
7 ballot was sent and that Ms. Fischer spends time there and
8 in Atlanta. Our recommendation is that Miriam Fischer be
9 referred to the Attorney General's Office for 21-2-562 and
10 21-2-218.

11 MS. SULLIVAN: There is no one signed up to speak on
12 this case. I would move that we accept the
13 recommendation. Is there a second?

14 MR. MASHBURN: Second.

15 MS. SULLIVAN: Any further discussion?

16 MS. GHAZAL: I had a couple of additional questions.

17 MS. SULLIVAN: Okay. Go ahead.

18 MS. GHAZAL: Can you tell me whether or not Ms.
19 Fischer ever updated her driver's license after she moved
20 from the house or submitted an NCOA change of address
21 because my understanding -- based on Google Maps, she
22 moved two miles away?

23 MS. WATSON: Yes. It was -- it was to the area, but
24 as far as the driver's license, I don't know that off the
25 top of my head.

1 MS. GHAZAL: The reason I'm asking is because either
2 that or the NCOA process should have actually updated her
3 address since she was still located in Fulton County and
4 still eligible to vote in Fulton County.

5 MS. WATSON: Yes. She still would be eligible to
6 vote in Fulton County but using the wrong address on the
7 voter certificate would be the violation -- a fraudulent
8 entry.

9 MS. GHAZAL: Right, but she was -- she was still
10 eligible, and my question is why her address was not
11 automatically updated in the voter registration because
12 the NCOA process is supposed to automatically update
13 voters' addresses when they make an in-county move, and
14 this move was conducted two years prior to this election.

15 MS. WATSON: Right. I would have to check to see if
16 an NCOA was filed and if a driver's license was filed with
17 a voter registration.

18 MS. GHAZAL: Were any of those votes between 2018 and
19 2020 in person?

20 MS. WATSON: Yes.

21 MS. GHAZAL: So in -- in that case, it could be that
22 the voter certificate should have been automatically
23 produced with -- through production of that -- that
24 driver's license.

25 MS. WATSON: If she had updated her driver's license.

1 MS. GHAZAL: But you don't have that information?

2 MS. WATSON: I do not.

3 MS. GHAZAL: We already have a motion on the table.

4 MS. SULLIVAN: Well, if you -- yeah. We have a
5 motion on the table, but if you would like for us to get
6 more information, we can table this case.

7 MS. GHAZAL: I -- yes. I would like that.

8 MS. SULLIVAN: Okay.

9 MR. MASHBURN: Okay. It was your motion, Rebecca.

10 MS. SULLIVAN: I think it was.

11 MR. MASHBURN: Do you want to table your motion?

12 MS. SULLIVAN: I will table the motion.

13 MR. MASHBURN: Okay. Seconded.

14 MS. SULLIVAN: We will bring this case back. Next is
15 2020-260. Go ahead, Ms. Watson.

16 MS. WATSON: Yes. We received a list of possible
17 duplicate voters from the November 3rd election. The list
18 was split between the south team and north team. The case
19 relates to those listed in the South Georgia region. The
20 list contained individuals in 22 counties in South Georgia
21 with a list of a possible 129. After contacting each of
22 the counties and reviewing documentation, 120 of the
23 listed 129 were resolved with the counties as data entry
24 errors -- for example, entering the incorrect code when
25 the absentee ballot is surrendered at the poll indicating

1 the absentee ballot by mail was received instead of
2 cancelling -- leaving 9 voters, 7 from Dougherty and two
3 from Miller County. 3 of the 7 in Dougherty County were
4 shown to have only voted once, leaving four voters.

5 Four Dougherty County voters, Robert Kenson [ph.],
6 Latonia Edwards [ph.], Sandra Hobbs [ph.], and Teresa
7 Robinson [ph.], voted twice during the November 3rd, 2020
8 general election. All four voters submitted an absentee
9 ballot in addition to voting in person on Election Day.
10 Mr. Kenson identified the signature on the absentee
11 application in his -- as his and acknowledged he voted in
12 person. He did not recall voting absentee by mail when he
13 voted in person. Latonia Edwards has not responded to
14 attempts by the investigator to contact her regarding
15 voting twice. However, she called in response to the
16 notice and advised that she requested an absentee ballot
17 and did not receive it and requested a second one that she
18 completed and mailed to the county. She checked the
19 online status on the MyVoter page and saw that the status
20 indicated denied, which is most likely from the first
21 absentee ballot request being cancelled in order to issue
22 the second absentee ballot by mail request, and went to
23 vote in person and states that she was not asked at the
24 poll regarding the absentee ballot.

25 Sandra Hobbs advised she voted absentee because she

1 kept receiving notices in the mail. She states that she
2 also voted on Election Day. She says she was no
3 intentionally trying to break the law. Teresa Robinson, I
4 have been notified, has since passed away and is now
5 deceased.

6 Miller County voters Mar -- Barbarra McNair [ph.] and
7 Gerald Hawkins [ph.] voted twice during the November 3rd,
8 2020 general election. Barbara McNair submitted an
9 absentee ballot in addition to voting in person on
10 Election Day. Gerald Hawkins voted advance in person on
11 October 20th, 2020 and in addition voted in person on
12 Election Day. Barbara McNair advised she voted in person,
13 and the poll workers did not mention anything about an
14 absentee ballot. She did not recall voting an absentee by
15 mail ballot and advised she had a lot going on during this
16 time with her mother being sick. Gerald Hawkins did not
17 return the investigators' attempts to contact him
18 regarding the duplicate vote.

19 Our recommendation is for Robert Kenson, Latonia
20 Edwards, Sandra Hobbs, Barbara McNair, and Gerald Hawkins
21 to be referred to the Attorney General's Office for 21-2-
22 572, for Dougherty County Board of Elections and
23 Registration and Ginger Nichelson -- Nickerson, the
24 Election Supervisor for Dougherty County, to be referred
25 to the AG for 21-2-590, and for Miller County Board of

1 Election and former Elections Supervisor Brenda McNeese
2 [ph.] to be referred for 21-2-590.

3 MR. NORTHEN: We do have Ginger Nickerson here on the
4 line who should be able to unmute themselves at this time
5 and speak.

6 MS. NICKERSON: Good afternoon.

7 MS. SULLIVAN: Hi. Good afternoon. Thank you for
8 being here. Go ahead.

9 MS. NICKERSON: Thank you for allowing me to speak.
10 In Dougherty County, we provide training to our poll
11 workers on every component of this election process, so
12 the affidavit process and ballot cast selection form is
13 something that we go over individually. It's about a two-
14 hour training, so in our review of our records, with -- as
15 far as Mr. Kenson was concerned, we see that his ballot
16 was returned on the -- September the 28th. In regards to
17 Ms. Edwards, her initial request was fulfilled, and it was
18 accepted. However, her second entry on her voter record
19 shows that she had an application that was rejected
20 because she applied more than one time. We rejected the
21 second application, so when she went on the state system,
22 it just showed the last entry, which would have been the
23 rejected application. Her ballot was received the day
24 before the election on November the 2nd, but it was
25 entered into the state system.

1 In regards to Ms. Hobbs, the same. She voted. Her
2 ballot was returned on the 19th. Now, when we train our
3 poll workers, when they present -- when a voter presents
4 themselves at the poll pad, they show their
5 identification. The poll pad system would give them the
6 symbol, which is AB, which would mean that voter had an
7 absentee ballot. That voter would then be required -- be
8 referred to the affidavit table to complete the absentee
9 ballot cancellation form, and then, they would contact our
10 office, and we would advise them on whether or not that
11 voter could proceed.

12 We do not have ballot cancellation forms for Mr.
13 Kenson, Ms. Edwards, or Ms. Hobbs, so what we did, we took
14 it a step further, and we requested documentation from No,
15 Inc., from the poll pad, a week ago today. We asked for a
16 data entry log, and what this log would show us is what
17 steps were taken. If Mr. Kenson and Ms. Edwards and Ms.
18 Hobbs were indeed marked AB on the poll pad, the poll
19 worker would be required to enter in a supervisory
20 password in order to remove it and allow that voter to
21 vote. To date, we have not received this log, this
22 information we requested. I've emailed poll pad. I spoke
23 to them for the initial request. We've emailed them.
24 I've emailed them. I've left several messages. We do not
25 have a report on what exactly the data was in the poll

1 pad, and that would be our concern at this point. They
2 only have the poll pad to go by, and if there was not an
3 AB marked by this voter, they would not have required them
4 to complete the absentee ballot cancellation form, and
5 there's not an absentee ballot cancellation form for those
6 three individual voters, and to date, we still don't have
7 the log to confirm exactly what was on the poll pad system
8 from the poll pad vendor.

9 MS. SULLIVAN: Does anyone have any questions for Ms.
10 Nickerson? Do we have anyone else signed up to speak on
11 the case?

12 MR. MASHBURN: I move that we accept the
13 recommendation and refer all the cases to the Attorney
14 General.

15 MS. GHAZAL: If I can make one amendment to that, I
16 would like to see Teresa Robinson's name removed from this
17 since she has passed --

18 MR. MASHBURN: Oh, yes. Thank you.

19 MS. GHAZAL: -- and there was also a ballot
20 cancellation form.

21 MR. MASHBURN: Thank you. Yes.

22 MS. GHAZAL: So if there was an error, it was
23 inadvertent at best, so I would prefer not to get her name
24 involved.

25 MR. MASHBURN: That's a good -- that's a good

1 amendment. I accept it.

2 MS. GHAZAL: Then I second it.

3 MR. MASHBURN: So I re-move as amended. Good catch.

4 MS. SULLIVAN: We have a motion and a second. Is
5 there any further discussion? All in favor, please say
6 aye.

7 THE BOARD MEMBERS: Aye.

8 MS. SULLIVAN: And there's none opposed, so that
9 motion passes. The next case is 2021-002, Fayette County.

10 MS. WATSON: Yes. The complainant alleges that he
11 dropped his absentee ballot as well as his wife's in the
12 Fayette County drop box located at 140 Stonewall Avenue
13 West, Fayetteville, on October 13th, 2020 at approximately
14 1900 hours, which would be 7 o'clock. The complainant
15 advised that he later checked the status of their votes
16 and noticed that there were blanks on the website in the
17 received and counted spaces. Investigation showed that
18 Mr. Bosecker retrieved the video surveillance footage from
19 Fayette County Elections via an Open Records Request and
20 provided it to the investigator. Mr. Bosecker advised of
21 an additional concern and showed the investigator numerous
22 instances on the footage where the camera's motion
23 detector failed to pick up individuals and caught a single
24 frame or so of them rather than the whole exchange of them
25 walking up to the drop box. Mr. Bosecker was one of

1 these.

2 The investigator viewed these video clips and noted
3 that the camera appeared to have trouble picking up these
4 individuals and did not always continuously report when a
5 person approached the box. The investigator made contact
6 with Fayette County Elections Director Brian Hill who was
7 not the director at the time of the incident. He advised
8 that he is familiar with the complaint, and his office has
9 looked for the missing ballots thoroughly and on two
10 occasions. His office provided the investigator with a
11 copy of the absentee box -- ballot drop box pick-up forms.
12 The investigator interviewed Mr. Floyd Jones who was the
13 Elections Director during the time of the incident as well
14 as one of the two people who picked up the ballots from
15 the absentee ballot box. He advised that he remembers
16 several ballots throughout that election that were
17 returned without the oath envelope and could not be
18 identified or counted. Two such ballots were noted on the
19 collection form for that date in particular.

20 The investigator interviewed Carol Cross [ph.] who
21 was the other person who picked up the ballots on the date
22 in question. She advised that she remembers a lot of
23 ballots being picked up and notes that on several
24 occasions, some were dropped into the boxes without the
25 oath envelopes. She also advised that she did not see

1 anything suspicious during her time collecting from the
2 absentee ballot boxes. The investigator went to Fayette
3 Elections and personally conducted a search of all spoiled
4 and cancelled ballots from the November 3rd, 2020 election
5 and was unable to locate the complainant or his wife's
6 ballots. The investigator also searched the absentee
7 ballot drop box and did not locate anything inside. Our
8 recommendation is for Fayette County Board of Elections
9 and Voter Registration and Floyd Jones, the Fayette County
10 Elections Director formally, be referred to the AG's
11 Office in reference to elections rule 183-1-14-.08-14(4)
12 for the requirement that the video recording device in the
13 theater continuously record the drop box location or use
14 motion detection that records one frame or more per minute
15 until detection of motion triggers continuous recording.

16 MS. SULLIVAN: Is anyone here from Fayette County?

17 MR. NORTHEN: Yes, ma'am. We have three speakers
18 currently, the first of which is Scott Bosecker.

19 MS. SULLIVAN: Go ahead, Mr. Bosecker. You should be
20 able to unmute yourself.

21 MR. BOSECKER: Good afternoon. Can you hear me okay?

22 MS. SULLIVAN: We can.

23 MR. BOSECKER: Thank you, everybody, for inviting me
24 to this hearing, and thank you for all the work you folks
25 do. I'd also like to thank Secretary of State

1 Investigator Trent Anding [ph.] for his diligent
2 investigation of this issue. In late May, Investigator
3 Anding sent me an email indicating that his investigation
4 was complete, and as he summarized in that email, quote,
5 unfortunately, this creates an issue where we cannot prove
6 either way what actually occurred in this instance. We
7 know that you turned in your ballots from the drop box.
8 We know that they were picked up, and we know that you two
9 -- that the two you dropped off were not counted. There
10 were no other reports of others in this similar situation
11 to yourself, end quote. It's that last sentence I'd like
12 to comment on.

13 I note that you've mentioned that there are two that
14 have no oath included, and I'm confident that that was
15 included when I dropped my wife and I's off. While I'm
16 confident as I can be that my wife and I filled out our
17 ballots correctly, and that I deposited them both in the
18 drop box on October 13th, I am well aware that the lack of
19 other complaints make this scenario a hard sell. Indeed,
20 the first action I myself took upon learning that our
21 votes hadn't been received was to drive over to the drop
22 box and see if it was Scott-proof. Based on that review,
23 I believe the drop box is Scott-proof, and security on the
24 video shows me in the vicinity of the drop box at the time
25 I indicated our ballots were dropped off. I think it is

1 very important to point out that most people I have
2 discussed this incident with had no idea that they could
3 check the status of their vote via the Secretary of
4 State's website, so the lack of other voters complaining
5 about missing ballots is a particularly meaningful piece
6 of data.

7 I have spent many hours reviewing security video of
8 the drop box in question. This video was obtained by me
9 via Open Records Request. There is so much missing
10 information on the security camera videos, it is difficult
11 to state with any confidence what occurred at the drop
12 box. If that video was complete, one could count the
13 number of people that deposited something in the drop box
14 and compare that to the number of ballots that were
15 counted after the pickup on October 15th to see if those
16 numbers somewhat matched. Obviously, like myself, some
17 people placed more than one ballot into the drop box, but
18 if the video was more usable, perhaps something could be
19 determined with that comparison. If 400 people dropped
20 something into the drop box, and only 350 ballots were
21 recorded, that would indicate a problem no matter how many
22 ballots each person placed in the drop box.

23 And I have also observed the election workers
24 emptying the drop box and placing the contents into a
25 vehicle, but again, the video is incomplete when recording

1 this event. I have no knowledge of what, if any,
2 surveillance equipment was available to monitor the
3 arrival of the drop box bin into the ballot counting
4 rooms, so I cannot comment on what happened after the
5 pickup of the ballots by election workers from the drop
6 box on -- excuse me, on October 15th. Thank you for your
7 time.

8 MS. SULLIVAN: Thank you.

9 MR. NORTHEN: The next speaker is Darryl Hicks, who
10 is unmuted and will be able to speak.

11 MR. HICKS: I believe -- thank you very much for
12 allowing me the opportunity to speak for you today, but I
13 believe our attorney is on the phone, and he is scheduled
14 to speak next, so I -- I would yield to him and then
15 answer any questions after, you know, he or she speaks.

16 MS. SULLIVAN: Certainly.

17 MR. NORTHEN: Okay. The only other person I have for
18 this case is Allison Cox.

19 MS. COX: I'm here.

20 MS. SULLIVAN: Ms. Cox, you should be able to -- go
21 ahead.

22 MS. COX: I'm counsel for the Fayette County Board of
23 Elections, and my comment only goes to the recording
24 itself. We are set up at that drop box for continuous
25 recording at all times. However, there is a simultaneous

1 recording going on whereby one frame per minute is sent
2 every ten minutes to offsite storage, so I believe the
3 Open Records Request that was made in January was probably
4 -- caused a production of that offsite recording, so it's
5 going to appear not to be continuous although our system
6 is set up to be continuously recording at the site. And
7 Mr. Darryl Hicks is here to testify to the fact that he's
8 actually seen that recording, but I don't --

9 MR. HICKS: Yes. Let me -- let me give some backdrop
10 here from our perspective as well. I do remember having a
11 conversation with Mr. Bosecker about the incident, and I
12 assured him when he brought it to my attention that --
13 that I would investigate the matter. I requested our IT
14 department provide me with a recording or at least allow
15 me to see the recording. The IT person did so. I went to
16 his office, and I was able to view what -- what I saw was
17 a continuous recording, and here's the reason I say that:
18 we located when Mr. Bosecker dropped his ballot in the
19 drop -- his and his wife's ballots in the box. The
20 recording was such so that obviously we can't see the
21 names on what he dropped in the box, and it wasn't
22 positioned where we could see it. We could just see that
23 he dropped something in the box.

24 I asked the IT person can you go back? Let's go back
25 5 minutes before Mr. Bosecker dropped his ballot, and

1 let's see what happens. So he played that footage, which
2 was a continuous footage. I just wanted to see, you know,
3 what others might have experienced at the time that he
4 dropped his ballot in the box. I also asked him -- asked
5 the IT person to -- to move forward 5 continuous minutes
6 and let's see what happens after that, and obviously,
7 looking at that video, I still couldn't tell based on
8 anybody dropping ballots in the box whether or not we
9 could identify anything that indicates they either dropped
10 a ballot in the box or they dropped a piece of paper in
11 the box. I contacted Mr. Bosecker, and I explained to him
12 what I had discovered, and I shared with him that there's
13 no way that we can tell what he actually put in the box,
14 but because we couldn't tell, I asked staff going forward
15 -- I suggested to them and recommended that they start to
16 make a copy of every single ballot that they take out of
17 the box, whether it's a complete -- whether it's a ballot
18 completely intact or whether it was just part of the
19 envelopes, you know, let's say the election envelope as
20 opposed to the outer envelope or the -- or the -- the oath
21 envelope.

22 We started making from that point forward a copy of
23 every single ballot that we retrieved from all of our
24 ballot boxes just so that we could -- we could, if you
25 will, have a double check on what we took out of the box

1 and then be able to go back and see what we received in
2 the office. Now, that's in addition to all of the
3 requirements that the State mandates an election office to
4 perform when they're removing ballots from the box, and
5 then providing that information back to the Secretary of
6 State, certifying what we took out of the box.

7 So, you know, I -- to the point of the video, I
8 physically saw a continuous video. I'm not sure what
9 video Mr. Bosecker got. He might have gotten exactly what
10 our attorney has stated, but I saw a continuous video. We
11 do have continuous recording on -- on -- we had it on all
12 of our boxes. We will have it on any box going forward.
13 Thank you very much again for allowing me the opportunity
14 to speak with you today, and then I'd like to just close
15 by saying I truly do understand Mr. Bosecker's concern and
16 the fact that his ballot did not get counted. I'm not so
17 sure what else we could have done to make that happen
18 given the fact that we don't know exactly what electors
19 are putting in the box until we retrieve it. Thank you
20 very much.

21 MS. SULLIVAN: Thank you.

22 MR. MASHBURN: Matt Mashburn, this is Matt Mashburn.
23 Before you go, let me just ask you a question to focus
24 this really tight. You had exactly, precisely two
25 envelopes that had no yellow outer envelope but only had a

1 white envelope on the exact day that the two ballots went
2 missing, right?

3 MR. HICKS: Yes, sir.

4 MR. BOSECKER: May I say something?

5 MR. MASHBURN: Sure. I mean, it's up to the Chair.

6 MS. SULLIVAN: Let me go ahead and ask, so the only
7 thing that the County has been cited with is the violation
8 for continuous recording, but the County is taking the
9 position that they do have continuous recording. Can we
10 rectify why we think that there wasn't?

11 MR. BOSECKER: Because of my -- because --

12 MS. SULLIVAN: Go ahead.

13 MR. BOSECKER: This is Scott Bosecker. I did an Open
14 Records Request requesting that security video. I
15 received a -- you know, I had to pay for a 2-terabyte hard
16 drive. I understand that and the time involved with re --
17 retrieving that information. I received something
18 completely different than Mr. Hicks is referring to. I
19 only have a single frame -- single frame of myself only
20 because the -- whatever the recording software was doing
21 at that time because it didn't see any movement, it would
22 take a single frame every minute. I happened to be in
23 that frame. I had -- you want some sharing, I can show it
24 to you.

25 MR. MASHBURN: Yeah, no. This is Matt Mashburn. I

1 appreciate it. What I'm going to do is I'm going to make
2 a motion, and lawyers have a phrase that's very helpful.
3 It's called without prejudice, and what that means is you
4 can bring it again, and so what I'm going to do is I'm
5 going to move to dismiss this without prejudice. I'm
6 going to move to dismiss this because the Attorney General
7 has plenty of capability to do things we send them, but
8 they also have things that they can be doing, so what I'm
9 going to do is move to dismiss this at the time -- at this
10 time, and ask that you and the County get together and
11 look at what they sent you because it sounds to me like
12 it's possible that the error is in what the County
13 responded to you in the Open Records Act rather than what
14 the County has, so I'm going to ask that in the meantime,
15 while this is dismissed, that y'all get together and --
16 and look at what each other has, and if you need to bring
17 it again, you need to bring it again, okay?

18 MR. BOSECKER: Sure. I -- I would assume the
19 investigator would have shared -- I gave the entire hard
20 drive of the video to the investigator, so I assume he had
21 shared that with the local county board of elections.

22 MS. COX: This is Allison Cox. Can I just -- can I
23 just interrupt and say one thing? I think we didn't get
24 the Open Records Request until January 12th, which may
25 explain why what was provided was less than the full

1 continuous recording because I think under the same rule
2 that we're cited under, i, we're required to hold onto
3 that continuous video for 30 days post-certification,
4 which would have been December 20th, I believe.

5 MR. MASHBURN: I'm going to -- I'm going to move to
6 dismiss this without prejudice, and you all -- ask that
7 you all get together, and if you need to re-bring it, you
8 need to re-bring it.

9 MS. COX: Thank you so much.

10 MS. SULLIVAN: Thank you. We have a motion that is
11 on the table. Do we have a second?

12 MS. GHAZAL: Second.

13 MS. SULLIVAN: Motion and a second. Is there any
14 further discussion? All in favor, please signify by
15 saying aye.

16 THE BOARD MEMBERS: Aye.

17 MS. SULLIVAN: There are none opposed, and that
18 motion passes. The next case on our agenda, 2021-011,
19 Sumter County, has been ta -- has been continued to the
20 next meeting, so we're move onto 2021-015, Fulton County.

21 MS. WATSON: On January 4th, 2021, we received
22 complaints that two unrelated deceased persons allegedly
23 voted by absentee ballot in the November 3rd, 2020 general
24 election in Fulton County. The first allegation is that
25 an unknown Respondent voted an illegal absentee ballot for

1 Dorothy May Harper [ph.], and that allegation was
2 unsubstantiated. The investigation found that the elector
3 died on October the 12th, 2020. Our data indicates that
4 the decedent indicated an absentee ballot was requested on
5 September 23rd, 2020 and was received on November 30th,
6 2020. The investigation found the live-in caretaker did
7 sign as assisting the elector on October the 8th, 2020 and
8 did assist the elector with her absentee ballot while she
9 was living during the early voting period for the November
10 3rd, 2020 general election. This was four days before her
11 death -- of the elector.

12 In the second complaint, the allegation that a
13 Respondent voted an illegal absentee ballot for Dorothy
14 Feld Scott [ph.] was substantiated. The investigation
15 found that the decedent died on September the 23rd, 2020.
16 Our data indicates for the decedent an absentee ballot was
17 requested and mailed on September 23rd, 2020. The
18 absentee ballot was received on September 26th, 2020,
19 three days after the death of the decedent. The
20 investigator interviewed and received a notarized
21 statement from the decedent's son, Freddie Lee Scott. Mr.
22 Scott stated he was the primary caretaker for his mother.
23 Mr. Scott stated he took care of his mother's final
24 arrangements, provided a notarized statement that his
25 mother was living when he completed the absentee ballot at

1 her direction. Mr. Scott advised that he assisted his
2 mother in signing the absentee ballot envelope. The
3 evidence suggests the absentee ballot submitted to the
4 local county board of registration and elections may be
5 fraudulent due to the fact it was mailed to the decedent
6 on the day of her death. Our recommendation is Freddie
7 Lee Scott be bound over to the Attorney General's Office
8 for 21-2-573.

9 MR. NORTHEN: We have Mr. Scott here on the line. He
10 should be able to unmute himself here and speak.

11 MS. SULLIVAN: Mr. Scott, go ahead.

12 MR. NORTHEN: Mr. Scott, please unmute yourself, sir.

13 MR. SCOTT: Hello, can you all hear me?

14 MS. SULLIVAN: Yes, we can. Go ahead.

15 MR. SCOTT: Okay. Good afternoon. Good afternoon,
16 Chairperson and the rest of the Board. I received this
17 letter from y'all roughly on the 24th of August of 2021
18 for the investigation -- the field investigation's
19 findings, and there are several things on the letter
20 that's not -- not true. From reading my statement, I did
21 not fill out my mother's absentee ballot on her death
22 date. That's -- you know, that's just kind of ludicrous
23 for anyone. I mean, I had just -- just lost my mom on the
24 23rd of September, 2020, and I -- I mean, an absentee
25 ballot was the furthest thing from my mind, you know, when

1 I had to go through just losing my mother. And also the
2 statement to me said that it was received at the ballot
3 place where it was mailed to three days later on the 26th.
4 Her ballot was prepared and mailed off days before her
5 death, and it should have been received at its destination
6 long before the statement of the -- the investigation's
7 determination of fraud.

8 Now, I would say my mother was born in 1928, had been
9 a resident of the City of Atlanta, County of Fulton until
10 her death date at 91 years of age, and I, myself, with my
11 level of integrity, I would never do anything criminal or
12 fraudulent for our city, county, state, United States of
13 America, you know -- you know, as these claims have been
14 presented to me and to the Board. This has nothing to do
15 with it, but I worked 42 years and 4 months for a federal
16 organization with [sound cuts out] core values for
17 employees, but I came to the organization with integrity.
18 I still have integrity, and I don't know -- some of the
19 things in the complaint, you know, about my mother's
20 ballot was valid. You know, as far as my assisting her,
21 but she was very much alive when we did the -- the
22 absentee ballot, and it was mailed off, and like I said,
23 she came to her demise on September 23rd, 2020, so I don't
24 know how -- how someone came to the conclusion that I
25 would have taken the time or anyone on a person's death

1 date with a living identity -- or their deceased identity
2 to do something as criminal or fraudulent as this that
3 I've been accused of.

4 MS. SULLIVAN: Thank you, Mr. Scott, for being here.
5 Ms. Watson, is there -- I assume that the ballot was
6 postmarked on the 23rd. Is that --

7 MS. WATSON: The...

8 MS. SULLIVAN: The outside is dated on the 23rd?

9 MS. WATSON: The application was dated on the 23rd
10 and stamped.

11 MR. SCOTT: The application?

12 MS. WATSON: They got the request on the 23rd and
13 mailed it on the 23rd.

14 MS. GHAZAL: So the application was submitted prior
15 to the date of death?

16 MS. WATSON: It's the same date, the 23rd.

17 MS. GHAZAL: Okay. So it's -- was it an electronic
18 application?

19 MS. WATSON: We -- that is what was entered by the
20 County, that they received it and mailed it on the 23rd.

21 MS. SULLIVAN: Is it possible that the County made an
22 error?

23 MR. MASHBURN: Mr. Scott?

24 MR. SCOTT: Yes. Can I say something?

25 MR. MASHBURN: This is Matt Mashburn. Do you

1 remember what -- around what day you were -- I'm sorry for
2 your loss by the way. My mother-in-law just passed away,
3 so I know it's a tough -- it's a tough time, so I'm sorry
4 about that for you.

5 MR. SCOTT: Yeah. Thank you.

6 MR. MASHBURN: But do you remember -- did you help
7 her request it? Do you remember the day that she
8 requested it or you requested it?

9 MR. SCOTT: I don't remember the exact date, but the
10 ballot was requested on the State's website, you know,
11 that's how I requested it, not through any other form of
12 mail or anything, and after requesting it, I do remember
13 it took more than -- well over three weeks for it to be
14 received as requested, and also, I -- like I said, I don't
15 see how anybody who received it can say that it was
16 prepared and mailed on her death date and received at the
17 official --

18 MR. MASHBURN: Do you remember -- I'm sorry to
19 interrupt. Did you help her mail it?

20 MR. SCOTT: Yes. Yes.

21 MR. MASHBURN: All right. So you're telling us --
22 you're telling us that you mailed it before she passed
23 away, right?

24 MR. SCOTT: Yeah. That's correct, and I told your
25 investigator where I mailed it in her community at the

1 Lakewood post office branch, and I did not put it outside.
2 I never put any letters in the outside mailbox. I walked
3 it into the staff mail drop box. That's what I did, and I
4 told the investigatory, you know, hopefully whatever his
5 investigation was, he could get the camera footage where I
6 did it, but it was -- you know, I would never, on my life
7 --

8 MR. MASHBURN: Were you -- were you helping her --
9 I'm sorry to interrupt you again. Were you helping her
10 put it together?

11 MR. SCOTT: Yes, yes.

12 MR. MASHBURN: Okay. Did you help -- and you helped
13 -- and you helped her put the stamp on it?

14 MR. SCOTT: Yes.

15 MR. MASHBURN: She was very much alive when you all
16 did that, right?

17 MR. SCOTT: Yes, yes. She was. And when it was
18 mailed off, you know, she was still alive, and they should
19 have got it several days instead of, you know, saying that
20 I mailed it on her death date. That doesn't make -- it
21 shouldn't make sense to anybody that someone would do
22 something like that when you have lost not just a
23 relative, but that was my parent. You know, I would never
24 do anything with her identity, living or deceased.
25 Because I found, like I said, in the complaint, there's

1 just complaint in the way it was sent to me and the way it
2 reads, and it said it was mailed to me, like, on August
3 the 20th, and I received it on August 24th, but there are
4 several incorrect things on here.

5 MR. MASHBURN: Yeah. I'm sorry. I'm sorry to
6 interrupt you again, but the County's records are saying
7 that it was mailed to you -- to her on September --
8 September 23rd, which is the day that she passed away.

9 MR. SCOTT: No.

10 MR. MASHBURN: And they got it back on November 30th.
11 You're saying the County's records are not correct.

12 MR. SCOTT: Yeah. That's incorrect. That is -- I
13 stake my life on that. That is incorrect. She -- the
14 ballot came several, several weeks before her passing.
15 Now, I don't know if -- you know, with this particular
16 controversial election that somebody else is not telling
17 the truth, but I stake my life on this.

18 MS. SULLIVAN: Ms. Watson, the summary said that the
19 investigator could not verify the dates found. Do we know
20 what that means? I mean, --

21 MS. WATSON: That's -- that's what was entered into
22 the computer. We do not have the actual documents. They
23 are under court seal for November 3rd.

24 MR. SCOTT: This must be a typo because my statement
25 that -- when we met back in March, I believe it was, me

1 and the investigators met personally, and I -- I got to
2 read my statement to him, you know, and then he wanted me
3 to do some other things in his presence, you know, when he
4 took my -- my ID, you know, to confirm all of that and
5 everything, and we had a pretty good meeting. Like I
6 said, this -- it's just not adding up, you know, that I
7 would do anything -- I -- I can't -- well, I don't know
8 about anybody else, all the millions and trillions of
9 people, but who would take time for something as trivial
10 as voting a ballot when you just lost your parent to fill
11 that out on her death date, when I had so many things to
12 do, and then take it to the post office branch, and then
13 your records say it wasn't received at its destination
14 until three days after these claims of the date of her
15 death that this ballot was -- you know, the ballot was
16 completed and mailed.

17 Also, the way it reads is, like, the ballot was
18 requested on the same date, the 23rd. It was prepared on
19 the 23rd, it was mailed on the 23rd, and it was received
20 at its destination. That's the way I'm reading this
21 complaint, and it just -- it doesn't add up. It doesn't
22 make sense. So it's got to be a big miscommunication type
23 of error somewhere, and it wasn't done, like, you know,
24 two, three days before her passing. You know, it was done
25 several days and mailed off, and I didn't -- I did not

1 know my mother would pass. Like, I don't know when I'm
2 going to pass or when either of you all on this Board
3 would be passing.

4 MS. SULLIVAN: Yeah, thank you, Mr. Scott. We are
5 going to -- you know, there were several questions that
6 were raised here today. We're going to go ahead and
7 continue this case and have our investigators do a little
8 bit more investigation of this -- of the dates and of the
9 claim, and we'll bring it back at a later date, but thank
10 you very much for being here.

11 MR. SCOTT: Okay. I appreciate it. I really wish
12 you all would consider for this case to be dismissed
13 because this just -- it doesn't make any sense from the
14 letter that I received from you all to even join this at
15 the time I joined it about five minutes to nine this
16 morning.

17 MS. SULLIVAN: Thank you. We're going to go ahead
18 and -- I'll go ahead and take a vote to...

19 MR. MASHBURN: I'll make a motion. I'll make a
20 motion to continue this case.

21 MS. SULLIVAN: Okay. And I second. All in favor,
22 please say aye.

23 THE BOARD MEMBERS: Aye.

24 MS. SULLIVAN: There are none opposed, and we'll
25 bring that case back before us again.

1 MR. MASHBURN: And -- and if they find that the
2 charge is unfounded, it can go into the consent calendar,
3 and we can pass it at 9:05, and he doesn't have to wait a
4 whole day.

5 MS. SULLIVAN: That is correct. Thank you. The next
6 case is 2021-062, Walker County.

7 MS. WATSON: Yes. On December the 11th, we received
8 a complaint from Walker County Elections and Registration
9 Director, Ms. Montgomery, advising they had an absentee
10 ballot returned when the elector who requested the
11 absentee ballot notified the Elections office that she had
12 not received her absentee ballot. The elector, Linda
13 Socia [ph.], advised that she no longer had the P.O. Box
14 the absentee ballot was mailed to. Ms. Montgomery advised
15 the elector arrived at the Elections Office and stated the
16 signature on the absentee ballot envelope was not hers.
17 Ms. Montgomery advised their observations of the signature
18 had some similarities and found some non-similarities.
19 This occurred during the early voting period for the
20 special federal runoff election on January 5th, 2021.

21 Investigation found that elector Ms. Socia did not
22 request her former post office box to be deleted from her
23 voter registration information until she notified the
24 Walker County Board of Elections and Registration that she
25 did not receive her absentee ballot for the January 5th,

1 2021 federal Senate runoff election. The Director had
2 received and spoiled a fraudulent absentee ballot in the
3 elector's name. The Director issued the elector another
4 absentee ballot. The elector did vote.

5 The spoiled ballot was collected as evidence by the
6 Secretary of State's investigator. The investigator
7 submitted the unsealed, unopened, and spoiled absentee
8 ballot to the GBI crime lab for fingerprint analysis,
9 located inside the sealed absentee ballot envelope
10 contained a latent fingerprint. The found fingerprint,
11 item 1C, was compared to item 3, the known fingerprint of
12 Respondent William Clifford Chase [ph.]. The report found
13 item 1C matched 3, identifying William Clifford Chase's
14 fingerprint on the absentee ballot. Our recommendation is
15 to refer Mr. Chase for 21-2-562, 21-2-571, 21-2-574.

16 MS. SULLIVAN: Is anyone signed up to speak?

17 MR. NORTEN: No.

18 MS. SULLIVAN: No one has signed up to speak on this
19 case. Do any of the Board members have any questions?

20 MR. MASHBURN: Just so -- just so I've got it clear
21 in my mind, so what the allegation here is is that the
22 Respondent got an absentee ballot in his post office box
23 that the voter used to use, filled it out, sent it back
24 in?

25 MS. WATSON: Correct.

1 MR. MASHBURN: Okay. I think the investigators have
2 proven sufficiently that a violation has occurred here and
3 move to refer this to the Secretary of State -- to the
4 Attorney General's Office. Twice I've done that.

5 MS. SULLIVAN: Second.

6 MS. GHAZAL: May I add a friendly amendment that it
7 also get referred to the District Attorney's Office?

8 MR. MASHBURN: Agreed. Agreed. I remove.

9 MS. SULLIVAN: And I'll re-second. Is there any
10 further discussion? All in favor, please signify by
11 saying aye.

12 THE BOARD MEMBERS: Aye.

13 MS. SULLIVAN: And none opposed. That motion passes.
14 Next is 2021-064, Hart County.

15 MS. WATSON: This investigation was opened after we
16 received a complaint alleging that Hart County District 1
17 Commissioner Oglesby had set up a grill outside one of the
18 businesses and was cooking and giving away food for anyone
19 who had voted. A Georgia Secretary of State inspector was
20 dispatched to Hart County based on the complaint alleging
21 there were rumors the Respondent was cooking and giving
22 away food. The complainant also indicated there were
23 pictures of grills and cooks. The Hart County Board of
24 Elections subsequently provided a statement that stated
25 the Board of Elections nor its staff confirmed that any

1 food or meals were given to voters in violation of 21-2-
2 570.

3 The investigation revealed through personal
4 observations and photographs taken by Georgia Secretary of
5 State personnel that the Respondent participated in an
6 activity that publicly displayed campaign materials
7 promoting and publicizing his reelection in the area where
8 the grill was set up for cooking at business operated by a
9 family member, and food was provided to the public.
10 Additionally, the Respondent conversed with Georgia
11 Secretary of State employees at the event at which time
12 the Respondent stated to the employee he would have the
13 activity shut down. The cook at the location spoke to the
14 inspectors stating that the food was being provided to
15 those with an I voted sticker. R.C. Oglesby, former Hart
16 County Commissioner for District 1, is being recommended
17 to be referred to the AG's Office for 21-2-570.

18 MS. SULLIVAN: Is anyone signed up to speak? We do
19 not have anyone.

20 MR. MASHBURN: I move to accept the recommendation
21 and refer it to the Attorney General.

22 MS. SULLIVAN: I'll second that motion. Is there any
23 further discussion? All in favor, please say aye.

24 THE BOARD MEMBERS: Aye.

25 MS. SULLIVAN: And none opposed. That motion passes.

1 The next case is 2021-068, DeKalb County.

2 MS. WATSON: Yes. We received an anonymous complaint
3 reporting a non-citizen voter in DeKalb County. Evidence
4 supports that John Latie Olicinde [ph.] is not a United
5 States citizen. He registered to vote on September the
6 6th, 2013, citing that he is a citizen of the United
7 States. He voted as a resident of DeKalb County in the
8 following elections where his vote was counted: in 2000,
9 2001, 2002, '04, three times in 2008, in 2010, '12, '14,
10 '16, '18, and then November 3rd, 2020. We did contact the
11 Department of Immigration to verify his citizenship
12 status, and it was determined that their records indicated
13 an alien number was issued in this name in 1979, and he
14 attempted to return to the States of the United Kingdom on
15 February 14th of 2021. However, that was denied due to
16 COVID restriction, and the Social Security Number that is
17 being utilized by Mr. Olicinde is listed to another
18 individual, and we are unable to locate any documents
19 indicating that he is a citizen of the United States.
20 We're recommending that he be referred to the AG's Office
21 for 21-2-561 and 21-2-571(13).

22 MS. SULLIVAN: Is there anyone signed up to speak?

23 MR. NORTHEN: No, Madam Chair.

24 MR. MASHBURN: I move that we accept the
25 recommendation and refer it to the Attorney General, but

1 I'm also puzzled why DeKalb has a noncitizen on its voter
2 rolls.

3 MS. WATSON: My understanding is that he was
4 registered prior to the verification process, and so
5 wasn't -- wasn't caught when he continued to re-register.

6 MS. SULLIVAN: So we have a motion to accept the
7 recommendation. Do we have a second?

8 MS. GHAZAL: I will second this with the observation
9 that somebody who's had an alien residence since 1979 may
10 well have naturalized at some point and would be in a
11 position to provide that -- proof of that to the Attorney
12 General's Office.

13 MS. WATSON: Yes. The -- the business that he has
14 listed is a vacant lot. The home that he had listed has
15 been foreclosed on, and all attempts to locate him have
16 been unsuccessful. He has many phone numbers that have
17 been disconnected.

18 MS. SULLIVAN: We have a motion and a second. Is
19 there any further discussion? All in favor, say aye.

20 THE BOARD MEMBERS: Aye.

21 MS. SULLIVAN: And there are none opposed. That
22 motion passes. Moving onto 2021-077.

23 MS. WATSON: Yes. We received a complaint that
24 alleged that absentee ballot applications being mailed to
25 individuals from the Honest Elections Project did not meet

1 the SEB rule requiring the form to be substantially the
2 same form as the application for absentee ballot form made
3 by the Secretary of State's Office. In this complaint, we
4 received no other complaints from individuals or from
5 counties indicating that there was any issues or that any
6 -- anyone did not receive an absentee ballot that was
7 requested through this form, and our recommendation is to
8 dismiss this case as -- as no violation as the rule has
9 now been changed. The code has been changed, so it's no
10 longer applicable.

11 MS. SULLIVAN: Is there anyone here to speak?

12 MR. NORTHEN: No.

13 MR. MASHBURN: The recommendation is to dismiss?

14 MS. WATSON: Yes.

15 MR. MASHBURN: Okay. I move that we accept the
16 recommendation.

17 MS. GHAZAL: Second.

18 MS. SULLIVAN: We have a motion and a second to
19 dismiss this case. Any further discussion? All in favor,
20 please say aye.

21 THE BOARD MEMBERS: Aye.

22 MS. SULLIVAN: And there are none opposed. That
23 motion passes. 2021-079, Gwinnett County.

24 MS. WATSON: Yes. Tyler Alvin Williams [ph.]
25 reported that someone illegally used his identity to cast

1 a vote from the November 2020 general election because
2 when he went to the polls during the advance voting period
3 on or about October 28th, 2020 to vote, poll officials
4 informed him he had already voted, when in fact, he had
5 not. The allegation that the identity of the voter was
6 used fraudulently to vote in the November election was
7 unsubstantiated.

8 However, a Gwinnett County Elections Office official
9 failing to call the proper procedure upon qualification of
10 elector was identified and substantiated. The
11 investigation revealed that a Gwinnett County voter
12 properly completed an application for advance in person
13 voting to cast a vote in the November election. The voter
14 also presented valid identification with his application
15 that was accepted. However, the poll worker at the
16 advance voting site subsequently selected the name of a
17 different voter with a similar name, presented a barcoded
18 label from E-net with the wrong name, affixed the
19 incorrect label to the absentee in person voting
20 application which ultimately created -- credited the wrong
21 voter for voting.

22 When the voter whose name was used incorrectly went
23 to vote, he was required to vote by provisional ballot.
24 However, the provisional ballot was subsequently rejected
25 on the grounds that he had already voted in the November

1 2020 general election. As a result of the error, two
2 Gwinnett County voters were disenfranchised, as one voter
3 was not able to properly vote for candidates in his
4 district, and the other was unable to have their vote
5 count in the November 2020 general election. Our
6 recommendation is for Susan Sharp, poll worker, and
7 Gwinnett County Board of Elections and Registration be
8 referred to the AG's Office for violation of 21-2-451(a).

9 MS. SULLIVAN: Do we have someone signed up?

10 MR. NORTHEN: Madam Chair, we have two folks here to
11 speak, Melanie Wilson followed by Susan Sharp. Melanie is
12 currently unmuted, so she is able to start.

13 MS. WILSON: Good afternoon, members of the Board,
14 can you hear me?

15 MS. SULLIVAN: Yes, we can.

16 MS. WILSON: Thank you for taking the time to hear
17 from Gwinnett County and Ms. Sharp. She is on the call.
18 So as an initial matter, I'd like to start with saying the
19 poll workers are committed to ensuring that the
20 appropriate voter gets to vote, and that's the first and
21 foremost thing that I want the Board to appreciate, that
22 both the Board and Ms. Sharp as a poll official are
23 committed to ensuring that voters have the opportunity to
24 vote. They're fully invested in that.

25 Starting with Ms. Sharp as a poll official, she

1 worked at the polls in 2018, and she also worked the polls
2 in 2020. In particular, this incident eventually occurred
3 at the [sound cuts out] at one of the nine locations that
4 the Board makes available, specifically George [sound cuts
5 out] I will say to the Board, and Ms. Sharp will likely
6 say the same thing herself, [sound cuts out] but she did
7 not make a mistake here in that she operated consistent
8 with her training and her practice, and she is somewhat at
9 a loss to how this occurred. The allegation is that she
10 selected the wrong name of the person that we will call
11 Voter A, and that ultimately Voter B, Mr. Alvin Williams,
12 was unable to vote as a consequence and that Voter A ended
13 up voting not necessarily for everything that they were
14 entitled to vote.

15 But Ms. Sharp's actions were consistent with her
16 training, that this was what her experience is because she
17 doesn't have a specific recollection of every individual
18 voter, but her experience and her practice is -- is that
19 she would use the scanner to scan the barcode on a
20 driver's license that would be produced by a voter. The
21 vast majority of voters use their voter -- their Georgia
22 driver's license or their state-issued ID that bears a
23 barcode and that she would use the barcode -- she
24 struggles to kind of comprehend how it would have been
25 possible for her to identify the incorrect voter, but

1 that, nevertheless, is the allegation that's made in this
2 instance. So she simply doesn't understand how she could
3 be culpable if she operated her practice as she
4 consistently does as an experienced poll worker.

5 There are, I guess, two points I would like to make
6 is that there's to some extent -- I don't know exactly
7 what -- what documents or what information the Secretary
8 of State's Office was able to maintain as part of their
9 investigation. The first thing I will say is that no one
10 contacted Ms. Sharp or communicated with Ms. Sharp, so I
11 don't know quite frankly if the Secretary of State's
12 Office actually located the specific advanced in person
13 application to which it is alleged that Ms. Sharp applied
14 the incorrect sticker and consequently gave -- you know,
15 allowed the wrong -- assigned the wrong voter -- the wrong
16 voter to the vote so to speak. So it's not entirely clear
17 that the Secretary of State's Office knows what
18 documentation was produced to Ms. Sharp and what she
19 relied on in identifying that voter, but as a way of -- by
20 way of clarity, we are actively engaged in trying to
21 identify the specific advanced in person application that
22 may have been implicated here now that we know exactly
23 which voting location this was.

24 So -- so that's -- those are all my comments as it
25 relates to Ms. Sharp, but she is on the call. While I

1 have the Board's attention, I do want to address also the
2 -- I guess the alleged culpability of the Gwinnett County
3 Board of Registrations here. They are named as a
4 Respondent in this matter, and I will state one thing
5 about the Board's responsibility here. In a county as
6 large as Gwinnett, the Board is responsible for training
7 hundreds if not thousands of poll workers, and I will say
8 that there is clear documentary evidence that Ms. Sharp
9 did receive training on a number of occasions prior to her
10 work as an advance in person poll worker. We have
11 identified three separate occasions where training was
12 provided. There were materials that were provided with
13 respect to how advance in person ballot applications are
14 to be processed, and so I can speak with confidence about
15 the training that was provided to Ms. Sharp and the
16 materials that were provided to Ms. Sharp by the Board. I
17 don't have anything else to add at this point, but I can
18 answer some questions, and certainly Ms. Sharp is
19 available if she wants to add anything.

20 MR. MASHBURN: This is Matt Mashburn. I do have a
21 question if I might, and that is I see that he was offered
22 -- the voter was offered a provisional ballot, so that's
23 terrific. That's how it's supposed to work, but why
24 didn't the County catch this during the check down of the
25 provisional ballot?

1 MS. WILSON: Mr. Mashburn, if I had an answer to that
2 question, I would be forthwith in volunteering that. I
3 cannot answer that question. But it's -- I think, there
4 is an opportunity to make more inquiries so that this
5 Board -- before you decide, you can expect that you'll
6 have a full -- a full set of the facts because I think
7 there are some facts that you don't have here that might -
8 - would influence what decision you would ultimately make
9 in this matter.

10 MS. SULLIVAN: Did I understand that the investigator
11 did not speak with Ms. Sharp?

12 MS. WILSON: That is my understanding from Ms. Sharp,
13 but she can confirm that. She's on the call.

14 MS. SULLIVAN: I'll make a motion to continue this
15 case, if that would be the pleasure of the Board to get
16 more information.

17 MR. MASHBURN: Second.

18 MS. SULLIVAN: Okay. We have a motion and a second
19 to continue this case per the request of the County. Any
20 further discussion? All in favor, please say aye.

21 THE BOARD MEMBERS: Aye.

22 MS. SULLIVAN: Any opposed? That motion passes.
23 Thank you, Ms. Wilson and Ms. Sharp. The next case is
24 2021-089, Greene County.

25 MS. WATSON: Yes. On March 11th, 2020, we received a

1 complaint that a convicted felon still under sentence had
2 registered to vote and voted in early voting period of
3 January 5th, 2021 general election runoff. On December
4 21st, 2020, Brian Keith Porter [ph.] went to the Greene
5 County Elections Office, completed and signed a form AFF-
6 29 felon affidavit, and then completed an application for
7 absentee ballot. He then was allowed to use a machine to
8 make his selections and printed and scanned his ballot,
9 all while being on active felony probation. The clerk
10 noticed that he was currently under a challenged voter
11 status for being a convicted felon. The clerk gave Mr.
12 Porter the option to execute a felon affidavit, which he
13 chose to do, and then was allowed to cast his ballot on a
14 BMD machine.

15 DeKalb County Department of Community Supervision,
16 Decatur states that Brian Keith Porter is currently under
17 supervision as a convicted felon. Lacking any reputation
18 from Porter about his challenged voter status, he was
19 changed from felon challenged to felon and deactivation in
20 the system. Our recommendation is for Brian Keith Porter
21 be referred to the AG's Office for 21-2-571 and 21-2-
22 216(b).

23 MS. SULLIVAN: I believe we have someone here to
24 speak regarding this case.

25 MR. NORTHEN: Yes, Madam Chair. We have Andrea Grant

1 here, who just unmuted herself and should be able to
2 speak.

3 MS. SULLIVAN: Please go ahead.

4 MS. GRANT: Yes. I'm Andrea Grant, but I was going
5 to be speaking on behalf of the Greene County allegations
6 against it in this matter, not ag -- not on behalf of Mr.
7 Porter.

8 MS. SULLIVAN: Are there any findings against -- yes.
9 There are. Did you speak to that one yet?

10 MS. WATSON: No, I did not. Sorry. Kathleen Coin
11 Meyer [ph.], Carolyn Smith [ph.], for 21-2-230.

12 MS. SULLIVAN: Go ahead.

13 MS. GRANT: Yes. That is I was going to speak on --
14 well, and Kathleen Coin Meyer has also -- has signed up to
15 speak as well as a supervisor for Greene County Board of
16 Elections. In the packet that I received, there was an
17 allegation that the County violated 21-2-230(i) by letting
18 Mr. Brian Keith Porter vote by ballot and not by
19 provisional ballot, so if it pleases the Board, I can
20 speak to that.

21 MS. SULLIVAN: Please go ahead.

22 MS. GRANT: Okay. And thank you for the time and the
23 stamina. I know this is like -- talking after a long day
24 listening to all this, that it's very -- you must be
25 tired. But the Greene County matter is a bit out of the

1 ordinary, and respectfully, the law applied to it is not
2 relative to the facts before the Board and should be
3 dismissed as to its allegation of violation. You probably
4 know that 21-2-228 gives the right of the registers to
5 examine from time-to-time qualifications of each elector.
6 This statute has specific procedures to follow. This one
7 is not at issue.

8 Then, we have 21-2-229 that permits any elector --
9 and the term is elector -- to challenge qualifications of
10 any person registering to vote. Again, they're very
11 distinct and highly guarded rules that have been upheld by
12 the courts of this state regarding challenge grounds
13 procedures, burdens, and appeal. Next, we get to the
14 listed one of 21- -- there is a point to this -- to 21-2-
15 230, the alleged statute violated by Greene County.
16 Distinctively, it states once again that it refers to any
17 elector may challenge another elector the ability to vote
18 in an election. This statute sets forth strict mechanisms
19 to address this specific challenge, and then the timing of
20 the challenge depends on which method that the local board
21 has to follow in order to protect the voter's sanctity to
22 vote.

23 And indeed, subsection (i) states if a challenged
24 elector -- and remember, this is by another elector --
25 appears to vote, then a provisional ballot is to be

1 provided, and the described process followed. So that is
2 -- that is the one that Greene County has been potentially
3 charged with. I know I bored you with reiterating those
4 laws, but this is the most important part of the
5 evaluation. OCGA 21-2-231 is titled -- and it's a long
6 title, sorry -- list of persons convicted of felons, non-
7 citizens, mentally incompetent, deceased persons provided
8 to the Secretary of State and Council of Superior Court
9 Clerks removal of names of list of electors obtaining
10 information about deceased, timing, list of inactive
11 voters, provided to Council of Superior Court Clerks. And
12 this is a statute that applies to the County and the facts
13 at hand. Subsection (a) of 21-2-231 provides, as you may
14 know, before the 10th of each month that the Georgia Crime
15 Information Center transmit to the Secretary of State and
16 the Superior Clerk's Court a complete list of all names of
17 persons convicted of a felony since the preceding
18 recording period.

19 The important part of that is when we move onto
20 subsection (c)(2). It says if a person is convicted of a
21 felony in federal court, then the names are transmitted
22 from the SOS to the appropriate county who shall mail a
23 notice by first-class mail that the Board has received
24 such information such person has been convicted of a
25 felony and will be removed from the list of electors

1 thirty days after the day of notice unless such person
2 requests a hearing before the Board. This particular
3 statute is devoid of any language regarding challenged or
4 provisional ballots.

5 The advance election dates, the dates of the
6 election, and the certification did not permit the
7 challenged ballot felon his right to respond within thirty
8 days of the notice that Greene County sent. According to
9 the data -- and I'm presuming it's from E-net. We can
10 confirm that with Kathleen Meyer's data from the Secretary
11 of State. Mr. Porter registered to vote as a transferred
12 voter on December 14th. Then, on December 12th at 7:52
13 A.M., the County got a notice from the Secretary of
14 State's Office that Mr. Porter was a challenged felon.
15 The report does not state or it's un -- you're unable to
16 tell from it whether the felony was a federal or state
17 felony. The County properly updated the poll pad of the
18 challenge due to the -- due to the notice.

19 But in subsection (c)(2) of 21-2-239, 52 USC section
20 20507G was triggered, and that particular federal section
21 is specifically listed in (c)(2) of 21-2-231. The same
22 day, at 2:56 P.M., Porter appears to cast an advance
23 ballot. The poll worker as trained in person by the
24 county based on a statewide webinar had Mr. Porter
25 complete a non-felon affidavit under 21-2-231(c), stating

1 the voter was not currently serving a felon sentence and
2 was eligible to vote. The affidavit, if you're familiar
3 with it, includes a statement from 21-2-571 that lists the
4 punishments for false statements. The form is -- form AFF
5 20 states the elector may sign the form and be issued a
6 regular ballot, not a provisional ballot, not a challenged
7 ballot.

8 Literally, at the last hour, what type -- a decision
9 had to be made on what type of ballot to be given to Mr.
10 Porter. It had to be made. The County reached out to
11 many sources, including the Secretary of State's Office
12 and other colleagues and Ms. Meyer can talk to you about
13 those particular facts after I've finished, but even the
14 other colleagues interpreted the law to provide that a
15 regular ballot would be -- should be issued to the felon.
16 So the County's choice is does the County potentially
17 violate 21-2-231(c), not giving notice and not giving a
18 ballot, and 20507G of Title 52, or does the County permit
19 him to vote with an affidavit by regular ballot? Now,
20 keep in mind, Mr. Porter was not challenged by another
21 elector or the Board itself, so 228, 229, or 230,
22 regarding the provisional or challenged ballots, is not
23 triggered.

24 In a moment, the supervisor will explain the hoops
25 the Board jumped through to determine which type of ballot

1 should be used, but at this juncture, I'd like to point
2 out to you among other things although I do not read any
3 inconsistency between 228, 229, 230, and 231, if we look
4 at the canons of interpretations of statutes involving
5 general and specific law --

6 MR. MASHBURN: Counselor, -- counselor, this is Matt
7 Mashburn. I'm going to interrupt you for a second if you
8 don't mind.

9 MS. GRANT: Sure.

10 MR. MASHBURN: What your -- your presentation is
11 excellent by the way. You're clearly well-prepared and
12 have done a lot of research, and so I appreciate that, but
13 what it boils down to is that y'all are saying that you
14 have to be able to rely on people telling you the truth on
15 these affidavits, right?

16 MS. GRANT: Yes, sir. I -- well, that's --

17 MR. MASHBURN: And if somebody's -- and if somebody's
18 going to lie to you on the affidavit, the law -- your
19 understanding of the law says you have to believe them,
20 and you don't have a whole lot of discretion, right?

21 MS. GRANT: Yes, sir. You have to give them a
22 thirty-day notice, and if they want a hearing, --

23 MR. MASHBURN: And once they -- and once they fill
24 out that form, you've got to give them a regular ballot
25 according to the statute, right?

1 MS. GRANT: Yes. Yes, sir. And because it refers to
2 the federal law, the -- the County, in my opinion,
3 properly took the -- took the high road and didn't want to
4 suppress the right to vote without due process. Okay.

5 MR. MASHBURN: Okay. Thank you. Okay. Thank you.
6 I don't mean to interrupt you, but what I'm going to do is
7 I'm going to move to dismiss the County, but I'm going to
8 move to refer Brian Keith Porter to the Attorney General
9 and the DA.

10 MS. GRANT: That's exactly what we would -- at the
11 end was going to ask to do. I'm glad you caught the gist
12 of it before I went through the rest of it.

13 MS. SULLIVAN: All right. Mr. Mashburn has made a
14 motion. Do we have a second?

15 MS. LE: Second.

16 MS. SULLIVAN: We have a motion and a second. Is
17 there any further discussion? All in favor, please vote by
18 signifying aye.

19 THE BOARD MEMBERS: Aye.

20 MS. SULLIVAN: And there are none opposed. That
21 motion passes. The next case is 2021-094, Coffee County.

22 MS. WATSON: Yes. Coffee County had a drop box for
23 absentee ballots that did not have the forms required to
24 protect the integrity of the absentee ballots. The ballot
25 transfer forms were not used for the November 3rd, 2020

1 election and the January 5th, 2021 Senate runoff
2 elections. Investigation revealed that Missy Hampton
3 [ph.], the former supervisor and registrar for the Coffee
4 County Elections Office, failed to complete the transfer
5 forms for absentee ballots from the county absentee ballot
6 drop box for the November 3rd, 2020 election and the
7 January 5th, 2021 Senate runoff election. Ms. Hampton
8 advised that the box was located at the same location as
9 the Elections Office and did not believe a transfer form
10 was needed as she was emptying the box and not
11 transferring the ballots from a location or a person. Our
12 recommendation is for Coffee County Board of Elections and
13 Registration and Missy Hampton, the former Elections
14 Supervisor for Coffee County, be referred to the AG's
15 Office for SEB rule 183-1-14-0.8(9).

16 MS. SULLIVAN: I believe we have someone here to
17 speak.

18 MR. NORTHEN: We do. We have Rebekah Ditto here to
19 speak.

20 MS. DITTO: Yes.

21 MS. SULLIVAN: Please go ahead.

22 MS. DITTO: Yes. Hi. I'm Rebekah Ditto. I am here
23 to speak on the behalf of Coffee County and the Board of
24 Elections and Registration. We do not dispute any of the
25 facts that were within the findings in the investigation

1 summary. We did take this very seriously. I wanted to
2 let the Board know we have updated our procedures. As
3 they mentioned, Missy Hampton is no longer the -- employed
4 by Coffee County. We do have a new supervisor of
5 elections, James Barnes [ph.]. We have put steps in place
6 for there to be a two-person team actually that will be in
7 place at the end of the day to fill out the transfer forms
8 to go and get all of the ballots out of the box and to
9 check the box the next day. We are very sorry for this.
10 We feel that we've taken steps to remedy the situation,
11 and with that, we are asking for a letter of instruction.

12 MS. SULLIVAN: Go ahead, Mr. Mashburn.

13 MR. MASHBURN: I have a motion. I -- I appreciate
14 y'all's efforts very much. This is a super important
15 detail, so I don't think -- I don't agree that a letter of
16 instruction is proper here, but I think y'all will be able
17 to make very quick work of this with the Attorney General
18 and enter into a consent order very quickly, so I'm going
19 to move that it be re -- referred to the Attorney
20 General's Office, but I suspect that y'all will be able to
21 work something out very quickly.

22 MS. SULLIVAN: I'll second that motion. Is there any
23 further discussion?

24 MS. GHAZAL: I would just like to acknowledge and
25 thank the County for having already taken the necessary

1 steps to ensure that this does not happen again.

2 MS. SULLIVAN: Agreed. All in favor, please signify
3 by saying aye.

4 THE BOARD MEMBERS: Aye.

5 MS. SULLIVAN: Any opposed? None opposed. The
6 motion passes. Thank you again for being here. Next case
7 is 2021-095, Taylor County.

8 MS. WATSON: Yes. On March 16th, 2021, we opened an
9 investigation regarding Taylor County, Georgia Board of
10 Elections and Registration not completing and delivering
11 their ballot transfer forms during the November 2020
12 general election. Taylor County Board of Elections and
13 Registration Supervisor Ms. Mindy Bass stated that during
14 the November 2020 general election that she does not have
15 the staff to create a collection team, and the absentee
16 ballot drop box is located directly outside her external
17 office door, and she is responsible for all the absentee
18 ballots. Because there was no transfer to another
19 location or person, she did not complete a transfer form.
20 Our recommendation is for Taylor County Board of Elections
21 and Registration and Ms. Mindy Bass, Taylor County
22 Elections Supervisor, to be bound over to the AG'S Office
23 for violation of SEB rule 183-1-14-0.8(10).

24 MS. SULLIVAN: And we have someone from Taylor
25 County?

1 MR. NORTHEN: We do have Ms. Mindy Bass on the line,
2 and she should be unmuting herself momentarily so she can
3 speak.

4 MS. SULLIVAN: Ms. Bass, go ahead.

5 MS. BASS: Basically, everything that was stated is -
6 - is true. With having a small county and a working Board
7 of Elections and Registration, we have three people
8 working our office during advance voting, and if I had two
9 people go out to collect drop box -- the contents, then I
10 would be breaking the Georgia law by having only one
11 person in with the voting machines, so I opted to not
12 utilize a two-person collection team. I collected them
13 myself as the Registrar's responsibility. I did not fill
14 out the form each time because I went to the post office,
15 which is right across the street. I walked, and when I
16 came back, I would empty the drop box and come in, so I
17 did fill out the form marking that the drop box was
18 completed -- completely empty at the end of each election,
19 and I did submit that to the Secretary of State's Office
20 upon request, which I know -- I know SB 202 kind of
21 negates this with, you know, moving the drop box to the
22 inside, which I will be able to have two people and be
23 able to track it better in the, you know, future
24 elections.

25 MS. SULLIVAN: Thank you. Mr. Mashburn, do...

1 MR. MASHBURN: Yeah. Same as the similar case, I
2 think a letter of instruction doesn't -- isn't real well-
3 tailored to this, but I think it can go to the Attorney
4 General's Office and work something out real quick, so I
5 want -- I make a motion to refer this over to the Attorney
6 General.

7 MS. SULLIVAN: And I will second that motion, and
8 thank you for being here today, Ms. Bass. Is there any
9 further discussion? All in favor of the motion, please
10 say aye.

11 THE BOARD MEMBERS: Aye.

12 MS. SULLIVAN: And there are none opposed, and that
13 motion passes. And that concludes our new investigations
14 for today. The next item on our agenda is the Attorney
15 General report. Before us are a number of consent orders
16 that are proposed for our -- the Board's approval. We
17 normally will vote on these as a block. I will entertain
18 a motion to accept these and confirm these consent orders
19 unless there are any that any of the Board members would
20 like to discuss specifically, or if they have any
21 questions for the Attorney General.

22 MR. MASHBURN: I move that we accept the consent
23 orders as a block.

24 MS. GHAZAL: Second.

25 MS. SULLIVAN: We have a motion and a second to

1 accept the consent orders. Any further discussion? All
2 in favor, please signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MS. SULLIVAN: Are there any opposed? There are none
5 opposed. The motion passes. And at this time, I'll
6 entertain -- that concludes the business that is on our
7 agenda today, and I will entertain a motion to adjourn
8 this meeting.

9 MR. MASHBURN: Move to adjourn.

10 MS. GHAZAL: Second.

11 MS. SULLIVAN: The motion has been made and seconded.
12 All in favor, please say aye.

13 THE BOARD MEMBERS: Aye.

14 (Meeting adjourned 2:45 P.M.)
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CERTIFICATE

STATE OF GEORGIA
COUNTY OF DEKALB

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 201 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 23rd day of October, 2021.

Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256

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THE OFFICE OF THE SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334

October 28, 2021
9:00 A.M.
(Via Zoom)

PRESIDING OFFICER: REBECCA SULLIVAN
VICE CHAIR, STATE ELECTION BOARD

STEVEN RAY GREEN COURT REPORTING, LLC
LaKeysha Terrell-Satterfield, CCR
Atlanta, Georgia

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APPEARANCE OF THE PANEL

(Appeared via Zoom)

Rebecca Sullivan, vice chair

Matthew Mashburn

Anh Le

Sara Ghazal

Ryan Germany

Nicolas Northen (Election and Data manager)

Sarah Beck

Maggie Haisty

Frances Watson

Charlene McGowan

Blake Evans

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ORDER OF MEETING

- I. Invocation and Pledge of Allegiance
- II. Approval of Board Meeting Minutes
- III. Public Comment on Proposed Rules
- IV. Consideration of Proposed Rules
- V. Adjournment

1

2 (Prayer was recited.)

3 (Pledge of allegiance was recited.)

4 MS. SULLIVAN: For purposes of the record,
5 I'll go ahead and take role, make sure that we have a
6 quorum.

7 MS. SULLIVAN: Ms. Ghazal?

8 MS. GHAZAL: Present.

9 MS. SULLIVAN: Mr. Mashburn?

10 MR. MASHBURN: Present.

11 MS. SULLIVAN: Ms. Le?

12 MS. LE: Present.

13 And we do have a quorum. We'll start with
14 the approval of the board meeting minutes from the
15 September 21, 2021, board meeting. Those have been
16 prepared and presented to the board members. Does
17 anyone have any corrections for those minutes? If
18 not, I'll entertain a motion to approve them.

19 Mr. MASHBURN: Move to adopt.

20 MS. SULLIVAN: We have a motion. Is there a
21 second?

22 MS. GHAZAL: Second.

23 MS. SULLIVAN: Any further discussions? All
24 in favor please say aye.

25 MS. SULLIVAN: Aye.

1 MS. GHAZAL: Aye.

2 MS. LE: Aye.

3 MR. MASHBURN: Aye.

4 MS. SULLIVAN: And there are none opposed.

5 The board meeting notes are approved.

6 Next we'll move on to the public comment on
7 the proposed rule. For those who have indicated that
8 they would like to speak, please be reminded that
9 public comments today will be limited to two minutes
10 per person and should be limited to the posted
11 proposed rule. There is an avenue for those who would
12 like to make comments on other topics to the board.
13 They can be submitted to sedpubliccomments@sos.ga.gov.
14 And we'll begin with public comments.

15 MR. NORTHEN: Okay. The first commenter is
16 on Rule 183-1-12-.12, it is Pamela Reardon, and she
17 will be in in one moment. Pamela, if you unmute, you
18 will be able to speak.

19 MS. REARDON: Hello. Good morning. Can you
20 hear me now?

21 MS. SULLIVAN: Yes, ma'am.

22 MS. REARDON: Okay. I'm Pamela Reardon. I
23 live in Cobb County, a citizen since '99 in Cobb
24 County. Before that, Fulton County. I'm commenting
25 on the absentee application -- eligibility of

1 applications for absentee ballot. In particular, the
2 past -- the (a technical difficulty occurred.) It
3 should be made clear that the web-based tool or
4 application can only be supplied by the Secretary of
5 State's website and no third party can have access.
6 It should all be a multi-bound security just like in
7 the investment broker or banking industry. The
8 Secretary of State has to implement this multi-stepped
9 online voter page because it is a prime (technical
10 issue occurred) that can be hacked.

11 Biden has ordered the federal agencies to
12 have this MFA so multi-factor authentication
13 requirement for live voter page and for these apps
14 should definitely be incorporated. The other issue is
15 even on a web-based application, this needs to be
16 saved for 22 months per the election lock. Can I also
17 make a comment on another one or not? Or should I
18 wait.

19 MS. SULLIVAN: You can go ahead.

20 MS. REARDON: Okay. On the provisional
21 ballots -- I'm sorry. On tabulating, I think I'll
22 just comment on this. I am opposed to starting
23 tabulating so early. I would like tabulating to begin
24 only when advanced voting is finished. Because people
25 come in, which happened last year, and they wanted to

1 vote on the, you know, the machine and their ballot
2 had already been stolen. And someone had already used
3 it as an absentee ballot in voting. They were
4 disenfranchised and their voter -- their vote was
5 suppressed. So those are my two this morning. Thank
6 you very much and for all your hard work.

7 MS. SULLIVAN: Thank you, Ms. Reardon.

8 MR. NORTEN: Thank you. The next public
9 comment is from Elisa Goldklang. If she unmutes
10 herself, she'll be able to speak now.

11 ELISA GOLDKLANG: Hello. Am I unmuted?

12 MS. SULLIVAN: You are. You may go ahead.

13 ELISA GOLDKLANG: Okay. Thank you so much.
14 I'm Elisa Goldklang, and I'm a Cobb County voter. And
15 I'm talking about the Rule 183-1-12-.12 -- .12, excuse
16 me. I don't know if the members of the public are
17 aware, but when we have to photograph poll tapes, we
18 have to drive around late at night and to places that
19 are dark. And I would like -- as suggested, I would
20 like that the poll tapes be posted very clearly that
21 -- so that they can be read from top to bottom. And
22 also if a county has a public accessible website, it
23 would be so much safer and so much easier for the
24 public to have access to the poll tapes to --
25 photograph of the poll tapes on that website for at

1 least 48 hours after the election.

2 And finally, I would like -- I would like to
3 encourage you to follow all of the detailed
4 recommendations made by the nonpartisan of Coalition
5 for Good Governance group because -- it can't be said
6 in two minutes. But I really appreciate all the work
7 that you do. I'm grateful for your service. And
8 thank you so much.

9 MS. SULLIVAN: Thank you.

10 MR. NORTHEN: Thank you.

11 We have no speakers coming up for the next
12 Rule 183-1-12-.13. So we will move on to Rule
13 183-1-12-.18. We have Dr. Monica D. Jones. Once Dr.
14 Jones unmutes herself, she'll be able to speak.

15 MS. SULLIVAN: Dr. Jones, you may speak now.
16 You should be un-muted. You need to unmute yourself.

17 DR. JONES: Alright. Good morning.

18 MS. SULLIVAN: Good morning.

19 DR. JONES: Provisional ballot process,
20 information sheet regarding the Secretary of State's
21 availability for voters. Some of the persons may not
22 be capable of understanding this information. What is
23 the process if persons are not able to read or
24 comprehend the information on the sheets? How reader
25 friendly is the document? I noticed that some cases

1 here have been due to lack of training or knowledge on
2 behalf of poll workers and staff. There are quite a
3 few details related to these provisional ballots. So
4 I wonder, how can the Board of Elections assure that
5 polling officials who will be distributing this
6 information and giving direction are well trained.
7 And also regarding rejection of provisional ballots.
8 If officials cannot determined if a person is eligible
9 to vote by close of business on the third business
10 day, et cetera, the person's ballot will be rejected.
11 This is rather disconcerting.

12 What safeguards are in place for unexpected
13 technical failures or other unforeseen events that
14 will make it impossible to verify a person's
15 eligibility by this deadline? Something that is
16 through no fault of their own. How are we protected,
17 a citizen's right to vote once the ballot leaves their
18 hands? Also, the rule states that voters whose ballot
19 was rejected shall be notified. However, what's the
20 time frame? How promptly will this notification take
21 place? I hope in a sense of fairness and integrity
22 that this board will keep in mind that the State of
23 Georgia has not been found guilty of any fraudulent or
24 unlawful elections. We have shown time and time again
25 that most voters are honest. So let's not penalize

1 them for mistakes or human error that all of us can
2 make from time to time. Thank you for this
3 opportunity to speak.

4 MS. SULLIVAN: Thank you.

5 MR. NORTHEN: Moving on, that was the last
6 public comment for that Rule. Moving on to public
7 comment for the final Rule under public comment today,
8 183-1-14-.12. The first person to speak will be Ilene
9 Johnson -- Elaine Johnson. Ms. Johnson can unmute
10 herself at any time.

11 MS. JOHNSON: Can you hear me?

12 MS. SULLIVAN: Yes, ma'am.

13 MS. JOHNSON: Good morning. My name is
14 Elaine Johnson, and I'm a resident of Macon-Bibb
15 County, and my comment is on the eligibility of
16 applications for absentee ballots, Rule 183-1-14-.12.
17 I think that this -- overall I think that the State
18 Bill 202 ads are unneces- -- unnecessary hand
19 signature requirement to apply for an absentee ballot
20 just to get an application. I recently completed the
21 process myself and have voted absentee in a local
22 election. And I just found the requirement unduly
23 burdensome on me and I use a computer all the time.
24 But I can -- I know that it will be especially
25 burdensome to people with disabilities, and it could

1 really be avoidable. Since last year we were all --
2 we were all able to apply online for an absentee
3 ballot. So as we could do in 2020, I think we should
4 still be able to do. We pay our taxes. We deposit
5 checks. We apply for loans. We handle all our
6 personal credit accounts online, and we e-sign and I
7 think it's just unnecessarily burdensome to require us
8 to download and print an application and then sign it
9 and upload it and scan it and mail it back just to be
10 able to request for an absentee ballot. It should be
11 a simple matter to apply because it should be simple
12 for us to vote. Thank you.

13 MS. SULLIVAN: Thank you.

14 MR. NORTHEN: The next speaker is Robin
15 Donaldson who should be able to unmute themselves and
16 speak at any time.

17 MS. DONALDSON: Okay. Yes. Can you hear me?

18 MS. SULLIVAN: We can hear you.

19 MS. DONALDSON: Okay. Great. Wonderful.
20 Thank you for having me. Good morning. My name is
21 Robin Donaldson, and I'm a resident of DeKalb County.
22 I live in Chamblee, Georgia. And today I would like
23 to speak on Rule 183-1-14-.12, the eligibility of
24 application for absentee ballots. SB 202 adds an
25 unnecessary hand signature requirement to apply for an

1 absentee ballot. This requirement is unduly
2 burdensome on voters especially those people with
3 disabilities and people, you know, who maybe are not
4 as well at our modern technology. Voters should be
5 able to apply online for absentee ballots just like we
6 could do in 2020 and should also be able to e-sign our
7 absentee ballot and applications.

8 In this modern day in 2020, 2021, we pay
9 taxes. We deposits checks. And we applied for jobs
10 online. So it really is unnecessary burdensome to
11 require voters to download and print an application
12 and then have to sign it, upload, scan, and mail it
13 back just to be able to request an absentee ballot.
14 So I just am encouraging the State Election Board and
15 Secretary of State to support counties like Fulton in
16 conducting elections and implementing the many new
17 rules SB 202 rather than threatening to take them
18 over.

19 So again, this is Robin Donaldson. Thank you
20 for allowing me to speak and thank you for your
21 service.

22 MS. SULLIVAN: Thank you.

23 MR. NORTHEN: All right. The next person for
24 comment is Dr. Ngina Jemmott.

25 DR. JEMMOTT : Good morning.

1 MS. SULLIVAN: Good morning.

2 DR. JEMMOTT: So my name is Dr. Ngina
3 Jemmott, and I'm a resident of Fulton County. Today
4 I'm going to speak about Rule 183-1-14-.12,
5 eligibility of the application for absentee ballots.
6 In this modern area, we pay taxes, deposit checks, and
7 apply for jobs online. It's unnecessarily burdensome
8 to require voters to print an application, to sign it
9 and upload, scan or mail it back, just to be able to
10 request an absentee ballot. This demand of resources,
11 time and energy will disenfranchise potential voters
12 and will disproportionately affect impoverished and
13 minority voters.

14 Let's make choices that decrease obstacles
15 and promote participation in our democracy. It's time
16 to end the political power games. This board needs to
17 start taking this Rule seriously and publish rules
18 that support counties rather than bully them. Thank
19 you for your time.

20 MS. SULLIVAN: Thank you.

21 MR. NORTHEN: All right. Thank you so much.
22 The next speaker is Sonia Collette Frix. And Sonia
23 should be able to start speaking at any time.

24 MS. FRIX: Thank you. Are you able to hear
25 me?

1 MS. SULLIVAN: Yes, ma'am.

2 MS. FRIX: I'm speaking about -- first, thank
3 you for this format. I'm disabled and not able to
4 drive and I wouldn't be able to drive to get to a
5 public space to speak with you. I'm talking about
6 Rule No. 183-1-14-.12, the absentee ballot
7 applications. I'm speaking for disabled voters and
8 people -- elderly people and people who have to take
9 certain medications. I'm not able to drive. I have a
10 computer, but I don't have a printer, so if were to
11 have to print and sign an absentee ballot application,
12 I would have to -- I couldn't print it at my house. I
13 would have to -- because I have epilepsy and I can't
14 drive, I would have to pay somebody to take me
15 somewhere to get it printed off. And I live on a very
16 fixed income, that's hard -- hard for me. And other
17 people who take medications and elderly people who
18 have triggers will have that same problem.

19 And it doesn't make sense to me that the
20 State of Georgia will take my income tax return
21 without my hand signature, but it won't take my
22 request to vote without a hand signature. That seems
23 like taxation (indiscernible) without representation.

24 And I'm just looking -- oh, the other thing
25 is that I just wanted to say that it seems like we've

1 had our votes counted three or four times, and they've
2 been good counts ever single time. And I don't like
3 the notion of our elected board officials being able
4 to be replaced, but --

5 MS. SULLIVAN: Thank you, ma'am. Your time
6 is elapsed.

7 MS. FRIX: Thank you.

8 MR. NORTHEN: Next person for comments is
9 Lindsay Wallace. Lindsay should be able to speak now.

10 MS. WALLACE: Thank you. Can you hear me?

11 MS. SULLIVAN: Yes, ma'am.

12 MS. WALLACE: Good morning. My name is
13 Lindsay Wallace, and I am a Fulton County resident and
14 voter. I would like to speak on the eligibility of
15 application for absentee ballots. I want to echo the
16 statements made by previous callers that the SB 202
17 hand signature requirement to apply for an absentee
18 ballot is unduly burdensome on voters, especially with
19 those with disabilities, the elderly and the poor.
20 And the requirement is unnecessary. I have been able
21 to pay my taxes, purchase a home, and borrow a
22 mortgage in Fulton County solely by online and by
23 e-signing documents. A hand signature has not been
24 required for any of those things. To provide a hand
25 signature, a voter must download and print an

1 application and sign it and scan it or mail it back.
2 And it is an unnecessary burden to require voters to
3 have access to a printer and/or a scanner in order to
4 request an absentee ballot online.

5 Furthermore, the State Board -- State
6 Election Board and Secretary of State should support
7 my county, Fulton County, in conducting elections and
8 implementing the many new rules of SB 202 rather than
9 threatening to take them over. Thank you.

10 MS. SULLIVAN: Thank you.

11 MR. NORTHEN: The next speaker is Patricia
12 Dietz. You should be able to speak now.

13 MS. DIETZ: Good morning. Can you hear me?

14 MS. SULLIVAN: Yes, ma'am. Good morning.

15 MS. DIETZ: Great. My name is Patricia
16 Dietz. I am a resident of DeKalb County since 1994.
17 I really want to thank you for this opportunity to get
18 comments. Like the others, I am commenting on Rule
19 183-1-14-.12 on the eligibility application for
20 absentee ballots. I think our previous speaker with
21 disabilities really laid out why this is such an
22 unnecessary burden, requiring a hand signature just to
23 apply for absentee ballot.

24 As been stated, in order to do this, you have
25 to have a printer in your home to download it. You

1 have to fill it out and then sign it and then you have
2 to scan it before putting it in an envelope, find a
3 stamp and mail it. I know we've all had issues with
4 how long the mail can take. We've also heard about
5 how the technology exist to do an e-signature. This
6 was done in 2020. And, really, the goal is to try to
7 make voting as easy as possible to hear from all
8 people who have the right to vote. I really believe
9 voters should be able to e-sign the request for an
10 absentee ballot.

11 I also just wanted to mention, I participated
12 in the recounts in 2020, and I was incredibly
13 impressed by the County election officials. They know
14 what they're doing. It was so fair. It was so
15 impressive, and the State Election Board and the
16 Secretary of State really should continue to support
17 counties like Fulton in conducting elections rather
18 than threatening to take over them. They know what
19 they are doing, and they can do it very well. I want
20 to thank you again for this time to make comments.

21 MS. SULLIVAN: Thank you.

22 MR. NORTHEN: Next speaker is Angie Thomas.

23 You should be able to unmute yourself and
24 speak now.

25 MS. THOMAS: Okay. Good morning. Can you

1 hear me now?

2 MS SULLIVAN: Yes, ma'am. Good morning.

3 MS. THOMAS: Okay. Thank you. Yes. Angie
4 Thomas, a Fulton County resident. And, yes, I'm
5 talking about the Rule 183-1-14-.12. So first of all,
6 thank you, yes, for what you've already done and the
7 chance to comment today. I know that you are under a
8 lot of pressure. You're getting a lot of opinions
9 from a lot of people, not only from us and Fulton
10 County and in Georgia, but throughout the whole
11 country. So everybody is looking at us, but we depend
12 on you. So those other people, they can have their
13 opinions, but we depend on you. You are elected to be
14 on this board to help represent us and to stand up for
15 doing the right thing.

16 I ask you to look at sort of three things:
17 Facts. What are the facts? What worked before?
18 What's been proven? And some people have mentioned
19 the online request, the recount show, the things we've
20 done, and it just seems like people are looking for
21 something. So look at the facts. Look at the truth.
22 Tell the truth. And then to keep it simple. Many
23 people have talked about how things are burdensome.
24 Keep it simple for all disabilities, people without
25 transportation, keep it simple to apply online. That

1 worked before. That is a fact.

2 And to think on your own. You all are our
3 representatives. You have a lot of experience you're
4 bringing to the table. Think on your own. Just stop,
5 breathe, think what you think is the right thing to
6 do, ask questions, and try to keep it simple. The
7 communication is going to be huge with all of these
8 changes that are in line.

9 So, again, I thank you. Think about the
10 facts, the truth. Keep it simple. Keep it simple.
11 Think on your own and try and rule out or pay
12 attention to what you think is the right thing to do
13 just for us all to be able to safely and efficiently,
14 effectively be able to vote. Have the chance to vote.
15 Let that turn out to be however it turns out without
16 fear or control. Just do the right thing. I so
17 appreciate everything that you do. Thank you so much.

18 MS. SULLIVAN: Thank you.

19 MR. NORTHEN: Okay. The next speaker is Max
20 Hess.

21 MR. HESS: Good morning. I'm registered to
22 vote in Fulton County. But during COVID and because I
23 have a work assignment, I'm spending a lot of time in
24 Glynn County. And the application process is
25 filled -- too complicated and error prone. I'll give

1 you an example with my latest application. Where I'm
2 staying, I don't have access to a printer or a
3 scanner. So I went to the Glynn County Board of
4 Elections and because I know they have all that
5 equipment and they could help me, and they have the
6 form already printed out. So they did and I filled it
7 out. And then they chose to use the option of faxing
8 it to Fulton County. It doesn't work well with a fax
9 machine because it has a front side and a back side.
10 So they made a copy of it so that they could fax it
11 and they did. So I went home after making that
12 special trip and waited a while, and I figured I
13 needed to check with Fulton County. So I called their
14 help line, and we went to the time of day when it was
15 faxed, and they did not receive it. And at that
16 point, it was getting too close to the deadline, and
17 so if I had gone back and gotten a copy and filled it
18 out and mailed it, maybe it wouldn't get there in
19 time.

20 So I called Fulton County again and I --
21 they -- you know, I told them I can't scan it to you.
22 So they say said, okay, you can make a picture with
23 your phone, which I did, and send it to us at our
24 e-mail address, and I did that. But here's the thing,
25 they didn't send it to my Glynn County address. They

1 sent the absentee ballot to my Fulton County address.
2 So I contacted somebody who was making a trip from
3 Fulton County to Glynn County and I asked them to go
4 through my mail and get it and drive it to Glynn
5 County so I now have it. All of this could be
6 eliminated if we had an online portal.

7 One other thing is when we did have an online
8 portal, it didn't work for all Federal elections. I
9 tried to use it for the runoff election to fill the --
10 the open seat of John Lewis, and it was not set up for
11 that kind of an election. So if we do get to go back
12 to an online portal, I would like to include all
13 elections. Thank you.

14 MS. SULLIVAN: Thank you.

15 MR. NORTHEN: The next speaker is Sarah
16 Holmes. Can unmute themselves and start speaking.

17 MS. HOLMES: Yes. Can you hear me?

18 MS. SULLIVAN: Yes. Good morning.

19 MS. HOLMES: Good morning. My name is
20 Dr. Sarah Holmes. I'm a resident of Chatham County.
21 I'm a senior citizen. I'm a very reliable voter. And
22 I also want to make a comment or two on Rule
23 183-1-14-.12 regarding applications for absentee
24 ballots. A number of people have already said very
25 clearly that -- or their opinion that I agree with

1 that this rule -- it really imposes some significant
2 burdens on folks who are trying to just request an
3 absentee ballot.

4 I know that in 2020 -- in 2020, it was fairly
5 easy. In 2021, we're going to be -- we'll have to
6 take multiple steps, download, sign, scan or mail or
7 blah, blah, blah. That process can be onerous. I'm
8 reasonably computer literate, but as I was reading all
9 of that stuff, I'm thinking, oh, man, there's so many
10 places that I can make an error on that. And as I
11 said, I'm a very reliable voter. It's very important
12 to me to vote. And it would be very distressing to me
13 if because I made a mistake in a complicated process,
14 I did not get an absentee ballot. I'm somewhat
15 disabled. And I -- as I say, I'm older and so I now
16 regularly vote absentee.

17 I also have concerns about having to provide
18 an actual hand signature in general. My e-signature
19 is accepted on medical records. It's accepted on
20 affidavits, other legal documents, so I don't
21 understand why it's not acceptable on a request for an
22 absentee ballot, not the ballot itself but a request
23 to receive such a ballot.

24 I think the Secretary of State and the State
25 Election Board, if their duties is to support counties

1 in their administration of free and fair elections and
2 instead of, say, publishing the new rule, very clear
3 or providing training or doing other things to support
4 counties, threats are being issued against the
5 counties before anything has ever happened. I find
6 that very disturbing. I really don't understand.
7 There are not statewide elections this year, so I
8 really don't understand why the SOS and the SEB don't
9 do everything that can to make an implementation of SB
10 202 as painless as possible for counties rather than
11 making the jobs more difficult. Thanks.

12 MS. SULLIVAN: Thank you.

13 MR. NORTHEN: The next speaker is Judy
14 Sophianopoulos. You should be able to speak now.

15 MS. SOPHIANOPOULAS: Thank you. Can you hear
16 me?

17 MS. SULLIVAN: Yes, good morning.

18 MS. SOPHIANOPOULAS: Good morning. My name
19 is Judy Sophianopoulos. I live in DeKalb County. I
20 have since 1968. And I'm commenting pretty much
21 agreeing with a lot of the previous comments about
22 Rule 183-1-14-.12, eligibility of application for
23 absentee ballot. It seems to me that the way we did
24 it in 2020 was fine and convenient and easy, and I
25 think that's the way certainly when something that's

1 just an application for an absentee ballot should be
2 without requiring a signature. And that's about the
3 close of my comments. I thank you very much for the
4 opportunity.

5 MS. SULLIVAN: Thank you.

6 MR. NORTHEN: All right. The next speaker is
7 Opal Baker.

8 MS. BAKER: Good morning. My name is Opal
9 Baker. I'm a resident of Fulton County, and I'm
10 speaking on Rule 183-1-14-.12, eligibility of
11 application for an absentee ballot. And I agree with
12 so many of the comments so far and on so many
13 different points.

14 Over the past year, I was happy to exercise
15 my right to vote by absentee ballot given the state of
16 the public health crisis in which Georgia finds
17 itself. The ability to continue in this fashion
18 remains helpful to me and so many others who have
19 concerns or difficulty physically getting out to cast
20 their vote. So now SB 202 has an unnecessary hand
21 signature like others have said a requirement to apply
22 for an absentee ballot. It's an absentee ballot.
23 This requirement is burdensome on voters, especially
24 disabled voters and completely avoidable given a lot
25 of technology. As I did a year ago, all voters should

1 be able to apply online for absentee ballots, and with
2 today's technology, should be able to e-sign, as many
3 have said, their absentee ballot application.

4 The State Board of Elections or the State
5 Election Board and the Secretary of State should be
6 working to make voting easier, not harder for
7 residents of Georgia. Instead, you are playing
8 politics, threatening takeovers when your job is
9 supposed to assist Georgia counties to run successful
10 elections. You dropped the ball on supporting our
11 counties. It's time to quit the political power
12 games. The Board needs to start taking their role
13 seriously and publish rules that support counties and
14 voters, not bully them.

15 Given that there are no statewide elections
16 this year, there's no excuse for the Secretary of
17 State not to do everything in their power to implement
18 this awful SB 202 as painlessly as possible. Stop
19 wasting time getting -- using every tool in your tool
20 box to make county board elections more difficult.
21 Our counties deserve a State Board that works to help
22 them make it easier to vote, not a body of partisan
23 hacks that are adding pressure to an already strained
24 election system. Thank you.

25 MS. SULLIVAN: Next.

1 MR. NORTHEN: Next speaker is Catrice
2 Windley. You should be able to speak now.

3 MS. WINDLEY: Good morning. Can you hear me?

4 MS. SULLIVAN: Yes, ma'am. Good morning.

5 MS. WINDLEY: Good morning. My name is
6 Catrice Windley, and I am a Fulton County resident. I
7 am making a comment in reference to Rule 183-1-14-.12.
8 Individuals who are homeless or find themselves in a
9 transitional living situation deserve to exercise
10 their right to vote. Prior to the passage of SB 202,
11 signature verification was the primary means of
12 checking voter identity for absentee ballots.
13 Absentee ballots can be requested up until the Friday
14 before election day.

15 With the passage of SB 202, voters who wish
16 to cast their ballot must be able to provide a
17 driver's license and their information must match
18 their application. But people who are homeless or in
19 transitional living situations may not have these
20 documents with them. They also may not be able to
21 meet that 11-day before the election day time wise in
22 order to receive their ballots. This is a hardship.
23 What will be done to make sure that people who find
24 themselves without their verification documents or are
25 not able to request an application before the 11 days?

1 What actions will be taken? What provisions will be
2 made so that these individuals can exercise their
3 right to vote? Thank you.

4 MS. SULLIVAN: Thank you.

5 MR. NORTHEN: All right. The next speaker is
6 Nicole Hartman. You should be able to unmute yourself
7 and speak at this time.

8 MS. HARTMAN: Good morning.

9 MS. SULLIVAN: Good morning.

10 MS. HARTMAN: My name is Nicole Hartman.
11 Good morning. My name is Nicole Hartman, and I am a
12 resident of Fulton County for the last two weeks.
13 Before that, I was a resident of Cherokee County for
14 14 years. I have voted in every single election since
15 moving to the state of Georgia, even special
16 elections. I feel that voting is really important,
17 and actually I feel that it's required. My parents
18 raised us to believe that you have to vote in every
19 single election, that it is a requirement. Just like
20 you have to, you know, register, you know, gentlemen
21 have to register when they're 18 years old for the
22 draft board.

23 I have -- I wanted to speak today on Rule No.
24 183-1-14-.12, of eligibility for application on
25 absentee ballot. Like everyone else before me has

1 said, I do believe this is a cumbersome -- I currently
2 run a nonprofit that helps women that lose babies, and
3 I have to sign documents and return stuff to the
4 Secretary of State's office all the time, and every
5 single document is allowed to sign with e-sign, and so
6 I don't understand why you want -- I can do all of
7 that electronically, but I can't request an absentee
8 ballot without having to have a printer and a scanner.
9 Many people are not able to have that. That is a
10 burdensome cost, especially when voting is our right
11 and voting is something that should be required.

12 I also am very concerned after just moving
13 from Cherokee County, I never felt that my vote wasn't
14 counted. I always felt that even after 2020, I felt
15 that our state, including all of you, did a phenomenal
16 job proving that we have no fraud in our state and
17 that our state is secure. I appreciate all your hard
18 work for that. But now I'm really unsure moving to
19 Fulton County is my vote even going to be counted and
20 threats of taking over the election board.

21 MR. NORTHEN: That is your time.

22 MS. HARTMAN: Thank you. I appreciate your
23 time.

24 MR. NORTHEN: Next speaker is Ms. Deborah
25 Jackson. You should be able to unmute themselves and

1 speak.

2 MS. JACKSON: Good morning. Can you hear me?

3 MS. SULLIVAN: Yes, ma'am. Good morning.

4 MS. JACKSON: Yes. Hi, my name is Deborah
5 Jackson. I serve as a co-chair of the political power
6 -- (inaudible) committee of NCNW DeKalb Section, and
7 I'm a resident of DeKalb County. I'm commenting on
8 Rule 183-1-14-.12, on the eligibility of applications
9 for absentee ballots. Our national organization was
10 founded in 1935 by Dr. Mary McCloud Bethune with a
11 mission to lead, develop, and advocate for women of
12 African descent, their families and their communities.
13 As a section celebrating our 30th anniversary, we have
14 been active participants in voter registration, voter
15 education, and voter mobilization. We are very
16 concerned about the signature requirement to request
17 an absentee ballot.

18 As you already heard from previous speakers,
19 this requirement is unduly burdensome on voters
20 especially those who may not be tech savvy or have
21 disabilities. Because voters have to include the
22 number of their driver's license or identification
23 card, the requirement of a signature is not necessary.
24 We firmly believe voters should be able to e-sign
25 their absentee ballot applications.

1 As you know, we can file tax returns, deposit
2 checks and execute many legal documents online without
3 having to put out documents or forms. To require
4 voters to download an application, print it, sign it,
5 and then upload, scan or mail it back, makes no
6 practical sense and places unnecessary obstacles on
7 access to the ballot.

8 Finally, we would urge the State Board of
9 Election and the Secretary of State to support
10 election official and counties such Fulton in
11 conducting elections and implementing the new rules SB
12 202 rather than (inaudible) ways to take them over.
13 Thank you for the opportunity to comment.

14 MS. SULLIVAN: Thank you, ma'am.

15 MR. NORTHEN: Next speaker is Pamela Reardon.
16 Should be able to unmute themselves now.

17 BOARD MEMBER: Ms. Reardon, I believe already
18 had spoken and used her two minutes.

19 MS. REARDON: Yeah, I didn't use my full two
20 minutes, but I spoke out of line, and after hearing a
21 lot of the comments, I just want to reiterate that all
22 of these comments, although I disagree that everything
23 was done properly last year, would be -- if we had a
24 multi-level authentication to -- just like we have at
25 our bank -- if we have an investment account to get

1 onto my voter page and then they can also use the same
2 security for these applications so then they could
3 accept an e-signature. The problem was --

4 MS. SULLIVAN: Thank you, Ms. Reardon.

5 MS. REARDON: Okay. The problem was that
6 this was --

7 MR. NORTHEN: The next speaker is Tara
8 Winston.

9 MS. WINSTON: Good morning. Can you hear me?

10 MS. SULLIVAN: Good morning. Yes, we can.

11 MS. WINSTON: Good morning. My name is Tara
12 Winston, and I'm a resident of Fulton County. I'm
13 also a volunteer with Protect the Vote GA. Thank you
14 for taking public comment this morning. And I will be
15 speaking on the same Rule, eligibility of application
16 for absentee ballots. And I'll be echoing some
17 similar sentiments to many who have spoken before me.

18 The SB 202 requirement of a hand signature to
19 apply for an absentee ballot is burdensome on voters
20 especially those with disabilities as it's been
21 mentioned, even by one of our community members who is
22 disabled. And all of this is avoidable given modern
23 technology. Voters should be able to apply online for
24 absentee ballots as they could do in 2020, and they
25 should be able to e-sign their absentee ballot

1 application.

2 As we talked about, we complete so much other
3 work online without having to have hand signatures. I
4 sign my lease online as well as many other legally
5 binding documents. So it is unnecessary for us to put
6 this burden on voters requiring them to download and
7 print an application, sign it and scan it, to upload
8 or mail it back just to be able to request an absentee
9 ballot. Never mind actually submit their ballot, but
10 just to request an absentee ballot.

11 This requirement creates needless barriers
12 for voters, especially those who do not have access to
13 printers and other technology needed to facilitate
14 this. These folks would have to incur costs in order
15 to do so, effectively requiring them to pay for
16 requesting their absentee ballot. The State Election
17 Board and Secretary of State should support counties
18 like Fulton in conducting elections and implementing
19 the many new rules of SB 202 rather than threatening
20 to take them over. And I hope that you will keep
21 voters at the forefront of your mind as you proceed in
22 your important work. Thank you for your time and
23 attention this morning.

24 MR. NORTHEN: Next is Warren Cannon. You
25 should be able to unmute yourself now.

1 MS. SULLIVAN: Mr. Cannon, you may speak.

2 Mr. Cannon?

3 MR. CANNON: Yes. Now can you hear me?

4 MS. SULLIVAN: Yes. Go ahead.

5 MR. CANNON: Thank you. I'm not here to
6 speak this morning -- my name is Warren Cannon. I'm a
7 voter in Gwinnett County. And I'm here to speak on
8 Rule 183-1-14-.12, eligibility of applications for
9 absentee ballot. I agree with several of the people
10 that have spoken already in regards to being able to
11 use e-signature, e-signs to submit an absentee ballot.
12 I have been able to do that with refinance of a
13 mortgage with the bank, so it should be very simple to
14 do that with the State. In fact, we've done it in
15 2020. So I'm not sure why we are going backwards
16 instead of the forward. So the State Board should be
17 looking at ways to make things easier to vote versus
18 harder.

19 I had a chance to talk to one of my friends
20 who is bedridden, 90-year-old woman bedridden, and she
21 needs to be able to vote by absentee. She doesn't
22 have a computer, doesn't have a printer, or a scanner
23 to effect this kind of a change. And it would be very
24 hard for her to do an absentee ballot which she really
25 needs to do it. That means that we are prohibiting

1 her from voting, and that's not appropriate. I think
2 our State Board should be working towards making it
3 easier to vote for all voters in Georgia, not just
4 certain people. So I really want the State Board --
5 you're my State Board, and I appreciate the work that
6 you guys are doing, but I want you to be fair and make
7 it easier to vote for our people versus making it
8 harder. Thank you.

9 MR. NORTHEN: The Next speaker is Jane
10 Zoellick. You should be able to unmute yourself now.

11 MS. ZOELLICK: Good morning. This is Jane
12 Zoellick. I'm a resident of Fulton County. Sounds
13 like you can hear me. Thank you for this opportunity
14 today to speak on Rule 183-1-14-.12, eligibility for
15 application for absentee ballots. I'd like to add my
16 voice to what others have already said. State Bill
17 202 adds an unnecessary hand signature requirement to
18 apply for an absentee ballot. This requirement is
19 unduly burdensome on voters, especially people like my
20 mother with a disability and the elderly. Those
21 without access to printers or scanners.

22 Given our modern technology and customs that
23 several others have outlined in other aspects that
24 governments and businesses have shown in tax
25 collection, banking, job applications, this is really

1 avoidable. And it's unnecessarily burdensome to
2 require voters to download and print the application,
3 sign it, upload it, scan it or mail it back just to be
4 able to request a ballot.

5 Voters should be able to apply online for
6 absentee ballots like they could do in 2020. They
7 should be able to e-sign their absentee ballot
8 applications. The State Board of Elections and the
9 Secretary of State should also support counties like
10 Fulton, where I live, in conducting elections and
11 implementing many rules that SB 202 rather than
12 threatening to take them over. Thank you all for your
13 service to our beloved state of Georgia and for your
14 work to support free and fair elections and for your
15 work to support as many eligible people as possible to
16 participate in our democracy by voting.

17 MS. SULLIVAN: Thank you.

18 MR. NORTEN: All right. Next speaker is
19 Anna Boze Delgado. You should be able to unmute
20 yourself and speak at this time.

21 MS. DELGADO: Can you hear me now?

22 MS. SULLIVAN: Yes, ma'am. Thank you.

23 MS. DELGADO: Thanks for allowing me to make
24 my comment. I would like to comment on the Rule for
25 the eligibility of application for absentee ballots.

1 I am a resident of DeKalb County in Clarkston,
2 Georgia. Today I would like to echo a lot of the
3 concern that other constituents have about printing
4 out and signing the absentee ballot application
5 because it will affect different groups of people
6 differently. For some people it may not be a problem
7 at all to do that, and for others -- and I'm concerned
8 especially about senior citizens -- sorry. Rural
9 voters and those of -- incomes who may not have a
10 printer at home or for whom transportation is more
11 difficult. And even though it may not be a
12 impossibility, those barriers are going make it harder
13 to point that on a group level, those people may be
14 disproportionately affected.

15 So, yes, thank you for considering our
16 comments, and I look forward to hearing the
17 conversation about the Rule. Thank you for
18 considering and working on behalf of the constituents
19 in the state of Georgia. Thank you so much.

20 MS. SULLIVAN: Thank you.

21 MR. NORTHEN: Next speaker is Rhonda Martin.
22 You may go ahead.

23 MS. MARTIN: Hello. Can you hear me?

24 MS. SULLIVAN: Yes, ma'am.

25 MS. MARTIN: Okay. My name is Rhonda Martin.

1 I am a Fulton County voter and a board member of the
2 Coalition for Good Governments. On October 3rd, I
3 e-mailed suggested changes to Rules 183-1-12-.12 on
4 tabulating results and on 183-1-12-.13 on storage of
5 returns to the public comment e-mail address as well
6 as to SEB members whose e-mail addresses were
7 available on the SOS website. The suggested revisions
8 are intended to provide additional transparency to the
9 conduct of primaries and elections, specifically
10 regarding, one, the discovery and reporting on
11 inconsistencies on recap forms. Two, the effective
12 sharing with the public of poll tapes after the close
13 of the polls. Three, access provided to accredited
14 poll watchers. Four, requirements for individuals
15 involved in the tabulation and consolidation of
16 election results. Five, requiring the election
17 officials to complete a reconciliation report to
18 reconcile the total number of ballots cast compared to
19 the number of voters who received credit for voting
20 prior to the certification of election results. Six,
21 the preservation of memory cards. Seven, the
22 availability of election artifacts for responding to
23 open records requests. And finally, eight, reasonable
24 amounts to charge the public for the processing of
25 election related open records requests.

1 Members of the Coalition for Good Government
2 has spent countless hours observing elections, posting
3 of poll tapes, the processing of ballots, and the
4 tabulation and consolidation of election results
5 across the state of Georgia. Our suggested revisions
6 are based on issues we have observed, both during the
7 conduct of primary elections and after the fact when
8 trying to gain access to critical election artifacts.
9 I hope you have reviewed and carefully considered our
10 suggested changes. If desired, we are happy to share
11 details of our experiences and specific motivation for
12 suggested revisions at your convenience. Thank you
13 for your time and attention.

14 MS. SULLIVAN: Thank you.

15 MR. NORTHEN: Next speaker, Marilyn Marks.
16 You should be able to unmute yourself now.

17 MS. MARKS: Thank you. Good morning. I'm
18 Marilyn Marks, executive director of Coalition for
19 Good Governments. CGG is recommending strict
20 requirements for the retention of electronic data on
21 which election results are based. The ballot images
22 and memory cards containing the ballot images and
23 important configuration and system audit log files.
24 The DOJ has recently issued a memo reminding
25 jurisdictions that such electronic election data must

1 be preserved under Federal law.

2 In CCG's ongoing review of the November
3 election, it appears that roughly one million ballot
4 images have been destroyed because the electronic data
5 was not preserved by the counties. We should note
6 nothing we have seen indicates that any contest
7 outcome would change, but it means that there are
8 numerous counties that would be unable to replicate
9 the tallies for the results that they certified.

10 You might think, no problem, we have their
11 original ballots, and we can just rescan those if we
12 need to prove the tallies. No, that's not correct.
13 Because it appears that there are thousands of ballots
14 that were double or triple scanned and counted in the
15 official count. So properly re-scanning would result
16 in a different tally than the original tally. The
17 election was saved from incorrect outcomes by
18 offsetting errors, but voters should not have to bet
19 on the law of offsetting errors to do the heavy
20 lifting when they elect the most power leaders in the
21 world.

22 The double and triple scanning I mentioned
23 brings me to our recommendation related to
24 pre-certification reconciliation of voters to ballots
25 cast and counted. Elections should never be certified

1 until the number of voters and electors getting credit
2 for voting are reconciled to the number of ballots
3 cast and counted. If Georgia had followed such basics
4 canvass procedures to require precertification
5 reconciliation, thousands of double counted votes
6 would have been detected and corrected prior to
7 becoming the official vote count. CGG members will
8 address these rulemaking comments and topics in more
9 detail next. Thank you.

10 MS. SULLIVAN: Thank you, Ms. Marks.

11 MR. NORTHEN: The next speaker is Jeanne
12 Dufort. Should be able to unmute yourself and speak
13 now.

14 MS. DUFORT: Good morning. I'm Jeanne
15 Dufort, Morgan County voter and member of the
16 Coalition for Good Governance. Those were powerful
17 words and information from Marilyn Marks. I urge you
18 to accept the modification proposed by CGG to Rule
19 183-1-12-.13, the storage of returns, and require the
20 retention of scanner memory cards. Last year, CGG
21 proposed a rule requiring retention of scanner memory
22 cards. Ryan Germany assured the scores that the
23 ballot imaged are securely uploaded to each county EFS
24 server and retained for two years, so there was no
25 need to retain the cards.

1 Mr. Mashburn moved to reject the proposed
2 rule citing the burdensome expense to counties and
3 this board agreed. We know better now. We know for
4 certain that some counties have not retained all of
5 the ballot images from the November 2020 election in
6 violation of the law. Your decision last year means
7 that the November 2020 official results for several
8 counties cannot be replicated or supported.

9 We also know that the cost of memory cards
10 for 4,000 scanners is minor in the scope on cost to
11 operate the current election system. It's time to
12 reconsider your decision.

13 Georgia election results are tabulated
14 according to ballot images, not the actual ballots.
15 The memory cards contain those ballot images and
16 unique technical evidence invaluable to an expert
17 examination. The election records retention is
18 required by both Federal and State law. Retaining
19 scanner memory cards is an easy step you can take to
20 protect our elections. Thank you.

21 MR. NORTHEN: The next speaker is Aileen
22 Nakamura. You should be able to speak at this time.

23 MS. NAKAMURA: Hi, can you hear me?

24 MS. SULLIVAN: Yes, we can hear you.

25 MS. NAKAMURA: Great. Good morning. I'm

1 Aileen Nakamura, a Fulton County voter and member of
2 CGG. As a poll watcher and election observer, I've
3 visited well over a hundred polling places after the
4 polls closed on election night in both Fulton and Cobb
5 counties. The document poll tapes and ballot recap
6 sheets which are supposed to be posted for the public
7 at the end of voting. Yet, I have witnessed only one
8 recap sheet ever posted at a polling place.

9 To make poll tapes and recap sheets are more
10 accessible, we urge that Section A4 of Rule
11 183-1-12-12 also state that counties and
12 municipalities with a public websites must post images
13 and poll tapes and recap sheets within 48-hours of
14 closing. In counties and municipalities without
15 public websites, must make them accessible as public
16 records within 48 hours of the polls closing. Ballot
17 recaps sheets are vital. They are how poll managers
18 reconcile the number of voters who came in with the
19 number of votes that were cast, (indiscernible) or
20 were provisional. Section A2 of the same rules spells
21 out, that if the numbers recorded on the recap sheet
22 do not reconcile with each other, the poll manager
23 shall immediately determine the reason for the
24 inconsistency, correct the inconsistency if possible
25 and fully document the inconsistency or problem along

1 with any corrective measures taken.

2 Please add another line stating, "If the poll
3 manager is unable to correct the inconsistency, the
4 poll manager shall immediately contact the election
5 superintendent to create a contemporaneous report of
6 the inconsistency or problem."

7 Lastly, Section E1 of the rule stating that
8 counties have until 30 days after the certification of
9 results to send in their reconciliation reports to the
10 Secretary of State's office clearly makes no sense.
11 It must be replaced with language stating that county
12 reconciliation reports must be sent prior to the
13 certification of election results.

14 I hope you seriously consider the many
15 recommendations that CGG sent in to the SEB several
16 weeks ago which will help increase transparency in
17 Georgia's elections. Thank you.

18 MS. SULLIVAN: Thank you.

19 MR. NORTHEN: Next speaker is Joy Wasson.

20 MS. WASSON: Hi. I'm Joy Wasson, a DeKalb
21 County voter and member of Coalition for Good
22 Governance. I ask that you adopt the edits proposed
23 by Ronnie Martin including to the rule regarding poll
24 tapes. As an election observer, I have in recent
25 years learned more about and been delighted with the

1 ability for the public to go to polling place after
2 polls closed and see the results taped to the door.
3 It's exciting evidence that we have a truly
4 transparent election system.

5 Sadly, there have been too many times that
6 the poll tapes are not readable at all, sometimes
7 folded up by poll workers who haven't been trained to
8 understand their purpose is to provide important
9 oversight and inform campaigns in the public of
10 election day results from each precinct.

11 The existing Rule 183-1-12-.12 (A)3 says,
12 "One of the three tapes of the tabulated results
13 printed from the ballot scanner shall be affixed to
14 the door of the polling place for the information of
15 the public along with a copy of the provisional ballot
16 recap form for the polling place."

17 After affixed to the door of the polling
18 place, please insert in such a manner as to allow it
19 to be read top to bottom from outside the polling
20 place. And after that sentence, we must also add
21 these two sentences, If the county or municipality
22 maintains a publicly accessible website, a photograph
23 of the tapes and the provisional ballot recap form
24 from each polling place shall also be posted on the
25 home page of the county's publicly accessible website

1 associated with elections and/or registrations within
2 48 hours of the polls closing.

3 If a county or municipality does not maintain
4 a publicly accessible website, electronic copies of
5 the tapes and the provisional ballot recap forms shall
6 be available as public records within 48 hours of the
7 polls closing. Thank you.

8 MS. SULLIVAN: Thank you.

9 MR. NORTHEN: And the next speaker is Liz
10 Throop.

11 MS. THROOP: Hi. Thank you. I'm Liz Throop,
12 a DeKalb County voter and a member of the Coalition
13 for Good Governance. Thank you for your proposed
14 clarifications of 183-1-12-.12A9 regarding public
15 observation after polls have closed. It states that
16 accredited poll watchers and the public shall be
17 allowed to observe the process described in this rule.
18 However, they shall not do so in a manner -- they must
19 do so in a manner that does not interfere with poll
20 officials. In order to protect meaningful public
21 observation, please add visual access provided to
22 accredited poll watchers shall be sufficient to allow
23 them to assist in the detection of inconsistencies
24 than discrepancies.

25 Meaningful access will enable the public to

1 gain a better understanding of the complexity and
2 demands of conducting elections. Meaningful access
3 would allow observers for who are there for legitimate
4 oversight to see if important procedures were being
5 followed, to report irregularities, and help
6 corrective action to be taken. In one county where I
7 tried to observe tabulation, I was kept behind a
8 barrier more than 15 feet from the room with the
9 election management server. I couldn't see what
10 devices were being plugged into the server and
11 couldn't even see whether the computer was functional.
12 Nevertheless, the election director told me I was not
13 allowed to look in the direction of the server.

14 In another election, a fellow observer stood
15 behind that same barrier and was forbidden from
16 looking through a magnifying lens to get a view of the
17 screen. This is especially odd because the election
18 had been over for many hours and journalists had set
19 up cameras to shoot from that same vantage point.
20 Effective public observation in Georgia is in danger
21 of slipping away. Accredited poll watchers must be
22 able to not just observe the process, but be able to
23 engage in meaningful observation. Thank you for this
24 opportunity.

25 MS. SULLIVAN: Thank you. That is the

1 conclusion of our public comment period. We're going
2 to take a short break and reconvene at 10:10. Thank
3 you.

4 (A recess was taken.)

5 MS. SULLIVAN: -- item on our agenda in
6 consideration on the proposed rules that were posted
7 for public comment at our last meeting. I'll ask
8 Mr. Germany of the Secretary of State's office to give
9 us a brief overview of the rules that we are
10 considering for adoption today.

11 MR. GERMANY: Thank you, Madam Chair. This
12 is Ryan Germany with the Secretary of State's office.
13 Just as a little background, these rules are
14 comments -- amendments that we made to rules that were
15 adopted at the last SEB meeting based on public
16 comment received prior to that, so. And I'll go
17 through them quickly. I'll also note that the
18 Secretary of State's office and rules working group
19 are still working on additional rules and we hope to
20 have at least some of them ready to present at the
21 next SEB meeting, which I think we're trying to
22 schedule for early December. And, you know, of
23 course, I can include I think additional amendments to
24 these rules that we would be adopting today if the
25 rules working group or the board believes any

1 amendments are necessary.

2 The first amendment to rules today is in
3 183-1-12-.12, tabulating results. And just for
4 clarification on the new requirement of SB 202 about
5 accounting without ceasing, and to clarify that,
6 accounting may cease prior to tabulating provisional
7 ballots or UOCAVA ballots so long as they're done as
8 soon as possible following their receipt and the other
9 change in 183-1-12-.12 is about publicly posting the
10 total number of ballots after the close of polls,
11 another SB 202 requirement and this just clarifies
12 that the total number of ballots cast do include the
13 total number of ballots scanned through the ballot
14 scanner, provisional ballots issued at the precinct
15 and the total number of any cast but unscanned ballots
16 in the scanner emergency bin. It also requires a
17 reconciliation report to be submitted by election
18 superintendents as soon as possible but no later than
19 30 days following the certification of election
20 results. I should note that that's not a -- there's
21 still an existing canvassing requirement prior to
22 certification, and this report is not that, so. But
23 it is a report regarding reconciliation.

24 The following or the next change is in
25 183-1-12-.13, storage of returns. This just clarifies

1 that ballot images are subject to public records,
2 another change in SB 202 and the elected
3 superintendent shall not use any media provided by a
4 request to produce ballot images and the election
5 superintendent may charge the request or the actual
6 cost of the media utilized to produce the ballot
7 images.

8 Additional provisions are in Rule
9 183-1-12-.18, provisional ballots. These are really
10 just some language changes throughout the rule to try
11 to better clarify some of the changes in SB 202
12 regarding out-of-precinct voting. Clarify that if a
13 person states a good-faith belief that he or she
14 timely registered to vote in the precinct in which he
15 or she is present, he or she shall be offered a
16 provisional ballot and the poll officials shall inform
17 the person any votes cast by original ballot in the
18 wrong precinct will only be counted if that ballot
19 cast is after 5:00 p.m. and the person executes a
20 sworn statement witnessed by the poll official stating
21 that he or she is unable to vote at his or her correct
22 polling place prior to the close of the polls. And it
23 clarifies that any voter in line prior to the close of
24 polls can still vote like we always have been able to.

25 The other change -- did I miss one? I might

1 have missed one in Rule -- which ones did I miss? The
2 other change that I'm looking for in my packet -- oh,
3 here it is. Rule 183-1-14, absentee voting. That
4 changes the eligibility of application for absentee
5 ballots. So this rule just clarifies that a web-based
6 tool application is allowed to help -- can be utilized
7 to basically put in peoples' information to fill out
8 the hard copy form that is, of course, now required by
9 SB 202.

10 And it also clarifies that any application
11 for absentee ballot sent to any voter by any person or
12 entity and then the change we are making except
13 applications sent by the election superintendent or
14 registrar at the request of the elector shall display
15 the disclaimer language required by SB 202. So those
16 are the changes based on -- that were posted at the
17 last meeting and that I would ask the Board to adopt
18 at this meeting.

19 And, again, we continue to work on additional
20 rules good enough for the topics that were mentioned
21 today, and we hope to have those ready through the
22 rules working group process at the next -- at the next
23 SEB meeting. Happy to take any questions from the
24 Board.

25 MS. SULLIVAN: Thank you, Mr. Germany. Did

1 any of the board members have questions for
2 Mr. Germany?

3 THE REPORTER: I'm sorry. Who was that
4 speaking just now?

5 MS. SULLIVAN: This is Rebecca Sullivan.

6 MS. GHAZAL: Hi. This is Sara Ghazal. I
7 wanted to thank you, Ryan, for putting in the work on
8 all of this. I also wanted to echo the comments of so
9 many of the members of the public that an online
10 portal is really an important tool both for counties
11 and for voters. And the requirement of a web
12 signature is really problematic. Now, I understand
13 that also in the statute if there is not a way that
14 this can be worked within the rule-making process,
15 then I think it's really important to go back to the
16 legislature and ask them to revisit this question.

17 To that end and this is tangentially related
18 to the rule, but I think it's very important to
19 understand the impact of the law and the rule on the
20 voting public. I know that right now the -- most
21 counties are -- are completing their process before
22 absentee ballot applications, but I think it's going
23 to be important to look at how many voters are
24 affected and impacted by these changes. A lot of the
25 information is going to be in E-net, but it will be

1 very helpful to have it collated for the entire state,
2 and I would like to see a report coming out of this
3 very low-turnout election to see how many voters have
4 had their applications rejected either for a lack of a
5 web signature or for whatever other reason including
6 the much earlier deadline just so we can understand
7 the impact of these changes and the rules and the
8 statute. And perhaps that will lead to better
9 informed rule making, better informed legislature, and
10 we also have a statutory obligation to provide voter
11 education from the State Election Board under 21-2-31.

12 So -- and again that's -- so my overall
13 comment.

14 MS. SULLIVAN: Thank you, Ms. Ghazal. Any of
15 the other board members have any questions for
16 Mr. Germany or any comments regarding the rules?

17 MR. MASHBURN: I move that the board adopt
18 Rule 183-1-12-.12, proposed rule as published.

19 MS. SULLIVAN: We have a motion on the table
20 to adopt 183-1-12-.12 as originally posted. Is there
21 a second?

22 THE REPORTER: I apologize. I can't tell
23 who's speaking.

24 MS. SULLIVAN: Mr. Mashburn made that motion.
25 This is Rebecca Sullivan.

1 THE REPORTER: Thank you. I'm so sorry.

2 MS. SULLIVAN: Do we have a second?

3 MS. LE: This is Anh Le. I second.

4 MS. SULLIVAN: -- motion second. Is there
5 any further discussions?

6 All in favor please say aye.

7 (All members voted aye.)

8 MS. SULLIVAN: And there are none opposed?

9 (No response.)

10 MS. SULLIVAN: I'll entertain a motion
11 regarding the next rule.

12 MR. MASHBURN: I move to adopt the Board's
13 proposed Rule 183-1-12-.13 as published.

14 MS. SULLIVAN: Is there a second?

15 MS. GHAZAL: I second.

16 MS. LE: This is Ahn Le, I second.

17 MS. SULLIVAN: We have a second from
18 Ms. Ghazal. Any further discussion?

19 (No response.)

20 MS. SULLIVAN: All in favor please say aye.

21 (All members voted aye.)

22 MS. SULLIVAN: There are none opposed.

23 Next?

24 MR. MASHBURN: I move that the Board adopt
25 Rule 183-1-12-.18 as published.

1 MS. SULLIVAN: Is there a second?

2 MS. LE: This is Ahn, I'll second.

3 MS. SULLIVAN: Mrs. Le has seconded the
4 motion to adopt 183-1-12-.18 as posted. Is there any
5 further discussions? All in favor please say aye.

6 (All members voted aye.)

7 MS. SULLIVAN: There are none opposed.

8 MR. MASHBURN: I move that the Board adopt
9 Rule 183-1-14-.12 as posted.

10 MS. SULLIVAN: Is there a second?

11 MS. GHAZEL: I'll second that motion, Rebecca
12 Sullivan.

13 MS. SULLIVAN: Is there any further
14 discussion?

15 (No response.)

16 MS. SULLIVAN: All in favor, please say aye.

17 (All members voted aye.)

18 MS. SULLIVAN: Are there any opposed?

19 (No response.)

20 MS. SULLIVAN: There are none opposed, then
21 that motion passes.

22 The next on our agenda, I would like to
23 request that Mr. Germany give the Board a brief
24 overview of the activities where the Fulton County
25 Review Panel is in their process. Mr. Germany?

1 MR. GERMANY: Madam Chair, this is Ryan
2 Germany from the Secretary of State's office. I just
3 wanted to provide the board with a brief update on the
4 Fulton County Performance Review process. At the
5 board's last meeting, you appointed myself, Steven Day
6 from the Gwinnett County elections board and Ricky
7 Kittle, chairman of the Catoosa County Elections Board
8 to the performance review team, and we have been
9 approaching that task and getting our hands and
10 getting our arms around it. We have been working well
11 with Fulton County. We've had discussions with Fulton
12 County, with their new board chair, with their
13 attorney, their elections director about how to best
14 approach this, and they have been very cooperative in
15 terms of giving us the access we need and the
16 documents we've requested and that's ongoing.

17 We were also able to spend a day earlier this
18 week in observing certain tasks at Fulton County that
19 are ongoing including absentee ballot, processing and
20 early voting. We're also planning to do additional
21 observations on election day next week. So the
22 process is proceeding. We hope to continue to do
23 that. We hope to be able to bring back to the State
24 Election Board a report, thorough report that has
25 recommendations and that hopefully is helpful to the

1 board and also helpful to Fulton County.

2 You know, the review will also consist of --
3 we have not gotten to this part yet, but we have been
4 planning it, is talking to different people within
5 Fulton County and also outside of the Fulton County,
6 you know, to make sure we try to determine the extent
7 of any issues that happened last year in an attempt to
8 provide kind of better answers on any of those.

9 So the review's proceeding and Fulton County
10 and team, I believe, are working well together and --
11 and that's really all I can think of today. But
12 hopefully, we'll continue to proceed in the
13 cooperative fashion that it has so far.

14 MS. SULLIVAN: Thank you, Mr. Germany, for
15 that update. I know the Board appreciates your work
16 in this regard to accomplish this task.

17 There being no other business before us
18 today, I'll entrain a motion to adjourn.

19 MR. MASHBURN: Motion to adjourn.

20 MS. GHAZAL: Before we adjourn, I would like
21 to make a statement, Ms. Sarah Ghazal.

22 MR. MASHBURN: I withdraw my motion to
23 adjourn.

24 MS. SULLIVAN: Okay. Go ahead, Ms. Ghazal.

25 MS. GHAZAL: Thank you. I appreciate that.

1 I just want to make sure that we are looking
2 at this review process in the broader context. This
3 process exists because of the big lie and we can't
4 ignore the ongoing and increasing damage that's being
5 done to our democracy on this information. What is it
6 about the 2020 election drove the legislature to pass
7 this, and this information related to Fulton County is
8 what triggered the review to begin with. And this is
9 metastasizing and it really represents a profound
10 threat to our democratic institutions and to the
11 people who are running our democracy including some of
12 the folks on this board itself; but we can't ignore
13 this context that we find ourselves in it.

14 Yes, it is -- we have to conduct this review
15 under State law. It dictates that, but I just want to
16 make sure that we are keeping in mind what has driven
17 this and that Fulton County voters deserve
18 transparency in the process and support. Thank you.

19 MS. SULLIVAN: Do any of the other board
20 members like to make any comments at this time? If
21 not, I will now entertain a motion to adjourn.

22 MR. MASHBURN: Move to adjourn.

23 MS. SULLIVAN: I second that motion. All in
24 favor, please say aye.

25 (All members voted aye.)

1 MS. GHAZAL: And there are none opposed, so
2 this meeting is adjourned. Thank you.

3 (Meeting adjourned at 10:27 a.m.)

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1 C E R T I F I C A T E

2 STATE OF GEORGIA)

3 DEKALB COUNTY)
4

5 I hereby certify that the above and foregoing was
6 taken down by me in stenotype, and the questions and
7 answers thereto were reduced to computer print under
8 my supervision, and that the foregoing represents a
9 true and correct transcript of the deposition given by
10 said witness upon said hearing.

11 I further certify that I am neither of counsel nor
12 of kin to the parties to the action, nor am I in
13 anywise interested in the result of said cause.

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18 LaKeysha T. Satterfield,
GCCR# 6200610232205312 - Expires April 1, 2022

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THE OFFICE OF SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

Zoom Audio-conference

DECEMBER 14 2021
9:00 A.M.

MARY K MCMAHAN, CCR, 2757
STEVEN RAY GREEN COURT REPORTING LLC
ATLANTA, GEORGIA 30324
(404) 733-6070

APPEARANCE OF THE PANEL

Rebecca Sullivan, Acting Chair

Sara Tindall Ghazal

Ahn Le

Matthew Mashburn

ALSO PRESENT:

Ryan Germany, General Counsel

Nicholas Northen, Election System Manager

Pamela Jones, Investigator Supervisor

James Callaway, Deputy Chief Investigator

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

-- Break in speech continuity.

. . . Indicates halting speech, unfinished sentence
or omission of word(s) when reading.

Quoted material is typed as spoken.

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1 P R O C E E D I N G S

2 **MS. SULLIVAN:** Good morning, this is Rebecca
3 Sullivan. We're going -- thank you all for being
4 here. We're going to go ahead and call this
5 meeting to -- of the State Election Board to
6 order.

7 For purposes of the record, I'd like to call
8 Ms. Le.

9 **MS. LE:** Present.

10 **MS. SULLIVAN:** Ms. Ghazal.

11 **MS. GHAZAL:** Present.

12 **MS. SULLIVAN:** And let the record reflect
13 that Mr. Mashburn will be joining us at a later
14 point in today's meeting.

15 We'll start with the invocation and Pledge
16 of Allegiance. If you'll please join me in
17 prayer.

18 (Invocation)

19 (Pledge of Allegiance)

20 **MS. SULLIVAN:** The next item on our agenda
21 is to review the board meeting minutes from the
22 October 28, 2021 meeting of the State Election
23 Board. The board members have been provided
24 those minutes and at this time I'll entertain a
25 motion to approve them.

1 **MS. LE:** Move to approve.

2 **MS. SULLIVAN:** Motion by Ms. Le. Is there a
3 second?

4 **MS. GHAZAL:** Second.

5 **MS. SULLIVAN:** Motion and a second. Any
6 further discussion?

7 All in favor, please say aye.

8 **THE BOARD MEMBERS:** Aye.

9 **MS. SULLIVAN:** That motion passes
10 unanimately.

11 And next on the agenda, Mr. Germany is going
12 to give us an update on the Fulton County Review
13 Panel's work.

14 Mr. Germany?

15 **MR. GERMANY:** Thank you, Madam Chair.

16 This is Ryan Germany, general counsel in the
17 secretary of state's office. The Fulton County
18 performance review remains ongoing. The team has
19 conducted observation of early voting,
20 election-day voting, and tabulation during both
21 last November's general municipal election and
22 the -- the runoff following that, the end of
23 November.

24 The next step in our process, we'll conduct
25 the interviews of Fulton personnel and other --

1 other people as well.

2 So it -- it remains ongoing, and then given
3 this time of year, it has been a little difficult
4 to schedule things. So it's proceeding a little
5 bit slower than I think we initially were hoping.
6 But I think it will remain on track to complete
7 it in a reasonable time.

8 And as stated, so far Fulton has been very
9 cooperative and open in trying to really make
10 sure that the team gets information that it needs
11 so we can provide a recommendation to you guys in
12 short order.

13 That's it.

14 **MS. SULLIVAN:** Thank you, Mr. Germany.

15 Do any of the board members have any
16 questions for Mr. Germany?

17 At this point, we will move on to the
18 investigation report. And first on our agenda
19 are the consent cases.

20 I would like to add one case to the agenda
21 that's not on this printed agenda. And that is
22 SEB Case Number 2020-256.

23 We have one case that has been continued on
24 this agenda. That's 2020-125.

25 And I believe that we have some people here

1 that would like to speak regarding a consent
2 case. If you could let me know which ones those
3 are.

4 **MR. NORTHEN:** So we have Nancy Stephens on
5 case number 2020-006.

6 Just a moment, Ms. Stephens. You will be
7 unmuted.

8 **MS. SULLIVAN:** At this time, we'll go ahead
9 and present the case.

10 **MS. JONES:** Complainant self-reported to the
11 secretary of state's office that Hancock County
12 didn't handle qualifying properly for the May 19,
13 2020 general primary election in Hancock County.

14 The investigation revealed that Hancock
15 County handled the qualifying of Democratic and
16 Republican candidates for the May 19, 2020
17 general primary election within the time limit
18 set out by O.C.G.A. 21-2-131. The deadline of
19 February 1, 2020 was met when the fixing and
20 qualifying fees was posted in the *Sparta*
21 *Ishmaelite* newspaper. Qualifying was completed
22 by the Democratic and Republican parties in
23 Hancock County within the qualifying period of
24 March 2nd through March 6th, 2020.

25 Our recommendation is this case be

1 dismissed.

2 **MS. SULLIVAN:** Ms. Stephens, would you like
3 to address the board regarding this case?

4 **MR. NORTHEN:** Ms. Stephens, you'll need to
5 unmute.

6 **MS. SULLIVAN:** Ms. Stephens, if you would
7 like to speak, you need you to unmute yourself
8 and you may go ahead and address the board.

9 **MS. STEPHENS:** Nancy Stephens. Can you hear
10 me now?

11 **MS. SULLIVAN:** Yes, ma'am.

12 **MS. STEPHENS:** During the 2020 election
13 year, I was the acting election supervisor for
14 approximately six weeks, from mid February to the
15 end of March. I was BOER member and was asked to
16 fill in when our election supervisor resigned at
17 the end of January 20, 2020 and through the
18 presidential preference election.

19 Our board of commissioner chair had hired
20 the election supervisor from McDuffie County as a
21 liaison to help me with any assistance that I
22 needed. None of our new equipment had been
23 checked in, so I was trying to do that as well as
24 stay on top of what needed to be done for the
25 upcoming election.

1 When the question of qualifying came up, I
2 asked our liaison what I needed to do. I was
3 advised that I could either take care of the
4 qualifying or tell the political parties they
5 needed to handle the qualifying themselves. I
6 should've verified the -- that information I
7 received from the liaison was correct, but I did
8 not.

9 I advised the political parties that they
10 should handle their own qualifying. Shortly
11 before the qualifying period ended, the county
12 Republican party chair had some questions, and it
13 was then that I realized that I should've handled
14 the qualifying myself. I found that neither
15 political party had provided the information to
16 me about qualifying by deadline dates and it
17 should've -- I should've handled the qualifying
18 as well as the actual advertising.

19 I called Chris Harvey and told him what I
20 had done and asked what I needed to do to fix the
21 situation. We went over several items and
22 determined that while I had missed key dates,
23 there were not any candidates that were prevented
24 from qualifying timely.

25 This was all reported to the secretary of

1 state investigators. I learned quite a few
2 things from this. In speaking with political
3 party chairs and advising them of what should've
4 happened and dates that were missed, I found that
5 the political parties were unaware of these
6 requirements. It appeared the qualifying had not
7 been handled correctly in Hancock County for
8 quite a while, if ever.

9 I advised the political parties, the BOER,
10 and later the new elections supervisor of the
11 correct procedures and code sections that were to
12 be followed in the future.

13 Thank you for hearing me.

14 **MS. SULLIVAN:** Thank you, Ms. Stephens.

15 And we have someone else signed up to speak
16 regarding a consent case?

17 **UNIDENTIFIED FEMALE SPEAKER:** Yes.

18 **MR. NORTHEN:** Yeah. We have case number
19 2021-132.

20 **MS. SULLIVAN:** If you would go ahead and
21 present that case.

22 **MS. JONES:** On October 22, 2020,
23 investigations was forwarded a complaint,
24 alleging a person in possession of an
25 undetermined number of absentee ballots appeared

1 at a polling place, requesting "I voted" stickers
2 for local electors whose ballots he had in his
3 possession to deliver to the drop box.

4 The investigation revealed that during the
5 November 3, 2020 general election, Robert L.
6 Collins transported his wife Betty Collins and
7 sisters-in-law Mattie (ph) Chapman and Mordi (ph)
8 Harris -- transported their absentee ballots to
9 the elections office for tabulation. The ballots
10 were dropped off on Friday October 16, 2020
11 during early voting.

12 There was suspicion of Mr. Collins possibly
13 harvesting ballots after he requested the "I
14 voted" stickers from the elections staff. There
15 was no evidence of a violation of said election
16 code.

17 We would recommend that the case be
18 dismissed.

19 **MS. SULLIVAN:** Thank you.

20 **MR. NORTEN:** I have Deirdre Holden here,
21 from Paulding County. She'll be able to speak in
22 just a moment if she unmutes herself.

23 **MS. SULLIVAN:** Ms. Holden, you may speak.

24 **MS. HOLDEN:** Can you hear me?

25 **MS. SULLIVAN:** Yes, ma'am.

1 **MS. HOLDEN:** The -- the case that we were --
2 that you're talking about does not involve me.
3 I'm on a -- a case later on down the line.

4 **MS. SULLIVAN:** Okay. Thank you.

5 **MS. HOLDEN:** You're welcome.

6 **MS. SULLIVAN:** Do we have anyone else signed
7 up to speak regarding any of the other consent
8 cases on our agenda today?

9 **MR. NORTHEN:** We have Vanessa Waddell from
10 case number 2020-282.

11 **MS. SULLIVAN:** Okay. You may present that
12 case now. That's tab number 25 in our materials.

13 **MS. JONES:** The secretary of state's office
14 conducted an investigation after it was alleged
15 that the Floyd County Board of Elections and
16 Registration displayed partisanship toward one
17 political party over another by allowing one
18 party to retrieve absentee ballots from official
19 drop boxes without members of the other party
20 being able to observe the process.

21 The investigation revealed the allegations
22 that the Floyd County Board of Registrars
23 displayed partisanship toward one political party
24 over another by allowing one party to retrieve
25 absentee ballots from the official drop boxes

1 without members of the other party being present
2 to observe the process as unsubstantiated. No
3 new evidence or documentation was provided to
4 support the claim.

5 The investigation confirmed that Floyd
6 County Board of Registrars complied with the
7 Georgia State Election Board Rule
8 183-1-14-.06-.14(10) as the county arranged for
9 the collection of absentee ballots from each drop
10 box, arranged for collection of absentee ballots
11 to be made by a team of at least two sworn
12 volunteers, and provided the sworn oath and
13 signed ballot transfer forms completed by the
14 volunteers sworn in as election clerks.

15 The recommendation is to dismiss the case.

16 **MS. SULLIVAN:** Thank you.

17 **MR. NORTHEN:** And, Vanessa, Ms. Waddell, you
18 should be able to unmute yourself and speak on
19 this case.

20 **MS. SULLIVAN:** Please go ahead.

21 Ms. Waddell, you may speak.

22 **MS. WADDELL:** Can you hear me now?

23 **MS. SULLIVAN:** Yes, ma'am.

24 **MS. WADDELL:** Oh, okay. I was just saying
25 that Floyd County would never have done anything

1 like that. And when people make false
2 allegations like that, is it a recourse that the
3 county could follow up on?

4 **MS. SULLIVAN:** I would suggest that you
5 contact your county election officials regarding
6 that.

7 **MS. WADDELL:** Okay. Thank you.

8 **MS. SULLIVAN:** Thank you, Ms. Waddell.

9 **MS. WADDELL:** Uh-huh.

10 **MR. NORTHEN:** We have case number 2021-032,
11 Dodge County.

12 **MS. SULLIVAN:** Ms. Jones, can you go ahead
13 and present that case. That is tab number 30.

14 **MR. CALLAWAY:** During early advanced voting
15 in the general election runoff complaint, Allison
16 Dixon (ph), Ruff -- Les Ruff (ph), and Bowli (ph)
17 and Chan Jones reported a Black Voter Matter and
18 Black Lives Matter were giving out food for toys
19 and toys for votes.

20 The investigation revealed -- the
21 investigation revealed no evidence to sustain the
22 allegation of 21-2-570, giving or receiving,
23 offering to give or receive, or participating in
24 the giving or receiving of money or gifts for
25 registering as a voter, for voting, or voting for

1 a particular candidate.

2 The group was identified by complainants as
3 Black Lives Matter. They had a bus and had a
4 Santa passing out gifts to children and adults,
5 asked to complete a form to vote for Democrats in
6 Black Voter Matters.

7 The investigator did not speak to any
8 complainants or witnesses that provided any
9 confirmation or proof that actual voting or proof
10 of voting was required to participate in
11 receiving the items.

12 The recommendation is to dismiss the case.

13 **MS. SULLIVAN:** Thank you.

14 **MR. NORTHEN:** And we have Chan Jones here to
15 speak on the case.

16 **MS. SULLIVAN:** You may go ahead.

17 **MR. JONES:** Thank you, guys, for hearing me.
18 I -- I was in contact with the sheriff and the
19 GBI. I did leave a message with the secretary of
20 state regarding this case. Never heard back from
21 the investigator until I had an interaction with
22 Gabe Sterling on social media.

23 I -- I just want to make sure that I'm clear
24 because our local party members are making plans.
25 As long as we're a block away from the polling

1 place and it's on days during election, we can
2 hand out items of value and take them to the
3 polls. Because that's what occurred here. And
4 if there's a, quote, Fifth of Liquor for Freedom
5 or Case of Cigarettes Caucus, all of that's
6 acceptable to the state elections board.

7 **MS. SULLIVAN:** Thank you for being here
8 today. If you have questions regarding the
9 application of the code and how the board
10 interprets it, we suggest that you reach out to
11 the investigations division for further
12 discussion.

13 **MR. JONES:** And that number --

14 **MS. SULLIVAN:** Thank you.

15 **MR. NORTHEN:** We have the next case,
16 2020-262. That is Cobb County.

17 **MS. SULLIVAN:** Thank you. If we can go
18 ahead and present that case.

19 **MR. CALLAWAY:** Cobb County food trucks, the
20 complainant -- we received a complaint that
21 provided information that a food truck was at the
22 East Cobb (indiscernible) office, a poll location
23 located at 4400 Lower Roswell, Cobb County,
24 Georgia.

25 Food truck personnel were giving out free

1 food items to the voters. This occurred during
2 early voting for the special runoff election,
3 January 5, 2021.

4 The investigation revealed the complainant
5 advised that on December 14, 2020, the first day
6 of early voting for the January 5, 2021 election,
7 she observed a food truck parked close to the
8 polls at 736 Whitlock Avenue. The elections
9 director, Janine Eveler, and Cobb County
10 elections officials were outside with a measuring
11 tape and the truck moved to an area close to the
12 road.

13 The complainant advised there was no voter
14 campaign signs on the truck, the owner or
15 operator on the truck was not identified. There
16 was no documentation that any individual was
17 offered a specific item of value in exchange for
18 voting.

19 Our recommendation is there is insufficient
20 evidence to substantiate a violation and to
21 dismiss the case.

22 **MS. SULLIVAN:** Thank you.

23 **MR. NORTEN:** Okay. And we have Tyler
24 Hagenbuch here.

25 Tyler, you should be able to unmute yourself

1 and speak at this time.

2 **MR. HAGENBUCH:** Good morning.

3 **MS. SULLIVAN:** Please go ahead.

4 **MR. HAGENBUCH:** Yes. Thank you very much.
5 I don't have anything to -- Tyler Hagenbuch on
6 behalf of Vote.org, the respondent.

7 Nothing to add but happy to make myself
8 available for questions should the board members
9 have any.

10 **MS. SULLIVAN:** I don't believe we have any
11 questions. Thank you.

12 **MR. HAGENBUCH:** Thank you.

13 **MR. NORTHEN:** That is the extent of those
14 (indiscernible) consent cases before 9:05 a.m.
15 when you announced the beginning of the meeting.

16 **MS. SULLIVAN:** Thank you. So at this time
17 the board will consider the recommendations for
18 the consent cases on our agenda, including case
19 2020-256.

20 Let the record reflect that 2020-125 has
21 been continued.

22 Would any of the board members like to pull
23 off any of the cases on the agenda for further
24 discussion or to vote on separately?

25 There being none, at this time I'll

1 entertain a motion regarding the consent cases.

2 **MS. LE:** I move to approve the consent cases
3 as a block.

4 **MS. SULLIVAN:** Is there a second?

5 **MS. GHAZAL:** Yes. I second.

6 **MS. SULLIVAN:** We have a motion and a
7 second. Is there any further discussion?

8 All in favor, please say aye.

9 **THE BOARD MEMBERS:** Aye.

10 **MS. SULLIVAN:** And there are none opposed.
11 That motion passes.

12 Moving on, the next item on our agenda are
13 the letter cases. Are there any people signed up
14 to speak regarding these cases?

15 **MR. NORTHEN:** No.

16 **MS. SULLIVAN:** Okay. We'll go ahead and
17 present SEB Case Number 2020-188.

18 **MS. JONES:** This case has multiple
19 complaints. Michelle Saylor (ph) reported that
20 her absentee ballot was not counted. Gregory
21 Branch reported he and his wife, Amanda Branch,
22 mailed their absentee ballot in and they were not
23 counted. Collette Devine (ph) reported that she
24 and a poll watcher -- she was a poll watcher and
25 not allowed to properly view the process. Shawn

1 Bach reported she voted in advanced in person and
2 her vote was not counted. Linda Kent reported an
3 absentee ballot was requested by someone other
4 than her mother, Lillian Kent. Ryan Johnson
5 reported his voting address was changed from
6 Cherokee County to Douglas County.

7 The investigation revealed -- investigations
8 were not able to determine if Michelle Saylor
9 requested or returned an absentee ballot for the
10 November 3, 2020 election. Investigation did not
11 find evidence of a violation of state election
12 law or state election board rules.

13 Investigations were not to determine if
14 Gregory or Amanda Branch requested and returned
15 an absentee ballot for the November 3, 2020
16 election.

17 There was no evidence to suggest that
18 Ms. Devine was not provided the ability to view
19 the processing of absentee ballots. There was no
20 evidence to suggest there were not three election
21 employees in the room where the absentee ballots
22 were being process.

23 Shawn Bach reported: We found discrepancies
24 between the machine count and the ballot count.

25 Cherokee County Assistant Elections Director

1 Janis Rodgers admitted the poll worker failed to
2 save Ms. Bach's information in ElectionNet,
3 therefore she did not receive credit for voting.

4 Linda Kent was unaware her mother, Lillian
5 Kent, was (indiscernible) as a rollover voter to
6 receive a ballot regardless if she requested one
7 or not. There is no evidence to suggest that
8 Cherokee County did not send Lillian Kent her
9 absentee ballot. ElectionNet records indicate
10 she was mailed her absentee ballot in time to
11 vote. Investigations did not find evidence of a
12 violation (indiscernible).

13 Ryan Johnson was mistakenly transferred as a
14 voter from Cherokee County to Douglas County by a
15 Douglas County elections employee. The mistake
16 was caught when Mr. Johnson attempted to vote.
17 The county elections employees were able to work
18 through the mistake and Mr. Johnson was able to
19 vote in Cherokee County.

20 The recommendation is that Anne Dover and
21 the Cherokee County Board of Elections and
22 Registration be issued a letter of instruction
23 for violation of election code 21-2-215(i).

24 **MS. SULLIVAN:** Thank you.

25 And I believe we have someone signed up to

1 speak.

2 **MR. NORTHEN:** We have Shawn Bach.

3 Shawn, you should be able to unmute yourself
4 and speak at this time.

5 **MS. BACH:** I don't have anything to add --

6 **MS. SULLIVAN:** Please go --

7 **MS. BACH:** -- to what was said. I just was
8 wanting to find out what the results of the
9 investigation were. And it sounds like it was a
10 clerical error essentially. But I'm really
11 disappointed in the system for -- for these kinds
12 of things happening.

13 And it was just a coincidence that I was
14 able to find out for myself that mine didn't
15 vote. I'm -- I'm concerned how many other votes
16 weren't counted in Cherokee County based on these
17 kinds of mistakes.

18 That's all for me.

19 **MS. SULLIVAN:** Thank you.

20 Is there anyone else?

21 **MR. NORTHEN:** Not for this case.

22 **MS. SULLIVAN:** Okay.

23 Do any other board members have any
24 questions?

25 **MS. GHAZAL:** Yes. This is Sara Ghazal.

1 I've got just a couple of comments.

2 Ms. Bach, thank you for joining us today.
3 And I certainly understand your concern about
4 making sure that your vote counts. And you're
5 right, clerical errors do happen. And in fact,
6 the fact that you did not receive credit in ENet
7 for your vote doesn't mean that your vote didn't
8 count.

9 I think it's really important that voters
10 understand when they vote in person and they put
11 that vote in through the scanner, your vote is
12 counted then and there. And whether the
13 system -- the voter registration system accounts
14 for the fact that you checked in doesn't mean
15 that your vote didn't count.

16 So I just wanted to make sure that you
17 understand that your vote did count. It was
18 counted as soon as you put it through that
19 scanner. And that's a misunderstanding that
20 voters sometimes have. And it's important that
21 folks recognize that.

22 I also wanted to note the mistake that was
23 made with Mr. Johnson. And that's deeply
24 unfortunate that his voter registration was
25 moved. But I'd like to point out there are

1 some -- there are some details in that that I
2 think are important to highlight. And that is
3 that the mistake was made because there was a
4 voter with the same first name, same last name,
5 and same date of birth. So it was -- there was a
6 Ryan Johnson whose middle name is Christopher who
7 was mistaken for Ryan Eugene Johnson with the
8 same date of birth.

9 And these are -- with a state with
10 10 million people and millions and millions of
11 registered voters, you are going to find that
12 sort of thing. And that again is not an
13 indication of any sort of fraud. It is a
14 clerical error.

15 **MS. SULLIVAN:** Thank you, Ms. Ghazal.

16 And, Ms. Bach, the recommendation is -- in
17 this case is to send a letter of instruction from
18 the state election board to the Cherokee Board of
19 Elections as well as the elections superintendent
20 regarding the failure to enter credit for your
21 vote.

22 Are there any other questions by any of the
23 board members?

24 I'd like the record to reflect that
25 Mr. Mashburn has now joined us for the meeting.

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MR. MASHBURN: Hello, everyone.

MS. SULLIVAN: Good morning.

Do any of the board members have a motion regarding SEB case number 2020-188?

MS. GHAZAL: I move that we accept the recommendation of sending a letter of instruction.

MS. SULLIVAN: Do we have a second?

MS. LE: I'll second it.

MS. SULLIVAN: Motion and second. Any further discussion?

All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: And there are none opposed. That motion passes.

Next is SEB case number 2020-278, DeKalb County.

Mr. Callaway, are you presenting that case?

MR. CALLAWAY: Morning. 12/24/2020, Georgia Office of the Secretary of State's investigation division received a complaint regarding the illegal assistance to a voter.

According to the complaint, Deborah Daniel is recovering from a stroke and is nonverbal. She is currently being treated at Grace

1 Healthcare of Tucker which is a living assistance
2 home in DeKalb County.

3 Staff at Grace Healthcare registered Deborah
4 who was already registered in Fulton County to
5 vote in DeKalb County and assisted her with
6 completing her absentee ballots during the 2020
7 DeKalb County general election. Not knowing that
8 Deborah had already voted in DeKalb County, her
9 sister assisted her with her 2020 Fulton County
10 general election absentee ballot. As a result,
11 Deborah voted in both counties during the same
12 election.

13 The investigation revealed Deborah's sister,
14 Beverly Chandler, stated that she had a
15 power-of-attorney for her sister Deborah and that
16 her home address is her sister's address of
17 record. She requested an absentee ballot for the
18 Fulton County 2020 general election.

19 In mid October, her sister Robin delivered
20 the ballot to Deborah and assisted her with
21 completing the ballot. Deborah was automatically
22 issued an absentee ballot for the Fulton County
23 2020 general election -- general runoff election.

24 Beverly delivered the ballot to Deborah mid
25 December to assist her with completing the

1 ballot. Although Deborah could not speak, she
2 was able to communicate to Beverly that she had
3 already completed an absentee ballot for the
4 runoff election. She did so by refusing to sign
5 the ballot and answering a series of yes or no
6 questions.

7 Beverly spoke with the staff at Grace
8 Healthcare of Tucker and confirmed that the
9 activities division registered Deborah to vote in
10 DeKalb County under the name Deborah Daniel,
11 although Deborah's legal name is Deborah with a
12 different spelling, she typically signs her name
13 as Deborah.

14 According to ElectionNet, Deborah has been a
15 Fulton County registered voter since 1996. Her
16 name is listed as Deborah; her date of birth,
17 9/29/53; and the last four of the social, 5964.
18 Her address of record is 9470 Hunting Cliff
19 Trail, Atlanta, Georgia 30350.

20 On 8/3/2020 Deborah requested an absentee
21 ballot for the Fulton County 2020 general
22 election. It was mailed to her address of record
23 and return to the elections office on 10/31/2020
24 and accepted. Her ballot for the runoff election
25 was automatically mailed out to her address of

1 record.

2 According to ElectionNet, Deborah was
3 registered to vote in DeKalb County on 9/29/2020.
4 Her name is listed as Deborah; her date of birth,
5 9/29/53; and last four of her social was 5964.
6 Her registration address: 2165 Idlewood Road,
7 Tucker, GA 33384(sic).

8 DeKalb County elections official D. Brewer
9 processed Deborah's mail-in voter registration
10 application. On 10/24/2020, Deborah requested an
11 absentee ballot for the DeKalb County general
12 election. It was mailed to her address of record
13 and returned to the elections office on 11/3/2020
14 and was accepted. Her ballot for the runoff
15 election was automatically mailed to her address
16 of record and returned to the election office on
17 12/18/2020 and accepted.

18 Investigations interviewed the activities
19 division staff at Grace Healthcare of Tucker and
20 then confirmed that they assisted Deborah with
21 her DeKalb County voter registration and her
22 request for absentee ballots.

23 They asked Deborah if she wanted to vote and
24 she stated yes. However, they failed to ask if
25 she was already registered in another county.

1 Staff simply checked to see if she was registered
2 in DeKalb County, which she was not, and then
3 submitted her voter registration application to
4 the DeKalb County elections office.

5 My interview with DeKalb County registration
6 technician Dionna Brewer revealed that she failed
7 to confirm that Deborah was not registered in any
8 other county prior to processing her DeKalb
9 County voter registration. She also processed
10 her registration without proof of identity,
11 stating it was an administrative error and when
12 she checked the wrong box in ElectionNet when
13 she -- when asked if proof of identity was
14 provided.

15 Investigations conducted an interview with
16 Deborah by asking her a series of yes-or-no
17 questions. We first established her cognitive
18 skills by asking basic questions, such as name
19 and date of birth, the current year, and the
20 current president. She confirmed that she had
21 always been a Fulton County registered voter and
22 that she had never voted in DeKalb County.

23 Investigations asked her if any of her
24 sisters delivered an absentee ballot to her and
25 she stated no. She stated the only absentee

1 ballots that she received were delivered to her
2 by Grace Healthcare of Tucker staff which
3 contradicts Beverly's statement that her sister
4 Robin delivered a ballot to Deborah on two --
5 10/2020. We showed Deborah her DeKalb County
6 application and her voter registration
7 application for the absentee ballot. She
8 recognized her signature but she did not recall
9 completing the forms. Deborah Daniel
10 inadvertently cast a ballot in DeKalb County as
11 well as Fulton. She did not recall this due to
12 her (indiscernible) state of mind.

13 I make a recommendation for Deborah Daniel
14 to be issued a letter of instruction for O.C.G.A.
15 21-2-572, repeat voting in the election, when she
16 voted absentee ballots in Fulton and DeKalb
17 County during the 2020 general election; Dionna
18 Brewer, DeKalb County registration technician,
19 and DeKalb County Board of Voter Registration and
20 Elections Office be referred attorney general's
21 office for O.C.G.A. 21-2-216(g) (1),
22 qualifications of electors when the registration
23 office failed to verify the identity of a voter;
24 processing their voter registration, resulting in
25 duplicate voter registrations, and misspelling of

1 a voter's legal name.

2 **MR. NORTHEN:** We have Beverly Chandler here
3 to speak.

4 Unmute yourself and you may speak at this
5 time.

6 **MS. SULLIVAN:** Ms. Chandler, you may go
7 ahead.

8 **MS. CHANDLER:** Yes, I'm fine. So your final
9 resolution will just be the letter of instruction
10 to Deborah, no other action.

11 **MS. SULLIVAN:** That is the recommend --

12 **MS. CHANDLER:** Okay.

13 **MS. SULLIVAN:** That is the recommendation.

14 **MS. CHANDLER:** And that -- that's fine.

15 She -- when I told -- ask her to vote and she
16 clearly told me she'd already voted, she clearly
17 was not doing anything wrong. And we -- so as
18 long as there's no record, no issue with her,
19 that's fine.

20 **MS. SULLIVAN:** Thank you for being here,
21 Ms. Chandler.

22 Anyone else signed up to speak?

23 **MR. NORTHEN:** Not for that case.

24 **MS. SULLIVAN:** Do any of the board members
25 have any questions for Mr. Callaway or

1 Ms. Chandler?

2 **MS. LE:** This is Anh Le and I'm going to
3 recuse myself from this case, please.

4 **MS. SULLIVAN:** Noted.

5 **MS. CHANDLER:** I'm sorry, who would be
6 recusing themselves?

7 **MS. SULLIVAN:** Ms. Le is recusing herself
8 from voting on this case. There are still three
9 members of the board who will vote and who is a
10 quorum.

11 **MS. CHANDLER:** Okay.

12 **MS. SULLIVAN:** Any of the board members like
13 to make a motion?

14 **MS. GHAZAL:** I move that we accept the
15 recommendation and issue a letter of instruction.

16 **MR. MASHBURN:** Second.

17 **MS. SULLIVAN:** We have a motion and a
18 second. Any further discussion?

19 All in favor, please say aye?

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** And Ms. Le has recused
22 herself. That motion passes unanimously to issue
23 a letter of instruction to Ms. Daniel.

24 I believe that there is a further
25 recommendation regarding DeKalb County. Is that

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correct, Mr. --

MR. CALLAWAY: That's correct. And that recommendation is going to be for Dionna Brewer, a DeKalb County registration technician; DeKalb County Board of Voter Registration and Elections Office be referred to the attorney general's office for O.C.G.A. 21-2-216(g) (1), qualifications of electors when the registration office failed to verify the identity of the voter prior to processing their voter registration, resulting in duplicate voter registrations; and misspellings of voter's legal name.

MS. SULLIVAN: Are there any questions for the investigator?

MR. MASHBURN: No. And I move that we accept the recommendation.

MS. SULLIVAN: We have a motion. Is there a second?

MS. GHAZAL: Second.

MS. SULLIVAN: Any further discussion?
All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: And there are none opposed.
Ms. Le has recused herself. That motion passes.

Is that all of the recommendations in that

1 case?

2 **MR. CALLAWAY:** Yes, ma'am.

3 **MS. SULLIVAN:** Okay. Thank you.

4 We move on to the next case of 2021-113,
5 Toombs County.

6 **MS. JONES:** On June 29, 2021, investigations
7 was forwarded a complaint alleging elector Oliver
8 Prescott photographed his ballot while inside the
9 polling place.

10 The investigation revealed that the
11 respondent in the case, Oliver Prescott, is
12 alleged to have photographed his ballot during
13 early voting inside the Toombs County voting
14 precinct. Prescott admitted photographing the
15 ballot and further explained he always had.

16 Our recommendation is that Oliver Prescott
17 be issued a letter of instruction for violation
18 of 21-2-413(e) for photographing his ballot while
19 early voting inside the Toombs County election
20 precinct.

21 **MS. SULLIVAN:** Thank you.

22 And we have someone here to speak?

23 **MR. NORTHEN:** That person has left the call.

24 **MS. SULLIVAN:** Okay. So no one else signed
25 up to speak on this case?

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MR. NORTHEN: No additional.

MS. SULLIVAN: Do any of the board members have any questions?

Is there a motion?

MR. MASHBURN: I'm sorry. Election -- what was the recommendation? I didn't see it.

MS. JONES: A letter of instruction be issued.

MR. MASHBURN: I move that we accept the recommendation and issue a letter of instruction.

MS. SULLIVAN: Is there a second?

MS. GHAZAL: Second.

MS. SULLIVAN: A motion and second.

Any further discussion?

All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: And there are none opposed. That motion passes.

Next we're moving on to the investigation cases, the new cases.

SEB case number 2019-44 is our first case, City of Riverdale.

MS. JONES: On November 7, 2019, the investigations division opened an investigation regarding a complaint that the City of Riverdale

1 had voters not in their proper district. On
2 conducting (indiscernible) about it during the
3 early voting period for 11/5/2019 municipal
4 elections, the Clayton County Elections Office
5 discovered several errors that had been made
6 regarding placement of voters in the Riverdale
7 city council wards.

8 On October 31, 2019, Clayton County
9 Elections Office made the following changes to
10 Riverdale city council wards: 536 through 614
11 Denham Street was updated to all -- all Ward 2
12 from Ward 4. Forty-five voters were affected.
13 614 Denham Street remains Ward 4 with no voters
14 impacted. 632 Camp Street was updated to Ward 4
15 from Ward 2 and no voters were impacted.
16 1183 King Road was updated from Ward 1 to outside
17 the City of Riverdale and two voters were
18 impacted.

19 Rodney Lawrence asserts that he lost the
20 Ward 2 election by nine votes and claims that he
21 might have actually won the election if he had
22 been provided an opportunity to address the 45
23 voters who were moved into Ward 2 on October 31,
24 2019. There were only three voters out of the 47
25 that voted in the election and only one that

1 voted an incorrect ballot. The remaining voters
2 were corrected in the system.

3 **MS. SULLIVAN:** Thank you.

4 I think we have someone that signed up to
5 speak.

6 **MR. NORTEN:** Yes, we do. We have Charles
7 Reed and Shauna Dozier.

8 Mr. Reed, when you unmute yourself, you
9 should be able to speak.

10 **MR. REED:** Good morning. Can you all hear
11 me?

12 **MS. SULLIVAN:** Yes.

13 **MR. REED:** Okay. Good morning, Madam Chair
14 and other board members. I'm Charles Reed,
15 representing the Clayton County Board of
16 Elections and Registration and Ms. Dozier.

17 I wanted to kind of give you all a little
18 factual background. So in 2017, the Clayton
19 County Board of Elections had a contractual
20 obligation to conduct the City of Riverdale's
21 elections. And as part of that contractual
22 obligation, the board of elections implemented
23 redistricting changes for the City of Riverdale.

24 And Ms. Dozier, she worked with the then
25 city clerk Sylvia Vaughan, along with a GIS

1 coordinator for the city. And in 2017,
2 Ms. Dozier provided a step-by-step update of the
3 districting maps during that process and city
4 officials were fully involved in that process.
5 And prior to finalizing those redistricting
6 changes and generating the precinct cards in
7 ENet, Ms. Vaughan approved all of those changes
8 that were made.

9 And so even though the board of elections
10 conducted those 2017 elections, even though it
11 was a contractual obligation, the board of
12 elections always encourages extensive input by
13 the municipalities in the redistricting process,
14 basically as a best practice to make sure that
15 the municipal experts are in the know because
16 they are the ones who know geography of the city.
17 And I believe that those 2017 e-mail exchanges
18 were provided to the investigators prior to the
19 investigation into this case.

20 So then fast-forwarding to -- to July 19,
21 the board of elections sent a municipal street
22 audit to each municipality to give them an
23 opportunity to review and make any
24 recommendations for changes prior to the start of
25 early voting to ensure that all of the streets in

1 the district correct. And unlike in 2017 where
2 the board of elections had a contractual
3 obligation to run the city's elections, in 2019,
4 Ms. Vaughan was conducting the election for the
5 City of Riverdale.

6 And July 24, 2019, Ms. Vaughan signed off on
7 a form, a verification form, indicating that
8 street lists and districts in Riverdale were
9 correct prior to the 2019 November general
10 election.

11 In October of 2019, during early voting,
12 Ms. Vaughan contacted Ms. Dozier and informed her
13 that a voter had stated that they had voted in
14 the wrong district -- or they were assigned in
15 the wrong district. And then upon research, it
16 was identified that the voter was correct.

17 And to ensure that there were no other
18 voters that were impacted and despite the
19 assurances from the signed verification form in
20 July that all of the districts were correct,
21 Ms. Dozier on her own conducted a full voluntary
22 street audit of the City of Riverdale streets.
23 And at that time, she saw there were a few other
24 segments that needed correction and that
25 information was passed on to Ms. Vaughan along

1 with a list of instructions on how to code a
2 ballot for any voter impact.

3 And so the information that was read in
4 the -- in paragraph 2 of the findings on the
5 summary section were all of the streets and
6 everything and those changes, that information
7 was taken verbatim from the e-mail that was sent
8 from Ms. Dozier to Ms. Vaughan, alerting
9 Ms. Vaughan of the errors that Ms. Dozier found
10 in the street audit and those actions that were
11 taken to correct those errors.

12 And so in addition, Ms. Dozier also provided
13 Ms. Vaughan a list of the impacted voters and the
14 board of elections provided notifications
15 immediately to each voter. Ms. Vaughan was also
16 reminded to offer a provisional ballot to voters
17 when necessary. And Ms. Dozier made herself and
18 election staff available to assist Ms. Vaughan
19 during this process.

20 Ms. Dozier is obviously sincerely apologetic
21 to the voter that was impacted by the City of
22 Riverdale and the board of election and
23 registration.

24 Since this incident, the board of elections
25 and Ms. Dozier continue to send municipal audit

1 reports to the municipalities as well as meet
2 with respect to the municipalities at least once
3 a year in an annual municipal roundtable where
4 they discuss the upcoming elections,
5 certification requirements, along with duties and
6 responsibilities of the county as -- as it
7 relates to the municipalities.

8 And it's the desire of both Ms. Dozier and
9 the board of elections to continue to work
10 jointly with the City of Riverdale and any other
11 municipality in Clayton County as at the end of
12 the day, both the cities and the county want
13 voters to be able to cast votes for the
14 candidates of their choice properly.

15 Since this situation in 2019, the board of
16 elections has added more audit checks and
17 continue to revise and update processes and
18 procedures. Furthermore, the board of elections
19 recently hosted a redistricting training in
20 Clayton County in conjunction with the secretary
21 of state's election division office to assist in
22 our upcoming redistricting preparedness.

23 So without diminishing the impact of this
24 incident on the affected voter, at this time the
25 board of elections and Ms. Dozier ask that this

1 board dismiss the case against them as the board
2 and Ms. Dozier reasonably relied on a signed
3 verification by the municipal representatives for
4 the City of Riverdale that all information
5 related to the streets and voter district was
6 correct for the City of Riverdale's November 2019
7 general election.

8 In the alternative, if the board is not
9 willing to dismiss, we're asking for a letter of
10 instruction.

11 **MS. SULLIVAN:** Thank you, Mr. Reed.

12 And Ms. Vaughan was not cited as a
13 respondent in this case; is that correct?

14 **MR. REED:** That's correct.

15 **MR. MASHBURN:** This is Matt Mashburn. I
16 have a question. Counselor --

17 **MR. REED:** Yes.

18 **MR. MASHBURN:** -- were you involved in the
19 civil -- in the civil action? Was that a
20 contest? Was that an election contest?

21 **MR. REED:** No. I don't -- we were not
22 involved. If there was any civil litigation
23 related to this election, no, we were not
24 involved in that.

25 **MR. MASHBURN:** Okay. I just -- I just see

1 in the report that it was dismissed with
2 prejudice by the complainant and I was just
3 wondering if you knew what the rationale behind
4 that was, even if -- even if you weren't
5 involved.

6 **MR. REED:** No. I -- I'm not aware of the
7 challenge that Mr. Lawrence -- if there was a
8 challenge that was made, I'm not aware of that.
9 We were not involved in their election at all in
10 2019. Only to the extent that we provided them a
11 street audit and made sure that what they told us
12 was correct.

13 **MR. MASHBURN:** Thank you.

14 **MR. REED:** Now, Ms. -- Ms. Dozier is -- I
15 think she is online. She may have additional
16 information that I'm not aware of.

17 **MS. SULLIVAN:** Is Ms. Dozier unmuted?

18 **MR. NORTHEN:** Unmute yourself at this time.

19 **MS. SULLIVAN:** Ms. Dozier, if you would like
20 to speak, you can unmute yourself.

21 **MS. DOZIER:** Good morning. No, I'm not --
22 we weren't involved in any of the -- any type of
23 litigation.

24 **MS. SULLIVAN:** Thank you.

25 **MR. MASHBURN:** Thank you.

1 **MS. SULLIVAN:** Do any of the board members
2 have any further questions for Mr. Reed or
3 Ms. Dozier? Ms. Ghazal does.

4 Go ahead.

5 **MS. GHAZAL:** I actually just -- I want to --
6 to thank Ms. Dozier for the ameliorative actions
7 that she has taken because we all know that with
8 redistricting coming up, making sure that voters
9 are properly districted and assigned is really
10 paramount to what's -- what's coming up.

11 And the fact that she's put so much
12 attention to this, moving forward, I just wanted
13 to acknowledge and appreciate. Thank you.

14 **MS. SULLIVAN:** Thank you, Ms. Ghazal.

15 What's the pleasure of the board?

16 **MS. LE:** This is Anh Le. I have a question
17 for the counsel. I guess that the ultimate
18 question I have is in -- in your view, is it your
19 position that the election was not impacted, the
20 results were not impacted in terms of
21 Mr. Lawrence's -- the outcome of the election was
22 not impacted by this error; is that right? And
23 can you confirm that for me?

24 **MR. REED:** From what we can determine from
25 what's available to us, there -- I believe

1 there's only one vote that was affected relating
2 to Mr. Lawrence's election. There was a -- I
3 don't believe there were any -- there were not,
4 you know, ten people or -- he said he lost by
5 nine votes. I believe the actual official
6 results, it may've been eight from what we can
7 determine. But there was not enough people who
8 were affected that would've affected his
9 election.

10 The only thing that we can determine is that
11 Tony Thomas -- and the only way we knew that this
12 person was even affected was from what the
13 state -- from what the investigator provided to
14 us in this report. When the person who came to
15 us -- this was a totally different person. When
16 they came to us -- were referred to us from
17 Riverdale, that correction was made and their
18 ballot was able to be counted.

19 And I believe anybody else that was
20 affected, there was -- they were able to cast
21 their ballots provisionally and all their votes
22 were counted.

23 **MS. SULLIVAN:** Thank you.

24 Any additional questions for Mr. Reed?

25 Would anyone like to make a motion?

1 **MS. LE:** I move -- this is Anh Le. I move
2 to refer this case to the attorney general's
3 office. I think there are two issues here. One
4 is voters didn't get to vote, and I just want to
5 make sure that we have a closer look at, I guess,
6 the outcome of the election to ensure that
7 Mr. Lawrence's candidacy was not impacted
8 negatively by this error.

9 **MS. SULLIVAN:** We have a motion. Is there a
10 second?

11 **MR. MASHBURN:** Second.

12 **MS. SULLIVAN:** Any further discussion by the
13 board members? All -- go ahead.

14 **MR. MASHBURN:** Just a further point on that
15 is I appreciate ameliorative efforts. And
16 whenever there's a problem, it's great when
17 people try to do whatever they can to correct it
18 and make sure it doesn't happen again.

19 But when people don't get to vote, then you
20 failed in the fundamental job of -- of what
21 you're doing. So I agree with Anh on that.

22 But I do want to echo Sara's comment that I
23 appreciate them taking efforts to correct it and
24 work on it and I'm sure the attorney general's
25 office will be very well receptive to that as

1 well. And I know they'll appreciate that as
2 well. So that's my rationale.

3 **MS. SULLIVAN:** Any further discussion?

4 All in favor of the motion, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** And there are none opposed.
7 That motion passes unanimously.

8 The next case is 2020-35, Talbot County.

9 **MS. JONES:** The Talbot Elections
10 (indiscernible) reported that four potential
11 double voters returned absentee by mail ballots
12 that were accepted and counted. They also went
13 in to cast their votes. This occurred at the
14 Flint Hill polling precinct in Talbot County on
15 June 9, 2020, general primary election.

16 The investigation revealed that four Talbot
17 County voters -- JoAnn and Robert Ellison, James
18 Hardnett and Aundrea McDowell -- voted twice
19 during the June 9, 2020 primary election. Each
20 of the voters had applied for absentee ballots
21 and completed them and sent back to the Talbot
22 County Registrar's Office. On election day, the
23 four voters went to the Flint Hill polling
24 precinct, Flint Hill fire station, and 173 Flint
25 Hill in Shiloh, Georgia, wanting to vote in

1 person. Each of the voters, according to the
2 Poll Pad, had been issued an absentee ballot.

3 The poll manager, Mary Ann Searcy, said she
4 tried to call the elections office to check the
5 status of the ballots but could not get through
6 due to the line being busy.

7 She then decided to allow the electors to
8 vote. Each voter was asked to sign an affidavit
9 stating that they did not use the ballot and they
10 checked the box to explain why. After signing
11 the affidavit, each voter was issued a voter
12 access card and then was allowed to vote on the
13 BMD units.

14 It was learned afterwards that all four
15 voters' absentee ballots had already been
16 accepted before the June -- before June 9, 2020
17 election day.

18 The recommendation is Talbot County Board of
19 Elections and Registration; Marjorie Howard, the
20 election supervisor; and Mary Ann Searcy, the
21 poll manager at Flint Hill polling precinct be
22 bound over to the A.G.'s office for violation of
23 21-2-388(2), cancellation of absentee ballots of
24 electors who were present in the election
25 precinct during primaries, in that JoAnn Ellison,

1 Robert Ellison, James Hardnett, and Aundrea
2 McDowell be bound over to the A.G.'s office for
3 violation of 21-2-572, repeat voting in a primary
4 or election.

5 **MS. SULLIVAN:** Do we have anyone here to
6 speak?

7 **MR. NORTHEN:** We have Marjorie Howard.

8 I sent you a prompt to unmute yourself. You
9 need to do that and begin speaking.

10 **MS. HOWARD:** Yes. Thank you very much. Are
11 you able to --

12 **MS. SULLIVAN:** Go ahead.

13 **MS. HOWARD:** -- hear me?

14 **MS. SULLIVAN:** Yes, ma'am.

15 **MS. HOWARD:** Thank you very much for giving
16 me an opportunity to speak.

17 I'd like to point out that Flint Hill is our
18 busiest precinct within Talbot County and of
19 which we have seven. During this time,
20 Ms. Searcy was a brand-new poll manager. I had
21 three of them during this particular election
22 because our three former precinct managers who
23 are elderly decided they did not want to risk
24 exposing themselves in working in the election.

25 We had gone through extensive training with

1 our precinct managers and with the poll workers
2 on how to handle situations like this. And I put
3 it -- I put the details in our statements when we
4 worked with Investigator Monroe regarding this
5 because I actually reported it myself when we
6 discovered this on June the 12th. We were in the
7 process of certifying our election.

8 We discovered that these four people had
9 been allowed to vote again on the touchscreen.
10 And since we had never had this situation before,
11 I contacted my liaison at the time, Robin Carr,
12 to find out how -- what we needed to do because
13 we wanted to report it to the secretary of state
14 once we discovered this had been done.

15 The way that this happened -- and there
16 should be a copy in our file of the statement
17 from Ms. Searcy because we went through extensive
18 training to explain to the precinct managers and
19 the poll workers that if a Poll Pad showed that a
20 person had been issued an absentee ballot or they
21 voted an absentee ballot, our registration office
22 should've been called.

23 We are a five-member combined board. On
24 that election day, all of the board members
25 including myself, we were assigned precincts that

1 we had to go to to make sure they were up and
2 operational. Throughout the day all of us,
3 except for one individual that was in our office
4 to man the phone, addressing any issues with any
5 of the precincts or polling places that may have
6 arisen during that time -- in this particular
7 instance, Flint Hill had not been able to get
8 through on our phone lines.

9 We had a lot of calls coming in that day
10 from both voters who were confused about what was
11 happening in terms of whether or not this was a
12 second election. The four people that voted
13 twice, in each instance when they filled out
14 their affidavits, they were under the impression
15 that this was a different election. I know that
16 Mr. Monroe did actually talk with all of these
17 individuals to determine why were they willing to
18 fill out the affidavit, saying they had not
19 received a ballot. And then virtually in every
20 case, it's my understanding, that that was their
21 response.

22 What was different about that election --
23 and this is part of the statement that I
24 submitted to both my (indiscernible) and
25 Mr. Monroe -- is that during that time with the

1 Poll Pads, the Poll Pad would allow a precinct
2 manager to go in and to actually cancel out an
3 absentee ballot.

4 After the voters were adamant that they had
5 not voted, they had not received an absentee
6 ballot in one case, and they didn't --
7 Mr. Hardnett reported he had lost his. Because
8 Ms. Searcy has worked this location for several
9 years before, she was familiar with the people
10 that come in there. And because she couldn't get
11 through on our phone lines -- she couldn't reach
12 my cell because at that time I was on the phone
13 with other precinct managers -- she elected to --
14 to go in and cancel the ballot and to allow them
15 to vote on (indiscernible).

16 When I talked with Ms. Searcy to get her
17 statement, to find out why exactly she did this,
18 she did not remember at that time that the voters
19 standing there in front of her, that the option
20 she should've taken was to allow them to vote a
21 provisional ballot even if they were adamant that
22 they had not voted one before versus going in to
23 cancel that ballot in Poll Pad and allow them to
24 vote on the machine.

25 With the following election, that option was

1 taken away. In the old system, they never had
2 that option. But I think at that point, despite
3 all of the extensive training that we had done --
4 and we did several trainings before this general
5 election, that at that point she reverted back to
6 what they had done before. Because in this
7 particular instance, they allowed her to make
8 that decision. But it was fixed before the
9 November election because of the fact that this
10 had (indiscernible) in other counties.

11 So the fact -- the facts of the case are
12 that we -- it actually happened. I counseled
13 Ms. -- Ms. Searcy. We went back to determine
14 what the mistake was. The mistake was not giving
15 these voters a provisional ballot to allow us
16 more time during that three-day time frame to
17 investigate and determine exactly what happened,
18 to go back to them and tell them, yes, you did
19 vote even though you don't remember. And, no,
20 this is not another election, it's still the same
21 one that had been rescheduled from May.

22 So it was a trying situation to deal with,
23 and I -- at that point, I think we addressed it
24 in terms of trying to recruit people to fill our
25 polling places. But it was just the fact of --

1 with her not being in that manager's position
2 before, to make those kind of decisions in terms
3 of telling a voter, no, we're not able to let you
4 vote on the machine, and, yes, you do have to
5 vote provisional even though I know in the case
6 of the Ellisons it would've been a situation that
7 I would've had to deal with later on.

8 I think in her instance, it was just a
9 matter of trying to -- trying to address a
10 voter's issue and try to resolve it at that time.
11 But it was -- it was a mistake and it was a
12 mistake that once I did discover it after the
13 election, I couldn't go back and undo it because
14 there was no (indiscernible) to do it at that
15 point.

16 So what I'm asking at this -- with the board
17 is to consider what the full facts of that -- of
18 that situation, to have not had an opportunity to
19 look at the statements that both Ms. Searcy and
20 myself submitted, to look at them. It goes
21 through extensive detail in terms of how we
22 struggle to find people to put in our polling
23 places.

24 When I finally convinced this young lady to
25 be a manager at active locations versus just

1 working as an assistant manager or a polling
2 assistant, she was put in one of the most
3 difficult situations any poll manager or election
4 official runs into when you've got voters that
5 insist that they have not voted absentee. And I
6 think at that point, she just did not have the
7 experience to be able to handle it.

8 And we have addressed the issues with our
9 phone systems since this particular election.
10 Actually starting in November of 2020, not only
11 is each board member, again, assigned a
12 particular polling place to go to, in addition to
13 the office numbers, they have our personal cell
14 phone numbers. But even in that instance, there
15 were times when they could not get through to us
16 in November. But we just kept calling back and
17 calling back and trying to address it as best we
18 could under the circumstances.

19 So I appreciate your allowing me --

20 **MS. SULLIVAN:** Thank you, Ms. Howard.

21 **MS. HOWARD:** -- to (indiscernible) that and
22 (indiscernible).

23 **MS. SULLIVAN:** Thank you, Ms. Howard, for
24 being here and for your investigation as well as
25 reporting this to your board and your very

1 thorough explanation of -- of the circumstances.

2 Do any of the board members have any
3 questions for Ms. Howard?

4 **MS. GHAZAL:** Yes. This is Sara Ghazal.
5 I've got a quick question. Is there any evidence
6 in this runoff as to when the actual absentee
7 applications were submitted because I think we
8 all recall that the process is very confusing to
9 voters and to even us. So there were three
10 different dates throughout the process. So do we
11 know when the absentee applications were
12 submitted initially?

13 **MS. HOWARD:** Yes.

14 **MS. JONES:** I've got --

15 **MS. HOWARD:** I'm sorry?

16 **MS. JONES:** Go ahead, I'm sorry.

17 **MS. HOWARD:** Okay. And I --

18 **MS. SULLIVAN:** Go ahead.

19 **MS. HOWARD:** I'm looking at my -- my notes
20 here because in the case -- in the case of the
21 Ellisons, Ms. Ellison submitted her first
22 application -- we received it on April 9, 2020.

23 Let's see. Just give me a moment.

24 Mr. Hardnett, we received his application on
25 May the 11th. He was the voter that said that he

1 had lost his original application.

2 Looking for Mr. Ellison. Mr. Ellison's came
3 in on the same date as Mrs. Ellison's, April the
4 9th.

5 Then I'm looking through at Ms. McDowell.
6 Ms. McDowell's was received on May the 5th. In
7 her situation, what she alleged is that her
8 application was mailed to the wrong address
9 initially, which when we -- it was one of the
10 ones that was mailed by the secretary of state
11 and it actually did go to an address other than
12 what we had in our system as her mailing address.

13 Because I tried -- when I received the
14 envelope back and when I pulled copies of it, I
15 saw that it actually had been forwarded from what
16 we showed as the mailing address to the address
17 where it was actually received and both of them
18 were at Flint Hill. But somehow or another in
19 terms of them being automatically mailed, the
20 wrong address was used.

21 **MS. SULLIVAN:** Thank you.

22 Do we have anyone else signed up to speak on
23 this case?

24 **MR. NORTEN:** Yes. Gwen Hardnett is signed
25 up speak. I believe that they are on the line

1 with Kelly Monroe who is the (indiscernible) that
2 (indiscernible) technology set up.

3 So either Ms. Monroe or Ms. Hardnett, you
4 should be able to unmute yourself and speak at
5 this time.

6 **MS. SULLIVAN:** Ms. Hardnett? Ms. Monroe?
7 You should be able to speak.

8 Are they unmuted?

9 **MR. NORTHEN:** I have requested that they
10 unmute. It has not been --

11 **MS. SULLIVAN:** Okay. If you unmute
12 yourself, you should be able to speak.

13 **MR. NORTHEN:** Kelly Monroe?

14 **MS. SULLIVAN:** I believe you need to unmute
15 yourself. Ms. Hardnett? Ms. Monroe?
16 Mr. Hardnett, I apologize.

17 **MR. NORTHEN:** If there are technical
18 difficulties, may we suggest that they submit a
19 comment?

20 **UNIDENTIFIED MALE SPEAKER:** Hello?

21 **MS. SULLIVAN:** Go ahead. We -- we heard
22 you.

23 **UNIDENTIFIED MALE SPEAKER:** Okay. I --
24 I'm -- Gwen Hardnett has no technology other than
25 a house phone to call in on. And that was --

1 that's the reason I sent a message in, to give
2 her the opportunity to be able to speak. I don't
3 have her on the line.

4 **MR. NORTHEN:** The phone number provided is
5 not on the call right now or has not been on the
6 call previously either.

7 **MS. SULLIVAN:** Okay. That's -- okay,
8 understood. Sorry, I was confused there.

9 So she was given a number to call in and she
10 is not on the phone?

11 **MR. NORTHEN:** And her phone number was
12 provided to us and the home telephone does not
13 give us their name.

14 We would suggest that they submit public
15 comment via sebpubliccomment@sos.ga.gov.

16 **MS. SULLIVAN:** Okay.

17 Is there anyone else here who ...

18 **MR. NORTHEN:** Not for this case.

19 **MS. SULLIVAN:** What is the pleasure of the
20 board?

21 **MR. MASHBURN:** All right. So the way I
22 understand it is we have four elderly voters, one
23 of whom is infirm -- somewhat infirm -- and the
24 investigation revealed that they just forgot that
25 they voted.

1 And this is not the first time this has
2 happened. We have had this happen at previous
3 meetings. We've had these cases. So as the
4 general assembly and judges look at what
5 corrections need to be made, there is an issue
6 that's coming up repeatedly that the voting
7 period is so long that people are forgetting that
8 they voted.

9 You have the corresponding problem that when
10 there's an error and -- for example, back at the
11 county, they checked off the wrong voter and you
12 have the legitimate voter standing at the
13 precinct. They want to cast a real ballot rather
14 than a provisional ballot. So you have that
15 competing interest there.

16 I don't see any value in sending these
17 voters to the attorney general's office. So I
18 think a letter of instruction to be more careful
19 next time is the proper remedy.

20 So that's what I make, the motion for those
21 four voters be issued letters of instruction.
22 And then I'll wait to hear from others about what
23 to do about the board of elections.

24 **MS. SULLIVAN:** Okay. Mr. Mashburn has made
25 a motion to issue a letter of instruction to the

1 four individual voters listed as respondents.

2 Is there a second?

3 **MS. GHAZAL:** I second.

4 **MS. SULLIVAN:** Any further discussion?

5 All in favor, please say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MS. SULLIVAN:** There are none opposed. That
8 motion passes unanimously.

9 We do have to deal with the recommendation
10 regarding the board of elections, starting with
11 Ms. Searcy at this time.

12 **MS. LE:** I move to send that case to the
13 attorney general's office. And in particular, I
14 appreciate the acknowledgment of error and
15 corrections made. I think what we should just
16 have also asked in any consent order that the
17 attorney general's office may enter is some
18 training.

19 As Mr. Mashburn has alluded to earlier,
20 these rules are in place for the county's office
21 to catch these kind of errors, especially with a
22 population that sometimes gets confused or is
23 infirm. That's incumbent on the election
24 officials to carry out their job in the code.

25 I know there are technical challenges in

1 this case where they couldn't reach each other,
2 but that's a procedural thing that the county
3 needs to work out. So for this reason, I am
4 recommending this -- the county be referred to
5 the attorney general's office.

6 **MR. MASHBURN:** Second.

7 **MS. SULLIVAN:** Ms. Le has made a motion and
8 Mr. Mashburn has seconded. Is there any further
9 discussion?

10 All in favor, please say aye.

11 **THE BOARD MEMBERS:** Aye.

12 **MS. SULLIVAN:** And there are none opposed.
13 That motion passes unanimously.

14 The next case listed on the agenda as
15 2020-43 has been continued.

16 So we'll move on to 2020-87, Bibb County.

17 **MS. JONES:** Complainant Cierra Hodges
18 reported she submitted an application to receive
19 an absentee ballot for the August 11, 2020
20 general primary. Ms. Hodges requested her ballot
21 to be mailed to her temporary address in
22 Savannah, Georgia. She advised her ballot was
23 mailed to her address where she was registered in
24 Macon, Georgia.

25 Ms. Hodges called the elections office and

1 they advised they had mailed her ballot to the
2 incorrect address and she was not able to vote in
3 the election.

4 The investigation revealed that when elector
5 Cierra Hodges submitted an application to receive
6 an absentee ballot for the August 11, 2020
7 general primary runoff, she requested it to be
8 mailed to her temporary address in Savannah.
9 However, an error was made by Bibb County
10 elections office and the ballot was incorrectly
11 mailed to Ms. Hodges' permanent address on file.

12 Recommendation is that Bibb County Board of
13 Elections and Registration, election supervisor
14 Jeanetta Watson, and chief registrar Veronica
15 Seals be bound over to the attorney general's
16 office for violation of O.C.G.A.
17 21-2-381(a)(1)(C), making application for
18 absentee ballot, that they failed to mail the
19 absentee ballot to the temporary address
20 requested by the elector.

21 **MS. SULLIVAN:** Thank you, Ms. Jones.

22 Do we have anyone here to speak regarding
23 this case?

24 **MR. NORTHEN:** We do. We have William Noland
25 here.

1 Mr. Noland, you can unmute and are able to
2 speak.

3 **MR. NOLAND:** Good morning.

4 **MS. SULLIVAN:** Please go ahead.

5 **MR. NOLAND:** I represent the respondents.
6 And I -- I first just want to say that we accept
7 the -- the results of the investigation. The
8 error did occur. It was unfortunate.

9 Ms. Thomas, the clerk who processed the
10 ballot, understands the -- the rules, understands
11 what her error was here. I do believe it's an
12 isolated incident.

13 And I would just ask that the board consider
14 a letter of reprimand or a letter of instruction.
15 Thank you.

16 **MS. SULLIVAN:** Thank you, Mr. Noland.

17 Does anybody have any -- any board members
18 have any questions for Mr. Noland?

19 Is there a motion?

20 **MS. LE:** I --

21 **MS. SULLIVAN:** Go ahead, Ms. Le.

22 **MS. LE:** Excuse me, I'm sorry. My ...

23 Can you confirm, did Ms. Hodges enter -- did
24 she vote?

25 **MR. NOLAND:** I think that -- I believe that

1 the investigation is -- is correct and that she
2 did not vote. Now, whether she -- there was --
3 the clerk did report that she did send it to the
4 proper address eventually. Ms. Hodges says she
5 did not receive it. I can't -- I can't say one
6 way of the -- or the other as to that. I do not
7 believe she voted.

8 **MS. LE:** Thank you.

9 **MR. MASHBURN:** I move that we accept the
10 recommendation because the voter didn't get to
11 vote -- that we accept the recommendation and
12 refer this to the attorney general's office.

13 **MS. GHAZAL:** Second.

14 **MS. SULLIVAN:** We have a motion and a
15 second. Any further discussion?

16 All in favor, please say aye.

17 **THE BOARD MEMBERS:** Aye.

18 **MS. SULLIVAN:** There are none opposed. That
19 motion passes.

20 2020-89 has been continued.

21 The next case on our agenda is 2020-90,
22 Catoosa County.

23 **MS. JONES:** On September 9, 2020, the
24 investigations division opened an investigation
25 concerning a complaint that a vehicle bearing

1 campaign material was situated directly in front
2 of a polling location within the 150-foot limit
3 on campaign -- campaign activities.

4 The investigation revealed that on June 9,
5 2020, a campaign truck for Catoosa County
6 Commissioner Stephen Henry was photographed in
7 the parking lot of the Lakeview voting precinct
8 within the 150-foot limit on campaign activity.
9 The truck had been hired by Ken Brooks and was
10 driven by Alan Ogle.

11 Mr. Ogle drove through the parking lot of
12 the precinct within the 100-foot-no-campaigning
13 limit.

14 The recommendation is that Alan Ogle be
15 bound over to the A.G.'s office for violation of
16 20-2-414(a)(1), restrictions on campaign
17 activities.

18 **MS. SULLIVAN:** Do we have anyone signed up
19 to speak? Okay. No one is signed up to speak.

20 Do any of the board members have any
21 questions of Ms. Jones?

22 **MR. MASHBURN:** I move that we accept the
23 recommendation and bind it over to the attorney
24 general's office.

25 **MS. SULLIVAN:** We have a motion. Is there a

1 second?

2 **MS. LE:** This is Anh Le. I second.

3 **MS. SULLIVAN:** Any further discussion?

4 All in favor, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** There are none opposed. That
7 motion passes.

8 I'm going to continue the next case, which
9 is 2020-139, DeKalb County. It's my
10 understanding that DeKalb County did not receive
11 a sufficient notice for this meeting.

12 So we will move to case number 2020-145,
13 Colquitt County.

14 **MS. JONES:** Chief registrar Paula McCullough
15 reported that they received two absentee ballots
16 from Rodney and Sybil Edwards on October 6, 2020
17 for the November 3rd general election.

18 Ms. McCullough stated that on October 28th,
19 the Edwards came in and requested to vote in
20 person, and they were allowed to cancel their
21 absentee ballots. The poll worker failed to
22 notice the voters' absentee ballots were accepted
23 on October 6, 2020. On the day the Edwards
24 request to cancel their absentee ballots,
25 Colquitt County had already begun processing the

1 absentee ballots prior to the election day. The
2 error by the poll worker caused the Edwards to
3 repeat vote in the same election.

4 The investigation revealed that Rodney and
5 Sybil Edwards requested to vote by absentee
6 ballot during the November 3, 2020 general
7 election. They voted their ballots and mailed
8 them back. The registrar's office received their
9 absentee ballots and they were accepted on
10 October 6, 2020.

11 The Edwards later received a letter in the
12 mail informing them of the following: Final
13 notice, public records indicates you have not yet
14 voted in the 2020 general election. Make a plan
15 and vote early.

16 The Edwards decided to go to vote during
17 advanced voting in person.

18 On October 28, 2020, the Edwards presented
19 themselves at the poll to vote. They informed
20 the poll worker they had already voted by ballot
21 and mailed it back, but they wanted to make sure
22 their votes had counted.

23 The Edwards signed an affidavit to cancel
24 their absentee ballots and they were allowed to
25 vote on the machine. When the poll worker,

1 Deidra McClelland, reviewed the information on
2 the Edwards' absentee ballots, she failed to see
3 their ballots had been accepted.

4 Chief registrar Paula McCullough reported on
5 October 28th the absentee ballot processing had
6 already begun. So the ballots had been pulled
7 from the oath envelopes on the Saturday prior and
8 batched. McCullough stated that they had not
9 scanned them yet and that the Edwards' ballots
10 were in the batch. They had been removed from
11 their oath envelopes. The error by poll worker
12 Deidra McClelland allowed the Edwards to vote
13 more than once in the same election.

14 It's recommended that Colquitt County
15 probate judge and election supervisor Wesley
16 Lewis, Colquitt County Board of Registrars chief
17 registrar Paula McCullough and poll worker Deidra
18 McClelland be bound over to the A.G.'s office
19 for violation of State Election Board Rule
20 183-1-14-02(11), advanced voting when they --
21 when Deidra McClelland found Rodney and Sybil
22 Edwards eligible to cancel their absentee ballots
23 but failed to notice their ballots had been
24 received.

25 **MS. SULLIVAN:** And do we have anyone signed

1 up to speak?

2 **MR. NORTHEN:** No.

3 **MS. SULLIVAN:** No one has signed up to speak
4 regarding this case. Do any of the board members
5 have any questions for Ms. Jones?

6 Is there a motion?

7 **MS. LE:** I move to accept the recommendation
8 and bind this over to the A.G.'s office.

9 **MS. SULLIVAN:** Is there a second?

10 **MR. MASHBURN:** Second.

11 **MS. SULLIVAN:** All in favor -- any -- all --
12 any further discussion?

13 All in favor, please say aye.

14 **THE BOARD MEMBERS:** Aye.

15 **MS. SULLIVAN:** There are none opposed and
16 that motion passes.

17 2020-147 has been continued.

18 We're going to take a -- a five-minute
19 break, and we will come back at 10:40 and start
20 with case 20-155. Thank you.

21 (Break taken)

22 **MS. SULLIVAN:** We'll call this meeting back
23 to order.

24 The next case is 2020-155, Chatham County.

25 **MS. JONES:** Complainant Sarah Thompson

1 contacted the secretary of state office about a
2 posting she found on Facebook. The posting was
3 on E.D.B.G. Facebook page and states the
4 following: What if I told you I would giving
5 away free Q chicken this Sunday on M.L.K. for
6 everybody that came up to see me with an "I
7 voted" sticker? What if I also said there would
8 be a free concert?

9 The investigation revealed that Edward
10 Gresham, a.k.a. Eddie B.G. posted on Facebook on
11 November 1, 2020 the following: What if I told
12 you I would bring -- I would be giving away free
13 Q chicken this Sunday on M.L.K. for everybody
14 that came up with an "I voted" sticker?

15 He also posted: When I say today is about
16 to be epic, today is about to be epic. We are
17 talking free concert and free Q chicken, hash tag
18 get out today, hash tag bring your voted -- bring
19 your voted sticker.

20 The investigator was able to speak with
21 Mr. Gresham by phone and stated he admitted that
22 they were basically throwing a concert and
23 providing food. He stated they invited both
24 sides of the aisle, Republicans and Democrats.
25 He denied that the posting was an offer of free

1 food for voting. However, the Facebook posting
2 did say: Show your "I voted" sticker for free
3 food.

4 An appointment was made to meet with the
5 investigator, but Mr. Gresham later declined.

6 The recommendation is that Edward Gresham be
7 bound over to the attorney general's office for
8 violation of 21-2-570, giving or receiving --
9 offering to give or receive or participating in
10 the giving or receiving of money for gifts for
11 registering as a voter, voting, or voting for a
12 particular candidate.

13 **MS. SULLIVAN:** Do we have anyone signed up
14 to speak?

15 **MR. NORTHEN:** Sarah Thompson, unmute
16 yourself and you should be able to speak at this
17 time.

18 **MS. SULLIVAN:** Ms. Thompson, you may go
19 ahead.

20 (no response)

21 **MS. SULLIVAN:** Ms. Thompson, you may speak.

22 **MR. NORTHEN:** Ms. Thompson, you are unmuted
23 but it does not appear that we can hear you.
24 Please make sure you have an audio selected on
25 Zoom.

1 **MS. SULLIVAN:** Is there anyone else at this
2 time to speak?

3 **MR. NORTHEN:** There is no one else.

4 **MR. MASHBURN:** One of the things the board
5 tries exceptionally hard to do is treat similar
6 cases similarly and different cases differently.
7 And this one strikes me as identical to the "Show
8 me your 'I voted' sticker and get entered into a
9 gun raffle." And I think we bound that over to
10 the attorney general's office.

11 So in the spirit of treating similar cases
12 similarly, I think we should also bind this over
13 to the attorney general's office because I think
14 this is virtually the same case. So I make a
15 motion.

16 **MS. SULLIVAN:** Okay. Is there a second?

17 **MS. LE:** This is Anh Le. I second.

18 **MS. SULLIVAN:** Is there any further
19 discussion?

20 Ms. Thompson, I'll give you one more chance.
21 If you can speak, please feel free to address the
22 board.

23 (no response)

24 **MS. SULLIVAN:** Okay. All in favor of the
25 motion, please respond by saying aye.

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THE BOARD MEMBERS: Aye.

MS. SULLIVAN: Are there any opposed? None.
And that motion passes.

Next case is 2020-160, DeKalb County.

MS. LE: This is Anh Le. I'm going to
recuse myself from this case.

MS. SULLIVAN: Let the record reflect that
Ms. Le has recused herself from case 2020-160.

MS. JONES: On November 3, 2020, the
investigations division opened an investigation
concerning extended polling location hours. The
investigation revealed the Gresham Road precinct
opened late due to an unspecified malfunction
with the Poll Pads. By the time investigators
arrived, the Poll Pads had been replaced and the
precinct was functioning normally.

The Valley Brook and Shamrock precincts
co-located at Valley Brook Baptist Church opened
late due to the Poll Pads not being set up
properly. Once the mistake was identified and
corrected, the precinct functioned normally for
the rest of the day.

It is recommended that DeKalb County Board
of Elections and Registration; Erica Hamilton,
the director of DeKalb County elections; Martha

1 Beasley, poll manager of Gresham Road precinct;
2 and Bob O'Neal, poll manager of Valley Brook and
3 Shamrock precincts be bound over to the A.G.'s
4 office for violation of 21-2-403, time for
5 opening and closing the polls, and also for SEB
6 Rule 183-1-12-.10(1), before the opening of the
7 polls.

8 **MS. SULLIVAN:** Do we have anyone signed up
9 to speak?

10 **MR. NORTHEN:** Yes. We have several
11 speakers. The first one is Shelley Momo, counsel
12 for DeKalb County.

13 You should be able to unmute yourself at
14 this time.

15 **MS. SULLIVAN:** Go ahead.

16 **MS. MOMO:** Good morning. Good morning. My
17 name is Shelley Momo. I am here to represent the
18 respondents -- DeKalb County, Erica Hamilton,
19 Ms. Beasley, and Mr. O'Neal -- in this case.

20 I want to start by saying that the
21 respondents accept the finding that the poll
22 places didn't open by seven as they needed to.
23 This was due to technical issues with the Poll
24 Pads, as the investigation discovered. Some of
25 these were outside of the county's control.

1 However, we are not aware of the Poll Pads being
2 powered on late as mentioned in the investigative
3 report, which is a violation of SEB Rule
4 183-1-12-.10, subsection 1.

5 It did result in Gresham Road polling place
6 opening late by 45 minutes. And the Valley Brook
7 and Shamrock polling place opening late by 40.
8 At Gresham Road, I know that after 45 minutes the
9 staff began checking in with paper certificates
10 and voting began. And ultimately the technical
11 difficulties they had at that location required
12 the Poll Pads to be replaced is my understanding.
13 And I know that there were technical difficulties
14 at Valley Brook which they fixed after 40
15 minutes.

16 Upon learning of these delays, DeKalb and
17 the respondents took the appropriate remedy of
18 petitioning the superior court to have these poll
19 places stay open longer to account for the 45
20 minutes at Gresham and 40 minutes at Valley Brook
21 delay. We received a court order at 2:03 on
22 election day and DeKalb County itself then sent
23 out a press release shortly thereafter to alert
24 its citizens that the polling places would remain
25 open longer.

1 The county immediately acted within the code
2 and performed that remedy to keep the polling
3 places open longer to ensure that voters had the
4 same amount of time as everyone else to vote and
5 that these polling places would remain open
6 longer.

7 As a result and because at least in part,
8 some of these malfunctions were not -- were not
9 the cause or not within the county's purview of
10 correcting until it was replaced, we would ask
11 this case either be dismissed or in the
12 alternative a letter of instruction be issued.

13 **MS. SULLIVAN:** Thank you, Ms. Momo.

14 Do any of your clients want to address the
15 board?

16 **MS. MOMO:** No, ma'am.

17 **MS. SULLIVAN:** Is there anyone else signed
18 up?

19 **MR. NORTHEN:** Next speaker is Martha
20 Beasley.

21 **MS. MOMO:** Okay. She does not want to
22 speak.

23 **MR. NORTHEN:** Okay. Next --

24 **MS. MOMO:** Oh, I'm -- I'm sorry. Ms. --
25 Ms. Beasley may speak if -- if she would like.

1 Ms. Beasley, you may speak. I have given a
2 general overview. Thank you.

3 **MS. SULLIVAN:** Go ahead, Ms. Beasley.

4 **MR. NORTEN:** Ms. Beasley, you should be
5 able to unmute yourself now.

6 **MS. SULLIVAN:** Ms. Beasley, if you'll unmute
7 yourself, you may speak.

8 **MS. BEASLEY:** Yes. Okay, can you hear me
9 now?

10 **MS. SULLIVAN:** Yes, ma'am.

11 **MS. BEASLEY:** Well, I just want some
12 clarification about not opening on time. Gresham
13 Road did open promptly at seven. And I just want
14 clarification on that.

15 I know the machine -- the Poll Pads were
16 inactive because -- but that was -- that was for
17 the primary -- the primary election. And, yes,
18 that was corrected, you know, within forty --
19 forty -- forty-five.

20 And we did issue paper to get the manual
21 activation on the ICX. So that's --

22 You know, again I just want to know.
23 Because the Poll Pads were not working properly,
24 does that penalize the precinct being -- to say
25 not open on time when it was actually opened

1 promptly at seven as should be.

2 That's a statement and a question.

3 **MS. SULLIVAN:** The investigation did
4 determine that the Gresham, Valley, and Shamrock
5 polling locations did not open properly by 7 a.m.
6 on the November 3rd ...

7 **MS. BEASLEY:** Okay. Now, for reference, I
8 mean, there should be some follow-up with the --
9 the command center that -- that we let it be
10 known to the registration office that we are
11 open, on that record.

12 When the Poll Pad first voter came in, which
13 was right at seven, you know, could that not be
14 referenced to show that we were open properly at
15 seven? Gresham Road has never opened late. When
16 I say late, after 7 p.m. -- I mean 7 a.m.

17 **MS. SULLIVAN:** Ms. Beasley, I believe the
18 determination is even if the building is actually
19 open but people are not able to vote at that
20 time, then the polling location has not opened on
21 time.

22 **MS. BEASLEY:** Okay.

23 **MS. SULLIVAN:** But your statements will
24 be -- your statements will be reflected in the
25 record.

1 **MS. BEASLEY:** Oh, okay. Well, as I said
2 that -- that was my concern when I saw the
3 letter, that we failed to open, okay? But we
4 were open, but the -- the Poll Pads were not
5 properly programmed for that location. And it
6 happened --

7 **MS. SULLIVAN:** Thank --

8 **MS. BEASLEY:** -- during the primary and
9 again during the general election. But during
10 the general election, we remembered what happened
11 during the primary, so we (indiscernible) -- you
12 know, got our electors list and proceeded from
13 that point. So no time was wasted on
14 November 3rd.

15 **MS. SULLIVAN:** Thank you, Ms. Beasley.

16 **MS. BEASLEY:** Okay.

17 **MS. SULLIVAN:** Thank you.

18 **MR. MASHBURN:** Yeah, I'm -- I'm sorry to
19 interrupt. This is Matt Mashburn.

20 I have a -- just want to confirm with the
21 investigators and the county that all of the
22 voters were accounted for and nobody left and
23 didn't come back.

24 I'm reading in the report that all of the
25 voters were accounted for; is that right?

1 Everybody agrees on that?

2 **MS. MOMO:** This is Shelley Momo. That is my
3 understanding, based on the findings and the
4 information that I have.

5 **MS. SULLIVAN:** Thank you.

6 Is anyone else --

7 **MR. MASHBURN:** Well --

8 **MS. SULLIVAN:** I'm sorry, go ahead,
9 Mr. Mashburn.

10 **MR. MASHBURN:** Yeah. In the -- I'm going to
11 address kind of some -- a couple things that
12 Ms. Beasley brought up. But one of the issues is
13 when you keep polls open late, the counties are
14 under a new requirement under the new law to
15 report their vote totals. And so this puts a
16 real burden on the county.

17 And so it concerns me that people are
18 relying on keeping the polls open later as kind
19 of the default now. Where it used to be
20 extraordinarily rare, now it's kind of the
21 default remedy.

22 So I would like to have the counties be more
23 directed about doing whatever you've got to do to
24 make sure -- and I just have my own experience in
25 my own life. I worked at a fast food restaurant

1 and if we were -- we were selling chicken and if
2 the lights were on but the fryers hadn't been
3 turned on, we weren't open because we couldn't
4 sell chicken. And so if everything's not in
5 place for the voters to vote, you're not open.

6 So I would refer -- I would move to refer
7 this over to the attorney general's office. And
8 what I would like for them to concentrate on is
9 what needs to be done. What's the -- where's the
10 problem that people aren't checking this to make
11 sure everything is open and ready before the
12 voters get in the door?

13 So that's my motion.

14 **MS. SULLIVAN:** All right. I believe we have
15 one more person signed up to speak regarding this
16 case. So we'll hold that motion --

17 **MR. MASHBURN:** Okay.

18 **MS. SULLIVAN:** -- at this time.

19 **MR. NORTEN:** The next speaker is Robert
20 O'Neal who may unmute himself at this time.

21 **MS. SULLIVAN:** Mr. O'Neal, you may go ahead
22 and address the board.

23 **MR. O'NEAL:** Yes. I hope you can hear me.
24 This is Robert O'Neal, precinct manager at the
25 Valley Brook/Shamrock precinct.

1 **MS. SULLIVAN:** Yes, sir. We can hear you.

2 **MR. O'NEAL:** Okay, very good. Just -- I --
3 I will be brief. This is the first time I've
4 been involved in one of these sessions. I've
5 been a precinct manager for ten-plus years.

6 I was delighted to hear the motion that's
7 tabled right now. That is exactly what we need.
8 At Valley Brook, we were ready to open. We were
9 ready. Everything was in place at 6:40. It
10 states we were not ready, but just as Ms. Beasley
11 stated, we certainly were.

12 What we failed to have -- and this, to me,
13 is a secretary of state issue, it's not a DeKalb
14 County issue -- is some kind of process where we
15 do a dummy vote before 7 a.m. and are assured
16 that everything is working.

17 In our case, a long-term employee of mine --
18 he has worked the Poll Pads for many years -- he
19 installed the encoders in our three Poll Pads in
20 reverse. It was easy to do. It's clearly stated
21 he shouldn't have. He was supposed to have an
22 individual reading the instructions and he
23 explicitly follows each step. That apparently
24 didn't happen. We didn't know about it until at
25 7:00 we start processing our first voters and all

1 three Poll Pads would not accept them.

2 In phone calls and other things, it took
3 about 30 minutes to remedy it and find out our
4 mistake, flip the units around, and then
5 everything was fine.

6 But if we'd had a -- a system where you can
7 do a -- excuse me, a dummy run in advance, this
8 could've been avoided. We would've been ready.

9 Also, as I'm talking about this, I've
10 learned in this process that each county must
11 generate their own training programs. A rich
12 county like DeKalb, we were given a lot of
13 training. There's a lot of resources, but
14 nonetheless we were swamped with material.

15 And under the old system, before the last
16 two years, we've had the new equipment, we had
17 hard copies, a single page for each portion --
18 the check-in station, the voting station, the --
19 all of the different things had hard copies that
20 clearly stated or started you through and closed
21 out the process and also had -- excuse me --
22 provisions for when things were not going right.

23 I would love to have that come back. And
24 I've lobbied my own county, our NE office, to
25 institute those. But anyway, that is what I see

1 we need to make things good.

2 I thank you for your time and those are my
3 comments.

4 **MS. SULLIVAN:** Thank you, Mr. O'Neal.

5 All right. Anyone have any questions for
6 Mr. O'Neal?

7 **MS. GHAZAL:** I've got a question actually
8 for Mrs. Beasley.

9 Did I understand correctly, Mrs. Beasley,
10 that you were able to utilize the back-up paper
11 registration list and offered provisional ballots
12 to voters who were in line by 7 a.m.? Is that
13 correct?

14 **MS. BEASLEY:** Yes. Those who wanted
15 provisional were given provisional, which were
16 very few because others wanted to wait to vote on
17 the ICX. But when we learned about the manual
18 ballot activation on the ICX, we used the
19 electors list and the paper certificate to -- and
20 the -- the number -- material to get them signed
21 in before we gave them a card to activate
22 manually on the ICX. Then they could vote and
23 then submit their -- the ballot to the scanner.

24 **MR. MASHBURN:** So everybody voted on cards,
25 not provisional; right?

1 **MS. BEASLEY:** Correct. Only a few people
2 chose provisional. The majority of the people
3 waited until we got the -- the Poll Pads to some
4 fashion so they could vote on the ICX.

5 **MS. SULLIVAN:** Any additional questions?
6 I'll take your motion off the table.

7 **MR. MASHBURN:** I renew my motion.

8 **MS. SULLIVAN:** Okay. Mr. Mashburn's motion
9 is renewed to accept the recommendation in this
10 case. Is there a second?

11 I'll second that motion.

12 Is there any further discussion?

13 **MS. GHAZAL:** It seems to be from
14 Ms. Beasley's report that in fact her poll
15 technically opened on time. If voters were given
16 the option to cast a ballot, starting 7 a.m.,
17 even if they chose not to use that option by a
18 provisional ballot, voters could vote. So that
19 poll opened on time. I'm not convinced that
20 that -- that there was a late opening in the
21 case.

22 **MS. SULLIVAN:** I think the attorney
23 general's office can certainly take that into
24 consideration as they make a recommendation for a
25 consent order.

1 **MR. MASHBURN:** Right. And I would hope that
2 -- not that they don't, but in this case I hope
3 they -- and that all the parties on this case
4 entered into a very collaborative spirit, saying
5 this is what we want to do so this doesn't happen
6 again and get this fixed, rather than an
7 adversarial way.

8 I don't believe this is an adversarial issue
9 but it needs to get fixed because with the new
10 requirements, we've got to reduce the number of
11 precincts that are staying open late.

12 **MS. SULLIVAN:** Okay. We have a motion and a
13 second.

14 All in favor, please signify by saying aye.

15 **THE BOARD MEMBERS:** Aye.

16 **MS. SULLIVAN:** Any opposed? There are none
17 opposed and that motion passes.

18 Ms. Le did recuse herself from that case.

19 The next case is 2020-169, Clayton County.

20 **MS. JONES:** On November 6, 2020, the
21 investigations division initiated an
22 investigation regarding the securing of Clayton
23 County absentee ballot drop boxes by 7 p.m. on
24 November 3, 2020 general election.

25 The investigation revealed the county

1 maintained eight absentee ballot drop boxes. A
2 review of drop box surveillance video revealed
3 each of the drop boxes being secured by election
4 staff at approximately 7 p.m. on November 3,
5 2020.

6 However, elections director Shauna Dozier
7 was unable to produce copies of the drop box
8 transfer forms.

9 Our recommendation that Shauna Dozier,
10 Clayton County director of registration and
11 elections in Clayton County; registration and
12 elections office be bound over to the A.G.'s
13 office for violation of O.C.G.A. 21-2-273,
14 preservation of primary election records.

15 **MS. SULLIVAN:** I believe we have someone
16 signed up to speak.

17 **MR. NORTEN:** Yes. We have Mr. Reed.

18 **MS. SULLIVAN:** Mr. Reed, please go ahead.

19 **MR. REED:** Thank you, Madam Chair.

20 Again Charles Reed, representing Ms. Dozier
21 and the Clayton County Board of Registration and
22 Elections.

23 I think there may be somewhat of a slight, I
24 guess, misunderstanding. But some of this is
25 correct of what the investigators revealed.

1 There were drop boxes that were secured by
2 election staff at 7 p.m.

3 What happened that particular day is that we
4 had several techs that were out -- half of the
5 staff was out too -- for health reason too
6 because they -- they quit shortly before
7 November 3rd, I think, the Thursday or Friday
8 before. So we had several of the techs going to
9 help do tabulation and help close precincts.

10 So there was no pick up of the drop boxes on
11 November 3rd. However, on November 4th, staff
12 went out to each of the locations, each of the
13 eight locations, to pick up the ballots.

14 And we have video surveillance showing when
15 that occurred and the approximate times of that.
16 So I'm not sure if this -- if this report is
17 based on the inability to show that the drop
18 boxes were picked up on November 3rd or the
19 ability to show that there are forms on
20 November 4th.

21 That said, we have -- we have documents for
22 November 4th. However, we were trying to see if
23 we could get all of those documents. It seems
24 that there are a couple or a few that we don't --
25 can't put our hands on. So in this sense, we

1 would ask if there is a recommendation to -- to
2 bind this over to the attorney general, that at
3 least we'd have the opportunity to provide those
4 documents to the attorney general and perhaps
5 have this matter dismissed.

6 **MS. SULLIVAN:** Thank you, Mr. Reed. You
7 will certainly be able to provide any further
8 documentation in the event that this case is
9 referred to the attorney general's office.

10 Is there anyone else signed up to speak?

11 **MR. NORTHEN:** Ms. Dozier, if she would
12 like --

13 **MS. SULLIVAN:** Ms. Dozier, would you like to
14 speak?

15 **MS. DOZIER:** Good morning. If anyone has
16 any questions, I'm open to answering any
17 questions that you may have.

18 **MS. SULLIVAN:** Okay. Thank you for being
19 here, Ms. Dozier.

20 Do any of the board members have any
21 questions for the investigator or Mr. Reed or
22 Ms. Dozier?

23 **MR. MASHBURN:** Hello. This is Matt
24 Mashburn. They found the form now? There's not
25 a form that's missing any longer?

1 **MR. REED:** There are -- we have forms for --
2 there are eight locations. We have forms right
3 now that we could put our hands on on three of
4 those. It appears that there are five that -- we
5 are -- we had a second election going on at the
6 same time to fill the unexpired term for John
7 Lewis. So we're checking to see whether the drop
8 box forms were located in that.

9 So that's why we're saying that we don't
10 necessarily believe that there were no forms.
11 It's just that we can't put our hands on them
12 right now.

13 **MR. MASHBURN:** Okay. All right. So this is
14 Matt Mashburn. I'll make a motion to refer this
15 to the attorney general's office with the
16 instruction that if y'all provide the form, I
17 will (indiscernible) favorably a consent order
18 that dismisses it when you come back.

19 **MS. SULLIVAN:** We have a motion.

20 I'll second. I'll second that motion.

21 Is there any further discussion?

22 All in favor, please say aye.

23 **THE BOARD MEMBERS:** Aye.

24 **MS. SULLIVAN:** And there are none opposed
25 and that motion passes.

1 Earlier we were considering case 2020-155
2 when Ms. Thompson was not able to speak.

3 We're going to try this one more time,
4 Ms. Thompson, if you would to address the board.
5 Hopefully we can give you the opportunity now.
6 You should be able to unmute yourself and address
7 the board if you would like at this time.

8 **MR. NORTHEN:** Ms Thompson is unmuted.

9 **MS. SULLIVAN:** Ms. Thompson, you are
10 unmuted. You may go ahead and speak.

11 It appears that we are still having
12 technical difficulties.

13 Ms. Thompson, we will -- we will take a
14 break at lunch. I certainly do want you to have
15 an opportunity to address the board if you would
16 like to do so. Maybe during lunchtime we can
17 resolve any technical difficulties and address it
18 this afternoon.

19 The next case on the agenda is SEB case
20 2020-171, Taylor County.

21 **MS. JONES:** Investigation division reveal --
22 reviewed multiple complaints regarding the
23 November 3, 2020 general election. The
24 allegation was -- Ms. Daniel alleged that a
25 candidate for District 2 board of education, Mary

1 Bentley, turned in absentee ballots for voters.
2 Ms. Daniel said that the information was shared
3 by the Taylor County Elections Supervisor, Mindy
4 Bass, that it was illegal for candidates to pick
5 up absentee ballots while campaigning and turn
6 them in to the registrar's office.

7 Allegation 2, Ms. Daniel alleged that on
8 November 3, 2020, at 11 p.m., 13WMAZ reported
9 candidate Mitchell Harrison had won the
10 District 2 board of education seat. However, at
11 11:15, state representative Patty Bentley entered
12 the Taylor County registrar's office and reported
13 the election was not over and there were still
14 200 uncounted votes.

15 Ms. Daniel said candidate Mary Bentley ended
16 up winning the District 2 board of education seat
17 by 198 absentee ballot votes.

18 Allegation 3, Ms. Campbell alleged her
19 father went in to -- went in to vote during the
20 advanced voting period and observed an elderly
21 black female drop off approximately 30 absentee
22 ballots. Campbell said the female left the
23 ballots on the desk after being instructed to do
24 so by election staff member. Ms. Campbell said
25 the female left no names -- left and no names

1 were checked or questions asked about the
2 relationship between the voters and the female.

3 Allegation 4, Ms. Campbell alleged multiple
4 individuals received unsolicited absentee
5 ballots. Campbell said the individuals were not
6 elderly or disabled. She said she was sure the
7 individuals received absentee ballots and not
8 applications. She knew they were absentee
9 ballots because she received one herself.

10 Allegation 5, Ms. Campbell alleged the news
11 reported Taylor County had uncounted ballots.
12 Ms. Campbell said she contacted Taylor County
13 elections supervisor Mindy Bass to inquire about
14 the uncounted ballots. Ms. Bass told her she
15 didn't know where the ballots were but had to
16 find them by 5 p.m. And so the count was
17 actually 15 more ballots than had been reported
18 by the news.

19 Allegation 6, Ms. Bass reported a candidate
20 turned in upwards of 40 absentee ballot
21 applications for voters in her district.
22 Ms. Bass said the candidate did assist some of
23 the voters in completing their applications.

24 All in all, investigation revealed that all
25 in all witnesses and respondents were interviewed

1 by GBI Special Agent Lee Brooks. However, there
2 was no evidence to support violations of Georgia
3 election law for allegations two through six.

4 Agent Brooks for the GBI interviewed Taylor
5 County Board of Education member Mary Bentley who
6 was a candidate for the Taylor County District 2
7 Board of Education seat during the November 3,
8 2020 election.

9 In the interview, Ms. Bentley, through her
10 own admission, said she assisted voters with
11 filling out their absentee ballots. Ms. Bentley
12 said she knew the individuals she assisted but
13 does not mention them being family members.

14 Taylor County Election Supervisor Mindy Bass
15 reviewed the absentee ballot envelopes in the
16 presence of Agent Brooks. The only ballot
17 located where Mary Bentley signed as having
18 assisted was her husband Rogers Bentley.

19 It's our recommendation that Mary Bentley be
20 bound over to the attorney general's office for
21 violation of O.C.G.A. 21-2-385(b), procedure for
22 voting by absentee ballot, which she admitted
23 helping voters fill out their absentee ballots
24 during the November 3, 2020 general election.

25 **MS. SULLIVAN:** It's my understanding

1 Ms. Bentley is on the line.

2 Ms. Bentley, you may go ahead and speak if
3 you would like to.

4 **MS. BENTLEY:** Okay. Can you hear me?

5 **MS. SULLIVAN:** Yes, ma'am.

6 **MS. BENTLEY:** Okay, good. I'm Mary Bentley.
7 And during the November 2020 election, I, Mary
8 Bentley, assisted my husband Rogers Bentley with
9 his ballot because he had misplaced his glasses
10 and was unable to read the small print on the
11 ballot. But he's actually the only person I
12 assisted with a ballot.

13 **MS. SULLIVAN:** Thank you. So the only
14 person is -- your position is that your husband
15 was the only person you assisted with filling out
16 an absentee ballot?

17 **MS. BENTLEY:** Yes.

18 **MR. MASHBURN:** So agent -- agent -- this is
19 Matt Mashburn. So, Ms. Bentley, Agent Brooks
20 reports that you said that you assisted around 10
21 to 15 voters with filling out their absentee
22 ballots and placed some of the absentee ballots
23 in a mailbox at the local post office.

24 **MS. BENTLEY:** I pla --

25 **MR. MASHBURN:** So you say that Agent Brooks

1 is wrong.

2 **MS. BENTLEY:** I placed some of the ballots
3 in the post office for sure, but I didn't assist
4 them with it.

5 **MR. MASHBURN:** Okay. So you touched a
6 ballot that wasn't a family member and wasn't a
7 family member's ballot you had in your
8 possession; right?

9 **MS. BENTLEY:** I -- I -- in the post -- in
10 the office, yes. I didn't assist with it.

11 **MR. MASHBURN:** Okay, thank you.

12 **MR. NORTHEN:** The next person from this case
13 is Mindy Bass.

14 **MS. SULLIVAN:** Ms. Bass, you may go ahead.

15 **MS. BASS:** Good morning. This is Mindy
16 Bass, the elections superintendent for Taylor
17 County. I just wanted to kind of confirm that
18 Ms. Bentley did not turn in any ballots to me. I
19 had gone over with her about the rules regarding
20 applications which I had got confirmation from
21 former elections director Christopher Harvey
22 about the candidates passing out absentee
23 applications which was completely fine and
24 getting them back to me. As long as she didn't,
25 you know, help with the ballots, that was okay.

1 And that was the information that I passed on
2 to -- to Ms. Bentley.

3 **MS. SULLIVAN:** Thank you.

4 Do any of the members of the board have any
5 questions for Ms. Bass or Ms. Bentley or the
6 investigator?

7 **MR. MASHBURN:** I have a question for
8 Ms. Bass. With -- in our notebooks, under
9 allegation 2, we have this report from WMAZ that
10 there were 200 uncounted votes. And I read it --
11 I read it that a hundred and ninety-eight of
12 those two hundred broke for one candidate, but I
13 don't -- I don't think that's -- I think I
14 misread that.

15 Can you share some insight on what that's
16 all about?

17 **MS. BASS:** Absolutely. On election night,
18 we were having a -- a big problem with our
19 absentee ballots being read by the scanner. We
20 were working with Dominion. We were working with
21 the CES, trying to figure out why the scanner was
22 not reading out ballots. And it turns out that
23 when we printed our ballots, they were being
24 printed too small and we did not realize that,
25 obviously, until election night, trying to scan.

1 So it took us about 23 hours to get that
2 figured out. That's why we had so many uncounted
3 ballots at that time. We were able to get them
4 scanned. But we actually had 470 absentee
5 ballots that were not counted on election night
6 due to that issue. Out of -- we had about 600 or
7 700 total.

8 We were able to read the ones that were sent
9 out automatically by the rollover list from
10 the -- from the printers. But the ones that we
11 sent out, we had issues with. That was the only
12 reason that the numbers came in so odd. And --

13 **MR. MASHBURN:** All right. Do you --

14 **MS. BASS:** -- once we were able to re --

15 **MR. MASHBURN:** You didn't have -- I'm sorry
16 to interrupt you, but -- so you did not have a
17 situation where you had 200 late-counted ballots
18 that broke a hundred and ninety-eight to two;
19 right?

20 **MS. BASS:** I -- I believe that exact --
21 those exact numbers were only the ballots from
22 District 2, not the total amount of ballots that
23 I had to count. So I think that was just the
24 ballots that were coming in from District 2 which
25 would have given that discrepancy. But, yes,

1 they were that wide of a range.

2 **MR. MASHBURN:** Okay. And just to confirm,
3 you didn't tell anyone that it was legal for
4 candidates to pick up absentee ballots while
5 campaigning; right?

6 **MS. BASS:** Correct. I -- I said, you
7 know -- and I've still got the e-mail from Chris
8 Harvey that I -- I passed that information on
9 that it's -- it's okay for the applications, not
10 the ballots.

11 **MS. SULLIVAN:** What's the pleasure of the
12 board?

13 **MR. MASHBURN:** Move that this be referred to
14 the attorney general's office.

15 **MS. SULLIVAN:** We've got a motion. Is there
16 a second?

17 **MS. LE:** This is Anh. I'll second.

18 **MS. SULLIVAN:** Is there any further
19 discussion?

20 All in favor, please say aye.

21 **THE BOARD MEMBERS:** Aye.

22 **MS. SULLIVAN:** Are there any opposed? There
23 are none opposed. That motion passes.

24 The next case is 2020-180.

25 **MS. JONES:** Investigation revision --

1 division received multiple complaints regarding
2 the residency status of Fulton County voters
3 during the 2020 general election.

4 Deeanna and Floyd Woodham were not residents
5 of Fulton County when they voted in the 2020
6 general election.

7 Someone requested and returned an absentee
8 ballot on behalf of Kyle Newman without his
9 knowledge during the Fulton County 2020 election.

10 Diane Bailey requested and returned an
11 absentee ballot for her daughter Courtney Bailey
12 without her knowledge during the Fulton County
13 2020 general election.

14 William Shoemaker and Todd Cooper are
15 Florida residents and they voted in the Fulton
16 County and Walton County, Florida general
17 election.

18 An absentee ballot issue to Alan Dale (ph)
19 was delivered to a Fulton County address where he
20 does not reside.

21 The investigation revealed that there was
22 insufficient evidence to confirm a violation for
23 allegations three and five.

24 Allegation 1, Deeanna Woodham sold her
25 Fulton County home and moved to Cobb County in

1 June 2020. However, she cast her ballot in
2 Fulton County.

3 Allegation 2, on September 15, 2020, Kyle
4 Newman requested an absentee ballot for the
5 Fulton County 2020 election. The ballot was
6 mailed to his address of record, located at
7 1112 Kirkwood Avenue, Atlanta. The ballot was
8 canceled on October 14, 2020 and reissued and
9 mailed to Newman at 667 Evergreen Avenue,
10 Brooklyn, New York. The ballot was returned to
11 the election office and counted.

12 On 12/1/2020, Newman requested an absentee
13 ballot for the Fulton County 2020 general runoff
14 election. The ballot was mailed to Brooklyn as
15 well. The ballot was return to the election
16 office and counted.

17 Investigations conducted an interview with
18 Kyle Newman. He confirmed that he has lived in
19 New York since August 2020. He said that he
20 attended Georgia State University from 2018 to
21 2020 but he declined to provide exact dates of
22 attendance and would not provide details about
23 where he lived between August 2019 and
24 August 2020.

25 He confirmed that he requested and returned

1 his absentee ballot in Georgia. When asked why
2 he voted in Georgia after moving to New York, he
3 said he could not obtain a New York driver's
4 license and therefore he could not register to
5 vote in New York. So he decided to vote in
6 Georgia.

7 Allegation 4, William Shoemaker and Todd
8 Cooper voted in Fulton County, Georgia and Walton
9 County, Florida general elections. According to
10 ElectionNet, Shoemaker and Cooper are registered
11 to vote in Georgia. Their address of record is
12 943 Peachtree Street, apartment 1914, Atlanta.

13 In October 2020 and December 2020, they
14 requested absentee ballots for the Fulton County
15 2020 general and runoff elections. The ballots
16 were mailed to their address of record. They
17 returned their ballots to the election office and
18 they were counted.

19 Walton County election office provided
20 copies of Shoemaker and Cooper's electronic
21 Florida voting records. According to the
22 records, both men registered to vote in February
23 of 2020 and voted in person on October 30, 2020
24 in Walton County, Florida. Their address of
25 record is 27 Sugarland Lane, Santa Rosa Beach,

1 Florida.

2 It's our recommendation that Deeanna Woodham
3 be bound over to the A.G.'s office for
4 21-2-218(F), address change and correction.

5 Kyle Newman be bound over to the A.G.'s
6 office for violation of 21-2-573, absentee voting
7 by an unqualified elector, and 21-2-562,
8 fraudulent entry.

9 And William Shoemaker and Todd Cooper be
10 bound over to the A.G.'s office for violation of
11 21-2-573, absentee voting by an unqualified
12 elector.

13 The Fulton County Board of Registration and
14 Elections, Ralph Jones, former chief registrar,
15 be bound over to the A.G.'s office for 21-2-73,
16 preservation of primary and election records when
17 the election office was unable to find the 2020
18 general election application or absentee ballot
19 and signed oath envelope for Kyle Newman.

20 **MS. SULLIVAN:** Thank you, Ms. Jones.

21 **MR. NORTHEN:** We have one person here for
22 public comment. That is David Lowman.

23 **MS. SULLIVAN:** Mr. Lowman, you may go ahead.

24 **MR. LOWMAN:** Good morning. This is David
25 Lowman with the office of the Fulton County

1 attorney.

2 I would ask that because these -- the type
3 of violation that Mr. Jones at the Fulton County
4 (indiscernible) was different than the others
5 involved in this case and because there have been
6 procedure changes that you are well aware of, I
7 believe, in the Fulton County Department of
8 Registration and Elections, I would ask that his
9 case be -- have a letter of instruction issued
10 instead of being bound over.

11 And I do believe I have Ms. Mariska Bodison
12 from Fulton County Elections on the line to
13 answer any questions or to add additional
14 information if need be.

15 **MS. SULLIVAN:** Do any of the board members
16 have questions for Mr. Lowman?

17 **MR. MASHBURN:** I move that we -- I move
18 to -- unless there's anybody else that wants to
19 be -- that needs to be heard, I move that we
20 accept the recommendations and bind all these
21 cases over to the attorney general's office.

22 **MS. SULLIVAN:** We have a motion to accept
23 the recommendation and bind these allegations --
24 cases over to the attorney general's office. Is
25 there a second?

1 **MS. LE:** Anh Le. I'll second it.

2 **MS. SULLIVAN:** Any further discussion at
3 this time?

4 All in favor, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** Are there are none opposed
7 and that motion passes.

8 The next case 2020-182, Baker County.

9 **MS. JONES:** On November 6, 2020,
10 investigations was forwarded a complaint alleging
11 that Baker County elections office intentionally
12 sent an absentee ballot to the wrong address.

13 The investigation revealed that Ryan Coker,
14 the former Baker County election superintendent
15 mailed an absentee ballot to the wrong address.
16 John Ansley (ph), the elector, requested an
17 absentee be mailed to an address in Las Vegas,
18 Nevada. And instead it was mailed to an address
19 in Newton, Georgia.

20 The clerk admitted it was a mistake and it
21 was not done with malice or intent, though the
22 elector was unable to vote in the November 2020
23 general election as a result.

24 Our recommendations is that the Baker County
25 Board of Elections and Ryan Coker, elections --

1 former elections supervisor, be bound over to the
2 attorney general's office for violation of
3 21-2-381(b) (2) (A), by mailing an absentee ballot
4 to an address other than the temporary address
5 listed by the elector on the application.

6 **MS. SULLIVAN:** Thank you, Ms. Jones.

7 I believe we have some people here to speak
8 regarding this case.

9 **MR. NORTHEN:** The first person is Carla
10 Heard.

11 **MS. SUMMERLIN:** That would be Cindy
12 Summerlin. We're both showing as Carla Heard as
13 logged in. And I'm not sure why. I think it was
14 because the e-mail was forwarded with the Zoom
15 link.

16 But my name is Cindy Summerlin and I am the
17 acting chair for the Baker County Board of
18 Elections.

19 **MS. SULLIVAN:** Thank you. Would you like to
20 address this board regarding this case?

21 **MS. SUMMERLIN:** I do. Our county attorney
22 is present also: Mr. Russell Britt. And I
23 believe he wanted to speak first.

24 **MS. SULLIVAN:** Okay. We'll unmute
25 Mr. Britt.

1 **MR. NORTEN:** You may unmute yourself now.

2 **MS. SULLIVAN:** Mr. Britt, you may unmute
3 yourself.

4 **MR. BRITT:** All right. Can y'all hear me?

5 **MS. SULLIVAN:** We can.

6 **MR. BRITT:** All right. Thank you, Madam
7 Chair and members of the board.

8 I'm Russell Britt and I represent Baker
9 County as its appointed county attorney.

10 And as Ms. Summerlin mentioned, she is on
11 the call today too. She's the acting chairperson
12 for the Baker County Board of Elections and she
13 may have a few comments following mine.

14 Now, as the investigator noted, this case
15 involves a complaint that the elections office
16 intentionally sent an absentee ballot to the
17 wrong address for the November 3, 2020 election.
18 However, the local board's investigation revealed
19 that Ryan Coker, the now former elections
20 supervisor, did not mail an absentee ballot to
21 the wrong address. He actually entered the
22 correct address in the vendor system operated by
23 Runbeck.

24 However, the vendor mailed the ballot to the
25 primary address instead of the requested

1 temporary address. This information demonstrates
2 that Coker did not intentionally send the ballot
3 to the wrong address and did not violate the
4 applicable state statute per se.

5 And we do have those documents to show that
6 it was entered into the system correctly.
7 Nonetheless, the Baker County Election Board
8 recognizes that an error may have occurred when
9 the ballot was returned undeliverable and Coker
10 failed to timely remedy the vendor error before
11 the election. That, of course, assumes that such
12 remedy was possible prior to the election.

13 That said, Coker's employment with the
14 county ceased following the subject election.
15 And the current election supervisor Ms. Carla
16 Heard began in January of 2021 and was later
17 certified as the supervisor in March on -- in
18 March of 2021. An error that occurred with her
19 predecessor was reviewed with Ms. Heard to ensure
20 that such error would not occur in the future and
21 that she will be cross-checking any returned
22 absentee ballots against the requested mailing
23 address to ensure that it was sent to the correct
24 requested mailing address.

25 Furthermore, Ms. Heard is being proactive in

1 her ongoing training as supervisor, such as
2 calling in on state election board meetings,
3 including this one, to learn from other cases all
4 across the state on what not to do.

5 Therefore, because the local investigation
6 revealed that the initial error was caused by a
7 vendor and not the former elections supervisor
8 and while the former election supervisor may have
9 had an opportunity to remedy the vendor error, he
10 failed to do so. But he is nonetheless no longer
11 employed with the county.

12 And because the new elections supervisor has
13 been advised of the issue, is ensuring that such
14 a mistake will not happen in the future, and is
15 otherwise conducting proactive, ongoing training,
16 the board of elections and registration
17 respectfully asks that this case instead be
18 dismissed or in the alternative that the board
19 receive a letter of instruction for this matter
20 that ultimately involves a former counter --
21 county employee.

22 Thank you.

23 **MS. SULLIVAN:** Thank you, Mr. Britt.

24 Do any of the board members have any
25 questions for Mr. Britt?

1 **MR. BRITT:** And if there are no questions
2 for me, I would like to turn it over to
3 Ms. Summerlin if she has any further comments.

4 **MS. SULLIVAN:** Ms. Summerlin, you may go
5 ahead.

6 **MS. SUMMERLIN:** Okay.

7 **MS. SULLIVAN:** If you would like to.

8 **MS. SUMMERLIN:** Yes. Well, I think he
9 covered that very well. But after the former
10 supervisor's departure when we learned of -- of
11 the allegation, that is -- that is when the --
12 the local office and the board started looking
13 into the matter even further -- and we did find
14 documentation that we can provide to the board
15 that shows that Ryan did, in fact, enter the
16 address as requested by the voter and it was
17 Runbeck that actually sent it to the default home
18 address.

19 We did have difficulty in reaching our
20 liaison at that time. And with Ryan being new,
21 that probably was not on the top of the stack,
22 you know, until we did, you know, get the return
23 call from the liaison, which I don't believe we
24 ever did. But needless to say, he is no longer
25 with us and we are taking many measures -- we

1 have a very active board and we're taking several
2 measures and our new supervisor Carla is excited
3 to get as much training as possible.

4 And I think if you look at the records for
5 these recordings, she attends many of these to
6 use that as a -- a learning tool, you know, to
7 know what not to do for future.

8 And we do have this particular example
9 posted, not with the person's name, of course,
10 but with the scenario so that we know how to
11 follow procedure should that ever happen again.

12 So I do request with Mr. Britt that it
13 either be dismissed or a letter of instruction.

14 Thank you.

15 **MS. SULLIVAN:** Thank you, Ms. Summerlin.

16 Is there anyone else who is signed up to
17 speak? No, there is not.

18 **MR. NORTHEN:** Unless Carla Heard is on the
19 line and wishes to speak.

20 **MS. SULLIVAN:** Does Ms. Heard wish to speak
21 to the board today?

22 **MS. SUMMERLIN:** She had not indicated, but
23 she is on the call. So if she wants to unmute
24 ...

25 **MS. SULLIVAN:** You're welcome to speak if

1 you would like to, Ms. Heard.

2 Thank you, Mr. Britt and Ms. Summerlin for
3 being here today, Ms. Heard as well. We
4 certainly do think it's a great idea for election
5 officials to attend these meetings. There's
6 always a learning opportunity presented. And we
7 think that shows great dedication. Appreciate
8 all the mitigating efforts that have been made in
9 this case.

10 I would make a motion to refer this to the
11 attorney general's office, but I think that all
12 of those things will be taken into consideration
13 as the attorney general's office works with the
14 county to resolve this case.

15 So I will make that motion. If there is a
16 second.

17 **MR. MASHBURN:** I'll second it. And kind of
18 a piece of the puzzle that's missing here is
19 whether there's recourse against the vendor.
20 Then I would invite the county to -- and the
21 county attorney to look into.

22 But I second the motion.

23 **MS. SULLIVAN:** Okay. Is there any further
24 discussion?

25 All in favor, please say aye.

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THE BOARD MEMBERS: Aye.

MS. SULLIVAN: There are none opposed. So that motion passes.

And the next case is 2020-187, Fayette County.

MS. JONES: Allegation 1 is that Steve Tyrel (ph) alleged that he sent in an absentee ballot application weeks prior to the deadline. However, he received his ballot too late and his vote was not recorded.

Allegation 2 was that Stacy Goldbutch (ph) alleged that when she was working as a polling -- at a polling precinct, noticed that those that came in with an absentee ballot to turn in showed in the system as in-person voted in advance. She advised that these people told them that they only requested the ballot and had not voted. She said that they then voted on a provisional ballot. Her concern is that these provisional ballots were not counted.

Garrett Lane Peters is stationed in Germany and advised he attempted to request an absentee ballot via a postcard application, via phone, and e-mail. He noted that he e-mailed Agnes Bridges directly but never received any contact back and

1 did not get his absentee ballot.

2 The investigation revealed that allegations
3 1 and 2 were not substantiated.

4 Allegation 3, Agnes Bridges with Fayette
5 County elections advised that the complainant's
6 federal postcard application was not received by
7 her office for this complaint. So no absentee
8 ballot was sent. Complainant's voter record
9 indicates that his voter record was transferred
10 to Fayette County on 9/15/2020 because of the
11 federal postcard application they received via
12 e-mail.

13 Recommendation is that Fayette County Board
14 of Elections and Voter Registration; Floyd Jones,
15 Fayette County elections director; and Agnes
16 Bridges, chief registrar be bound over to the
17 A.G.'s office for violation of 21-2-381(b) (2)
18 regarding their failure to properly process the
19 application.

20 **MS. SULLIVAN:** Thank you, Ms. Jones.

21 **MR. NORTHEN:** First person to speak on this
22 case is Brian Hill.

23 Mr. Hill, if you unmute yourself, you should
24 be able to speak.

25 **MR. HILL:** Good morning, honorable --

1 **MS. SULLIVAN:** Go ahead, Mr. Hill.

2 **MR. HILL:** Hey, ma'am. Good morning,
3 honorable elections board and chairman. I'm
4 going to let our county attorney Patrick
5 Stough -- he's on here. He's going to speak on
6 this. Thank you.

7 **MS. SULLIVAN:** Thank you.

8 **MR. NORTEN:** All right. Counselor, you
9 should be able to unmute yourself and speak at
10 this time.

11 **MR. STOUGH:** Good morning, honorable Board.
12 And thank you for this opportunity to speak
13 before you. My name is Patrick Stough. I'm
14 the -- with the county attorney's office for
15 Fayette County and I'm also representing the
16 board of elections.

17 I don't know if she's on this call, but
18 Agnes Bridges, our former registrar, may have
19 some more information about these allegations.

20 I'm not going to speak to allegations 1 and
21 2 because it sounds like they were not
22 substantiated. But I will speak to allegation
23 number 3. It's my understanding that elections
24 staff states that they never received the
25 complainant's application for an absentee ballot.

1 The investigative report that was provided
2 to Fayette County is unclear as to whether or not
3 there was any evidence that such an application
4 was received. As a result, we respectfully
5 request that this case be dismissed as I don't
6 know what evidence exists that there was any
7 violation.

8 And I'm happy to answer any questions, or
9 Mr. Hill or Ms. Bridges, if she is on the call,
10 can also answer any further questions.

11 **MS. SULLIVAN:** Do any of the board members
12 have any questions for Ms. Jones or Mr. Stough?

13 **MS. GHAZAL:** This is Sara Ghazal. I would
14 just like to clarify with the investigation.
15 The -- the federal postcard application is an
16 application for an absentee ballot as well as a
17 registration; is that -- is that not correct?

18 **MS. JONES:** Yes.

19 **MS. GHAZAL:** So there was, in fact -- and
20 the fact that the voter's registration was
21 transferred to the county as a result of this
22 application is -- is to me an indication that
23 there was, in fact, a -- an absentee ballot
24 application on record.

25 **MS. JONES:** That's my understanding. And

1 also Brian Hill provided an e-mail that he was
2 able to obtain from their -- I guess their IT
3 department was able to obtain an e-mail that
4 verified that she, in fact, did receive an e-mail
5 from the complainant.

6 **MS. GHAZAL:** Thank you. I have no more
7 questions.

8 **MS. SULLIVAN:** Are there any additional
9 questions?

10 Is there a motion?

11 **MS. LE:** This is Anh Le. I move to send
12 this to the attorney general's office for further
13 review.

14 **MR. MASHBURN:** Second.

15 **MS. SULLIVAN:** A motion and a second. Is
16 there any further discussion?

17 All in favor, please say aye.

18 **THE BOARD MEMBERS:** Aye.

19 **MS. SULLIVAN:** And there are none opposed.
20 That motion passes.

21 The next case is 2020-202, City of Ray.

22 **MS. JONES:** The voter registration list that
23 the complainant paid \$50 for for the August 25,
24 2020 election listed 21 people that live on
25 Johnson Street who do not live within the city

1 limits of Ray City. The complainant found this
2 out on October the 12th and talked with the
3 elections supervisor of Berrien County and she
4 would take care of it. On November 5, 2020, the
5 complainant determined that it had not been
6 resolved.

7 The investigation revealed that the
8 investigation -- there's -- I'm sorry. The
9 investigation revealed that there's evidence to
10 suggest that at least 12 Berrien County voters
11 that reside in the county had voted in error in
12 the November 3, 2020, City of Ray city municipal
13 election.

14 The Berrien County elections office was made
15 aware of the issue by a candidate who was running
16 for a city council seat in October of 2020. The
17 list of voters who were in the wrong municipal
18 precinct was given to the poll manager but could
19 only prevent six of them from voting in the wrong
20 district. All of the voters lived on one street,
21 Johnson Street, which runs through both the city
22 and the county.

23 Melanie Ray created a list of voters and
24 requested the place -- that the polling locations
25 do a manual override so the voter could get the

1 correct county ballot. But the number of voters
2 had either already -- but a number of voters had
3 either already voted by absentee ballot that was
4 accepted, advanced in person, or voted on
5 election day in error.

6 Ms. Ray stated that her office, along with
7 Ray City City Clerk's Office has put new
8 safeguards in place to correct the districting
9 issue.

10 Recommendation is that Berrien County Board
11 of Elections and Registration; Melanie Ray,
12 elections supervisor; City of Ray City; and
13 Denise Ray, city clerk be bound over to the
14 A.G.'s office for violation of 21-2-224(e),
15 registration deadlines and restrictions on voting
16 in primaries, official list of electors, and
17 21-2-226(b), duties of the county board in
18 determining eligibility of voters, maps of
19 municipal boundaries, and notice of
20 ineligibility.

21 **MS. SULLIVAN:** Thank you, Ms. Jones.

22 **MR. NORTEN:** The first person to speak on
23 this is Chad Corlee. Mr. Corlee does not appear
24 to still be on the call.

25 Rebekah Ditto is now able to unmute

1 themselves and speak on this case if they'd like.

2 **MS. DITTO:** Good morning.

3 **MS. SULLIVAN:** Good morning.

4 **MS. DITTO:** We are here on behalf of the
5 Berrien County Board of Elections. And with me
6 I've got elections supervisor Melanie Ray. We
7 just wanted to -- we agree with the findings and
8 we apologize for the error. It was not brought
9 to Ms. Ray's attention until October the 12th at
10 which time advanced voting had already started.

11 Ms. Ray then looked into the matter, was
12 able to identify additional voters than what
13 Mr. Bennefield spoke with her about. I think --

14 **MS. SULLIVAN:** I think we may have -- go
15 ahead. Sorry. Go ahead.

16 **MS. DITTO:** Yes. We were working with the
17 districting maps at that time by hand. Since
18 then, there have been steps to put in place. We
19 do have electronic software to assist us with
20 that process. Ms. Ray was the only Berrien
21 County employee present in that office. She now
22 does have an assistant to help with that.

23 In our diligence, looking back to see if
24 this had occurred before, typically Ray City
25 elections would occur on the odd-number years.

1 This was a special election seat.

2 None of these voters who were registered
3 incorrectly as city -- Ray City voters have
4 voted, by our records, ever in any other
5 election. Five of the ballots were absentee
6 ballots that received the wrong one. And we did
7 have six individuals that voted advanced
8 in-person voting.

9 And, again, we were not even made aware, did
10 not realize the error had occurred until advanced
11 voting had already started.

12 And we're available for any questions. We
13 would respectfully request a letter of reprimand.
14 We have voluntarily done a full audit of the
15 streets in Ray City, corrected the area as the
16 investigation notes. The addresses at question
17 were already fixed. We even found additional
18 voters -- two additional voters than what
19 Mr. Bennefield brought to our attention. We have
20 started going through the redistricting training.
21 We've got the software, the staff in place to
22 handle the upcoming redistricting.

23 And we are available for any questions from
24 the board.

25 **MS. SULLIVAN:** Thank you.

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Any questions for Ms. Ditto at this time?
We have one more signed up to speak.

MR. NORTHEN: It appears that Chad Corlee is on the line with Denise Ray.

Ms. Ray, your account has been unmuted. Go ahead and speak at this time.

MR. CORLEE: Okay. This is Chad Corlee, attorney for the City of Ray City. Sorry for the confusion. We have logged in under Ms. -- Ms. Ray's ID. And I am here with her.

The issues in this case, I think, as Ms. Ditto said, revolve -- you know, revolve around a misnomer of streets, and that issue has been taken care of. We're -- we're dealing with Johnson Street here and Johnson Street Extension.

In 2020, the firm did review a city street list, maintenance checklist, that included Johnson Street on it. Now, various maps of the City of Ray City and Berrien County show that Johnson Street is referred to such inside the city limits. The same maps, including such as the -- the official Georgia DOT map of Berrien County refer to -- to it as Johnson Street Extension after it leaves the city limits. And even Berrien County's tax map refers to it

1 instead as -- as Johnson Extension Road as it
2 leaves the city limits and goes out in the
3 county.

4 This is consistent, I think, with the way
5 everyone in Ray City and this part of Berrien
6 County refer to those -- both roads, both
7 formally and informally. And we're actually
8 dealing with less than, I think, 1.1, 1.2 miles
9 from where Johnson Street Extension or -- or
10 Johnson Extension Road leaves the city limits and
11 terminates at -- at Highway 129.

12 The list of streets that the city clerk
13 reviewed in 2020 do not include Johnson Street
14 Extension on the list. But it did include a
15 street number of 1490 which necessarily would
16 have included some residences, incorporated from
17 residents that were on Johnson Street Extension.

18 This could've been caught, should've been
19 caught, but it was an honest -- very honest
20 mistake. The -- the city clerk, Ms. Denise Ray,
21 was not made aware of it during the election.
22 She was only made aware of it after the election.
23 So the City of Ray City had no -- had no way of
24 dealing with it until after the election was
25 over. But as -- but as stated by Ms. Ditto, the

1 mistake has been corrected and some -- some
2 measures have been put in place to deal with
3 that.

4 The results of the election were -- were not
5 impacted. The -- the election results were an
6 eight-vote difference and we're dealing with
7 four -- no, we're dealing with six votes
8 incorrectly that may have been incorrectly cast.

9 In light of all that, we join in
10 (indiscernible) that the board issue a letter of
11 reprimand (indiscernible) or something of that
12 nature due to and in light of the honest mistake
13 and a stop-gap measure that's been put in place
14 and the correction of the error.

15 Just let us know if you have any questions.

16 **MS. SULLIVAN:** Thank you, Mr. Corlee.

17 Do any of the board members have questions
18 for Mr. Corlee?

19 Did Ms. Ray want to speak?

20 **MR. CORLEE:** No, ma'am. I don't think so.
21 Not unless there's questions.

22 **MR. NORTHEN:** The last person for this case
23 is Wesley Bennefield.

24 **MS. SULLIVAN:** All right, Mr. Bennefield,
25 you may go ahead. Unmute. All right --

1 **MR. NORTEN:** Mr. Bennefield, you're on.

2 **MR. BENNEFIELD:** Can you hear me now?

3 **MS. SULLIVAN:** Yes.

4 **MR. BENNEFIELD:** Okay. I've looked at a
5 couple of these voters in the past years and
6 Mr. Corlee is wrong about the date. This dates
7 back to 2017 where there was -- and he's right.
8 Absolutely it's Johnson Street. It runs from
9 Highway 137 until you come to the -- what we call
10 the Fourth Street Extension and there's a number
11 of houses on there that (indiscernible).

12 When I pulled the list in 2020 for the
13 election of 2021, there was -- it showed that
14 there were 55 houses on that street, and there
15 was actually only 35 houses on that street that
16 was eligible to vote.

17 And so yes, it does. According to
18 Mr. Kelly, there was 24 people eligible to vote
19 outside of the city limits of Ray City. And
20 there were 12 people that actually did vote,
21 according to Mr. Kelly. So that makes a
22 determination. And that race was decided by five
23 votes. I got a hundred and sixty-eight and David
24 Schools got a hundred and seventy-two. So that
25 was five votes. In other words, there was 12

1 people that actually voted in that race extra and
2 it will make a difference.

3 I'm not looking to that. What I want to do
4 is straighten it out so this never happens again.
5 The city clerk is supposed to verify the
6 addresses to the superintendent of elections, and
7 the superintendent of elections censors those
8 street addresses. And the city clerk is supposed
9 to verify those streets. What I would like to
10 have done in the future, if the state would look
11 at it, is to take that out of the hands of the
12 city clerk and give it to the city council who
13 would be responsible for that.

14 Now, those people did vote, but I go back
15 to -- I have voters registration lists back to
16 2017 and it shows eight people, four on each side
17 of the city limits, on Johnson Street, showing
18 they were eligible to vote. And I couldn't tell
19 you whether they voted or not in 2017, but
20 they're eligible to vote. And could they have
21 voted? Yes, they could have, just like anybody
22 else did because they're on this list to vote.

23 And then in 2020, it came up again. That's
24 the election I ran in for city council. And then
25 in the 2021 vote, which we had all this

1 straightened out and I -- I did work with Ms. Ray
2 in the summer of 2021 to get this list
3 straightened out. And there was three people on
4 that Johnson Street that was on the list to be
5 able to vote. Whether they voted or not, I don't
6 know. But Ms. Ray and I did talk about that, and
7 I hope that that was taken care of.

8 But these are the things that -- that
9 happens within a city's elections that no one
10 sees. And the only reason why it was brought to
11 our attention is that a guy named Jack Castro
12 (ph) pulled these lists up by -- by street
13 addresses and when I counted the number of houses
14 on that street, I seen that it was 35 houses that
15 was in the city limits of Ray City and the other
16 20 was outside the city limits of Ray City.

17 But that was the only way we caught that
18 list because I did have the 2017 voters
19 registration list and those people outside the
20 city (indiscernible). But this is the things I
21 would like to correct for upcoming elections.

22 But if we could get that thing changed so it
23 doesn't put the pressure on the city clerk to
24 make that decision -- and I know I'm a -- I've
25 been in Ray City for practically all of my life

1 and I know where the city limits are in the city
2 limits for Ray City.

3 But as far as Johnson Street being called
4 Johnson Street Extension or whatever, that has
5 nothing to do with it. We've got a city limit
6 sign set up in both of those locations and it
7 plainly shows that that's the end of the city
8 limits there. And those people -- those other
9 eight people that voted on the west side of Ray
10 City, I don't know whether they knew they were
11 actually voting in the right district or not.
12 And I couldn't tell about the people on the east
13 side.

14 But those people have been living there all
15 their lifetime just about. It's one of these old
16 communities that's been around for a long time.
17 And I don't know when we actually sent out voters
18 registration lists or voters' responsibility to
19 the city -- to the county clerk, but at one time
20 we were doing our own votes in Ray City which it
21 was a bad situation then.

22 So if we can get this thing changed, it --
23 it could happen in anybody's city. It's where
24 these city limits streets run out of the city.
25 But there's about four or five streets in Ray

1 City that runs into the county. And this is the
2 only street where we have a problem at. Because
3 I researched all of the rest of them and there's
4 no problems on those streets.

5 **MS. SULLIVAN:** Thank you so much,
6 Mr. Bennefield.

7 **MR. BENNEFIELD:** Thank you.

8 **MS. SULLIVAN:** Do any of the board members
9 have any questions at this point? No.

10 Is there a motion?

11 **MS. GHAZAL:** I move that we accept the
12 recommendations and send this over to the
13 attorney general's office.

14 And I just want to thank everybody involved
15 for their diligence on this. It is so important
16 to get these lines right. So it's important that
17 the attorney general's office is involved to make
18 sure this doesn't happen again.

19 **MS. SULLIVAN:** Thank you.

20 Is there a second?

21 **MR. MASHBURN:** Second.

22 **MS. SULLIVAN:** Motion and a second. Any
23 further discussion?

24 All in favor, please say aye.

25 **THE BOARD MEMBERS:** Aye.

1 **MS. SULLIVAN:** And there are none opposed
2 and that motion passes.

3 We're going to take a break for lunch right
4 now. We will reconvene at 12:30. Thank you.

5 (Break taken)

6 **MS. SULLIVAN:** We will call this meeting
7 back to order. We are going to try one more time
8 to give Ms. Thompson an opportunity to speak
9 regarding Case 2020-155.

10 Ms. Thompson, the board has, you know,
11 already taken action on this case, but we will --
12 we'll give you a couple of minutes to address the
13 board at this time.

14 **MS. THOMPSON:** Okay. I'm unmuted. Can you
15 hear me?

16 **MS. SULLIVAN:** Yes, we can.

17 **MS. THOMPSON:** Okay. Fantastic. Thank you
18 so much. I'm so sorry for the trouble. We have
19 a tech team over here and they're trying.

20 So the -- the things that I wanted to
21 highlight to you in regards to the case with
22 Eddie Gresham -- so Eddie Gresham is a -- is --
23 was working for the Savannah TR as a consultant.
24 And that Savannah TR was employed -- and I have
25 the expenditure reports right here in front of

1 me -- by Shalena Cook Jones who was running for
2 district attorney for the Eastern Judicial
3 Circuit. And that's Chatham County. And she
4 employed Savannah TR, which was Moncello Stewart
5 and Eddie Gresham, all throughout her campaign,
6 on every expenditure report from the spring until
7 November.

8 Also there's another PR firm that was very
9 involved with an event on November 1st that
10 touted that you bring your "I voted" sticker and
11 then you're going to get free concert, free Q
12 chicken.

13 Also the other firm that she employed, very
14 involved, was MGreen Production, and also ATR
15 Consulting. All three employed by her.

16 So it's often that people, you know, are
17 just doing what they're told. People don't buy
18 thousands of dollars in free chicken for fun.

19 And a lot of the remarks that happened after
20 Eddie Gresham posted this were vetting people
21 to -- in a certain way to be able to discern if
22 they would get the free chicken. Some of the
23 questions were from Eddie. Eddie asked somebody,
24 a T Taney (ph): I then be forced to ask have you
25 missed two or more homecomings? Have you donated

1 to SSU athletics? And are you associated in any
2 way with the hunger list?

3 And then people were answering: So I voted.
4 Can I -- what if I threw my sticker away? And
5 different questions. This is just one, asking
6 about if they would be the -- the kind of voter
7 to get the free chicken. And this was all on
8 the -- featuring the November 1st event.

9 So I just want to highlight some of those
10 things. And the very first time we were alerted
11 to this scheme was in early October. And it was,
12 we thought, a very racially charged post that
13 said -- it was posted by MGreen Production
14 director of marketing Ducan (ph) Oliver on
15 October 5th. It said: Keep that same energy
16 when it's time to vote. And it showed a lot of
17 black citizens walking around Popeye's in line to
18 vote.

19 And -- and there was so much jeering and so
20 many comments from the community as if this was
21 something they expected. Around election time
22 was this kind of -- what we viewed to be a --
23 kind of a racist perspective on the fine people
24 of Savannah. Being -- being thought that chicken
25 and voting were associated was mind blowing to --

1 for us to see. That was our first indicator.
2 And I believe that this might be a matter that's
3 happened for years in Savannah.

4 And I'm so thankful that so many wonderful
5 citizens noted it. And we've given the
6 secretary -- or the investigator, Callaway, a
7 vast amount of evidence and investigative work
8 that many citizens have put together. And we --
9 we are disgusted that people would be bought in
10 this way.

11 And it's also very associated with Savannah
12 State University and the Greek system there,
13 where they were having chicken events all through
14 the early voting season. And I sent him some of
15 that evidence as well.

16 That's all I have.

17 (no response)

18 **MS. THOMPSON:** Are you there? Hello?

19 (Audio interruption from 12:40 to 12:42
20 p.m.)

21 **MR. CALLAWAY:** (in progress) investigation
22 also shows that election documents received from
23 the Chatham County Board of Registrars Office
24 shows that Ms. Sprauve changed her voter
25 registration address from 104 Creekside Drive in

1 Pooler to Georgia -- I mean Pooler, Georgia to
2 280 Blue Moon Crossing in Pooler, Georgia on May
3 11th. But the information was not updated by the
4 Chatham County Registrar's Office to show her new
5 address until July 23, 2020.

6 Our recommendations are that the Chatham
7 County Board of Registrar's Office; Sabrina
8 German, chief registrar be bound over to the
9 attorney general's office for O.C.G.A.
10 21-2-218(c), cancellation of registration in a
11 former state or county, address changes and
12 corrections when Gabrielle Sprauve submitted the
13 change of a permanent address to the registrar's
14 office on May 11th but the registrar's office
15 failed to make the address changes until July 23,
16 2021 after being notified by the secretary of ...

17 (Audio interruption)

18 **MS. SULLIVAN:** ... to speak on this case?

19 **UNIDENTIFIED SPEAKER:** No further comment.

20 (Audio interruption)

21 **MR. CALLAWAY:** (in progress) if she went to
22 vote on election day, November 3, 2020, and she
23 was informed that she already voted.

24 Ms. Soles advised that she was informed that
25 she cast her ballot during advanced voting on

1 October 19, 2020. Ms. Soles was concerned that
2 someone voted using her name.

3 Deborah Jean Soles presented herself at the
4 poll to vote during advanced voting. The voter
5 presented her driver's license and application
6 (indiscernible). The voter ...

7 (Audio interruption)

8 **THE COURT REPORTER:** I'm sorry. This is the
9 court reporter. Can you hear me?

10 **MS. SULLIVAN:** We can hear you.

11 **THE COURT REPORTER:** I'm showing -- okay. I
12 have missed most of that because the sound keeps
13 coming on and going off and it's muting. So if
14 y'all are on the Chatham County one, it was --
15 there was no sound for quite a while.

16 **MS. SULLIVAN:** If you'll just reflect that
17 in the record.

18 **THE COURT REPORTER:** Okay.

19 **MS. SULLIVAN:** Can you hear us now?

20 **THE COURT REPORTER:** Yes, I can.

21 And actually, every now and then, the little
22 microphone, showing mute, keeps coming on for
23 you. But I can hear you now.

24 **MS. SULLIVAN:** Okay. I'm not sure why
25 that -- I'm not sure why that's happening.

1 Hopefully it won't happen again.

2 We'll go ahead and proceed with Laurens
3 County.

4 **MR. CALLAWAY:** Thank you.

5 The investigation revealed Deborah Soles
6 presented herself at the poll during advanced
7 voting. The voter presented her driver's
8 license, an application was printed for her to
9 sign. The voter advised the poll worker that her
10 last name is now Wilkes and she wrote it on her
11 application. The voter signed her name as
12 Deborah Wilkes. The voter was issued a voter
13 access card and then she voted.

14 On November 3, 2020, Deborah Soles, with a
15 different D.O.B., 1958 instead of 1961, presented
16 herself at the poll to vote and she was informed
17 that she had already voted. Ms. Soles advised
18 the poll worker she had not voted but nothing
19 further was done. Ms. Soles was not offered to
20 vote on a provisional ballot and she was
21 disenfranchised from voting on the November 3,
22 2020 election.

23 There were two voters in Laurens County
24 registered as Deborah Soles. The first one is
25 Deborah Soles with a D.O.B. of 1958 and her

1 active -- her -- her status is active.

2 The second one is Deborah Jean Soles Wilkes
3 and her status was canceled in 2017.

4 On October 19, 2020, when Deborah Jean Soles
5 Wilkes presented herself to vote, her driver's
6 license was scanned and an application was
7 printed up for her to sign. When the voter
8 signed the application, she failed to notice the
9 date of birth and the address listed were not
10 hers. The voter was issued a voter access card
11 and she voted. The voter reported she wears
12 glasses but failed to bring them with her when
13 she voted and she had difficulty seeing the
14 ballot.

15 The registrar's office failed to catch the
16 discrepancies, and an ineligible voter, Deborah
17 Jean Soles Wilkes, was allowed to vote in the
18 election. And the eligible voter, Deborah Soles,
19 was disenfranchised.

20 Our recommendations are that the probate
21 judge, election supervisor Genola Jackson; the
22 Laurens County Board of Registrars; chief
23 registrar Susan Rooks; deputy registrar Ginger
24 Boland be bound over to the attorney general's
25 office for rules of the state election board

1 183-1-14-.02(11), page 3 of 6, advanced voting.

2 **MS. SULLIVAN:** Thank you, Mr. Callaway.

3 We do have someone here to speak regarding
4 this case.

5 **MR. NORTHEN:** Deborah Soles.

6 **MS. SULLIVAN:** Ms. Soles, you should be
7 muted -- unmuted if you unmute yourself.

8 **MS. SOLES:** Okay. I'm here. Can you hear
9 me?

10 **MS. SULLIVAN:** Thank you. Go ahead. Yes,
11 ma'am. We can hear you. Can you hear us?

12 **MS. SOLES:** Yes.

13 **MS. SULLIVAN:** Would you like to address the
14 board?

15 **MS. SOLES:** Yes. I thank y'all for hearing
16 my case and everything. And, yes, I was really
17 upset about the situation and if -- if I was
18 explained I could've had a provision ballot to --
19 to commit, I would have done that. But I didn't
20 understand that or even know about that.

21 And, you know, I was trying to let them know
22 for at least 15, 20 minutes that I did not vote
23 and I was waiting to vote for November 3rd. And
24 they said: No, you voted on the 19th. And I
25 said: No, I haven't. And they said: Did you

1 get mail-in ballots? And I got about seven or
2 eight mail-in ballots that was mailed to my house
3 and I never asked for mail-in ballots. And I
4 explained to them I didn't mail-in the ballots
5 nor have I voted early. And I was waiting to
6 November the 3rd to come in in person to vote.

7 **MS. SULLIVAN:** Thank you, Ms. Soles.

8 **MS. SOLES:** Thank you.

9 **MS. SULLIVAN:** Does anyone have any
10 questions or comments?

11 Is anyone else signed up to speech?

12 **MR. NORTHEN:** (indiscernible)

13 **MS. SULLIVAN:** She's not on, okay.

14 Does anyone have a motion?

15 **MR. MASHBURN:** Yeah. I -- I move that we
16 accept the recommendation and bind this over to
17 the attorney general's office and apologize to
18 Ms. Soles that she didn't get to vote. And
19 hopefully she can take comfort in the fact that
20 the board takes that seriously and reacts to it
21 seriously and moves this along.

22 And just additional comment for the counties
23 that are listening in, this causes great damage
24 when people aren't careful on the back end. And
25 I'm not making an example of Laurens County, I'm

1 treating them exactly like every other county,
2 but this creates a dangerous problem because all
3 of these stories of people showing up at the
4 polls, being told that they've already voted
5 where they -- they almost always turn out to be a
6 human error and carelessness in the back office
7 when they get in the press -- they're now
8 reported as a conspiracy that there's this
9 massive fraud being undertaken of people doing
10 absentee ballots.

11 So the counties have just got to trickle
12 down on this and help with the impression of
13 election integrity because this problem almost
14 always is human error and not part of a
15 conspiracy. But it sounds like a conspiracy.

16 So this needs to go to the attorney general
17 and the counties have just got to trickle down on
18 this.

19 **MS. SULLIVAN:** I believe that was a motion.

20 **MR. MASHBURN:** A motion and a speech.

21 (indiscernible) --

22 **MS. SULLIVAN:** And I will -- I will second
23 that motion.

24 And thank you, Ms. Soles, for being here.

25 Is there any further discussion?

1 All in favor, please --

2 **MS. GHAZAL:** I just -- I've just got a very
3 quick comment, and that is that Ms. Souls Wilkes
4 I hope has affirmatively reregistered to vote
5 because the facts suggest that her registration
6 had been canceled for inactivity.

7 So she -- I -- if she is listening or if
8 somebody can get a message across, folks need to
9 double-check their registration as well.

10 **MS. SULLIVAN:** Thank you.

11 We have a motion and a second. All in
12 favor, please say aye.

13 **THE BOARD MEMBERS:** Aye.

14 **MS. SULLIVAN:** And there are none opposed
15 and that motion passes.

16 The next case on our agenda is 2020-243,
17 Coweta County.

18 **MR. CALLAWAY:** On 12/4/2020, the
19 investigation division of the office of the
20 secretary of state opened an investigation
21 concerning a complaint regarding possible
22 absentee ballot fraud.

23 On 10/1/2020, Lindale Spear completed an
24 absentee ballot application for his son Brian
25 Spear and requested it to be sent to his home

1 address of 1143 Johnson Road in Senoia.
2 Lindale's written statement omits filing --
3 filling out the absentee ballot request and
4 sending it to the county elections office.

5 The handwriting on the AB application is
6 very similar to the handwriting of his notarized
7 statement. Lindale further stated that when the
8 ballot arrived at his home in Senoia on
9 10/19/2020, he voted the ballot, signed Brian's
10 name to the oath envelope and returned it to the
11 Coweta County elections office.

12 Lindale Spear also voted in his own name by
13 absentee ballot on 10/20/2020 for the 11/3/2020
14 general election.

15 Our recommendations are that Lindale Spear
16 be bound over to the attorney general's office
17 for O.C.G.A. 21-2-562(a)(1), fraudulent entries,
18 as well as O.C.G.A. 21-2-571, voting by giving
19 false information, and O.C.G.A. 21-2-572, repeat
20 voting in the same primary or election.

21 **MS. SULLIVAN:** It's my understanding no one
22 has signed up.

23 **MR. NORTEN:** Correct.

24 **MR. MASHBURN:** I move to bind this over to
25 the attorney general's office.

1 **MS. SULLIVAN:** I'll second that motion. We
2 have a motion and a second. Do we have any
3 further discussion?

4 All in favor, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** Any opposed?

7 None. That motion passes.

8 The next case is 2020-244, Chatham County.

9 **MR. CALLAWAY:** Complainant Elizabeth Mogli
10 (ph) reports that a former resident of Georgia,
11 named David King, returned to Georgia to vote in
12 the November 3, 2020 general election. Ms. Mogli
13 states Mr. King sold his residence in Savannah,
14 Georgia years ago and moved out of the state.
15 David King --

16 The investigation revealed that David voted
17 in Georgia during the November 3, 2020 general
18 election. Mr. King is registered to vote in
19 Georgia in Chatham County and his status is
20 active. The residence address listed for
21 Mr. King is 19 E. 56th Street in Savannah,
22 Georgia and he sold the property on November 14,
23 2014. When Mr. King presented himself to vote,
24 he signed a voter certificate that listed his
25 address as 19 E. 56th Street, Savannah, Georgia,

1 but he no longer resided there. Mr. King had
2 been residing at 109 Clark King Road, Farmington,
3 Pennsylvania since 2015 and he owns the property.
4 He advised the residents -- he advised that his
5 residence is their summer home and he lives there
6 approximately four months out of the year.

7 Mr. King stated he owns a jewelry business
8 in Kathmandu and Nepal and he lives there
9 approximately four months out of the year. He
10 advised he resides for the remainder of the year,
11 four months, in Georgia by either staying in his
12 motor home or residing at friends' homes.

13 Mr. King advised that he considers the state
14 of Georgia his primary residence and he intends
15 to return. He stated he has in the proc -- been
16 in the process of selling the property in
17 Pennsylvania and he has subdivided some of the
18 land for sale. Mr. King advised they are then
19 coming back home to Georgia.

20 The recommendations are for David King to be
21 bound over to the attorney general's office for
22 O.C.G.A. 21-2-562, fraudulent entries.

23 **MS. SULLIVAN:** Thank you, Mr. Callaway.

24 No one has signed up to speak on this case.
25 Are there any questions for Mr. Callaway?

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Is there a motion?

MR. MASHBURN: Move that we accept the recommendation and bind this over to the attorney general's office.

MS. SULLIVAN: Is there a second?

MS. LE: I do have a question before I make a motion or move on a motion.

Did Mr. King vote in Pennsylvania? He -- he lives -- if I understand the facts correctly, he says he lives -- he has a business in Kathmandu, he lives in Pennsylvania part of the year, and he lives in Georgia part of the year; is that right? Even though he didn't own a property, he did ...

MR. CALLAWAY: That's correct. He stayed in his motor home or he -- he stays with friends in Georgia.

MS. LE: That's his residence.

MR. CALLAWAY: That's correct.

MS. LE: And he -- has he voted in -- has he taken action in Pennsylvania that would establish his residency there in any way? He has not. I see it here, I'm sorry. Investigator conducted inquiry to see if he has registered and he has not.

MR. CALLAWAY: That is correct.

1 **MS. LE:** Mr. Mashburn, I'm just thinking out
2 loud here that the facts indicate that Mr. King
3 considered Georgia as his residence and he has
4 not taken action to the contrary when it comes to
5 voting in Pennsylvania. He is entitled to vote
6 somewhere. And he's chosen Georgia as the place
7 and he has connections here as the state of
8 residence.

9 As a friendly amendment, I'd like to propose
10 that I don't see a violation if that's the case
11 and would move to dismiss the case. But if I'm
12 missing something, I'm happy to entertain a
13 conversation.

14 **MS. SULLIVAN:** Okay. Well, Mr. King has
15 indicated he is available to speak. So I think
16 it might be a good opportunity for us to hear
17 from Mr. King.

18 **MR. NORTHEN:** Mr. King, you should be able
19 to unmute yourself.

20 **MS. SULLIVAN:** Mr. King --

21 **MR. ALTMAN:** Hello, anybody --

22 **MS. SULLIVAN:** -- can you hear us?

23 **MR. ALTMAN:** Yeah. Can you hear us?

24 **MS. SULLIVAN:** Yes. Yes. We can hear you.

25 **MR. ALTMAN:** This is -- this is -- I think

1 your system's trying to call us back. I
2 apologize for the noise.

3 This is not Mr. King. This is Gary Altman.
4 I'm his attorney here in Pennsylvania that
5 handled the estate issues. Mr. King is here.

6 **MR. KING:** Hi. I'm David King.

7 **MR. ALTMAN:** Yeah. I wanted to explain that
8 what Mr. King put in his report -- the
9 investigative report that we received is correct.

10 Georgia is his domicile and I think the lady
11 who just talked is correct. He had -- he was
12 forced to sell his Savannah house because he
13 could not maintain both houses after his brother,
14 who fell and actually kind of died unexpectedly,
15 had the summer place up here that this family's
16 had for a number of years.

17 There's been no intent to do anything
18 incorrect here. He has not double-voted.
19 Georgia is his domicile. He just does not stay
20 in Georgia more than a few months a year and he
21 has no fixed address in Georgia per se.

22 He was using his old house as a mail
23 address. The people kindly agreed to do that
24 so -- with a forward on and so forth so he didn't
25 miss out on any communications. But this is

1 simply a case here of domicile's correct, but he
2 doesn't -- he doesn't actually have a fixed, per
3 se, address in -- in Georgia, except Chatham
4 County where he used to live, which is where he
5 tends to come back. He does have vehicles
6 registered there. In fact, his spouse just
7 registered another vehicle there. He has
8 property still in Georgia, personal property --

9 **MS. SULLIVAN:** Okay. Mr. King. Mr. King,
10 I'm sorry to interrupt you. We have not been
11 able to hear you. We are having technical
12 difficulty. If you just give us five minutes,
13 we'll try to reconnect the phone and recognize
14 you again. I apologize for that.

15 **MR. ALTMAN:** Thank you.

16 When you tried to dial in, it overrode what
17 they were doing. And that's why that was trying
18 to call you back.

19 **MR. KING:** That was Laurel Ridge calling.

20 **MR. ALTMAN:** Oh, that was Laurel Ridge.
21 Okay. Well, then I don't know what they did --
22 what happened here.

23 **MS. SULLIVAN:** Okay. We are back. We are
24 back. I apologize for the technical difficulty.

25 Mr. King, we did not -- the phone cut out

1 about the time you started speaking. So if you
2 would not mind starting over, that would be
3 great. Can you hear me?

4 **MR. KING:** Hi. Hi. This is David King.
5 Can you hear me?

6 **MS. SULLIVAN:** Yes, we can. Please go
7 ahead.

8 **MR. KING:** May I let my advisor, Gary
9 Altman, address your questions, please?

10 **MS. SULLIVAN:** Yes, that is fine.

11 **MR. KING:** Thank you.

12 **MR. ALTMAN:** Okay. Did you hear anything at
13 all?

14 **MS. SULLIVAN:** We really did not, no. If
15 you'll start from the top, that would be great.

16 **MR. ALTMAN:** Okay. My name is Gary Altman.
17 I'm an attorney, here in Fayette County,
18 Pennsylvania. I was working with Mr. King's
19 brother and Mr. King after his brother died sort
20 of unexpectedly. He fell and it kind of
21 precipitated his demise unfortunately. But
22 that's kind of what happened here.

23 His brother died. He was living at the old
24 family summer home up here in the mountains. And
25 David had to come up and take care of business.

1 He could not afford to maintain two houses which
2 is what he, in essence, was doing. His brother
3 had no money. In fact, his brother left a bunch
4 of debt.

5 So he sold the one in Savannah in order to
6 get this one squared away to get sold because it
7 needed some work. It also was -- was sort of
8 a -- it isn't an old farm but it's sort of like
9 that situation. He sold off about two-thirds of
10 it already, and he's -- he's got the other part
11 of it set and ready to get listed and sold at
12 this point.

13 COVID, as he said in his letter to you,
14 messed things up quite a bit. He's elderly
15 and -- and has some issues. But Georgia is his
16 domicile.

17 We did hear the one lady discuss about he's
18 entitled to vote some places so that's kind of
19 the point. He didn't vote up here. He hasn't
20 registered up here. He's always considered
21 Georgia his home. And he was using his old
22 house -- the people that bought it kindly let him
23 use it as a -- as a postal address. But as he
24 said in his letter to you guys, he -- he spends a
25 bunch of time in Nepal when he can travel, which

1 he has not even been able to do actually, and
2 time in Georgia, and then time up here as well.
3 It -- it's sort of a, you know, a
4 three-residence-type place. He just doesn't have
5 a specific fixed residence, so to speak, in
6 Georgia. But he does consider it his domicile.

7 I would state, you all, there's been no
8 intent to do anything incorrect here. He's
9 perfectly willing if y'all want to issue a letter
10 to go ahead and deregister in Florida -- or
11 deregister in Georgia and then get himself a
12 fixed address, so to speak, and then reregister,
13 if that would work.

14 But he has not voted twice, no intent to
15 violate the law, and I don't -- I don't see a
16 legal violation here, except I do see a -- as you
17 have pointed out, a residency issue. But his
18 domicile is Florida (sic) and I can -- I can
19 verify that because I've been working with him
20 now for several years to get this cleaned up up
21 here in Pennsylvania so that he can get back to
22 Georgia.

23 **MS. SULLIVAN:** Thank you, Mr. Altman.

24 Do any of the board members have any
25 questions?

1 **MR. MASHBURN:** My motion failed for lack of
2 a second.

3 **MS. SULLIVAN:** Okay.

4 **MR. MASHBURN:** So I'm bringing a new motion
5 that we accept the counselor's recommendation and
6 issue a letter of instruction. And here, we
7 recognize that there's an issue in that you're --
8 you're required to have an address, and if you
9 don't really have an address, well, what should
10 you put?

11 The general assembly might have to look at
12 this and address this issue, but we don't want
13 Mr. King to be the one to be caught up in a -- in
14 an issue that needs to be addressed by the
15 legislature. That's not his problem.

16 So the problem that I had with it is that he
17 wrote on this certificate that he lived in a
18 place that he didn't live. But the corresponding
19 issue to that is he's entitled to vote somewhere
20 and so the -- you know, if he doesn't have a
21 permanent address, what should he do? So I am
22 persuaded that my motion was not the best and
23 rebring it as a -- accepting a letter of
24 instruction.

25 **MS. SULLIVAN:** Okay. Is there a second?

1 **MS. GHAZAL:** Second.

2 **MS. SULLIVAN:** Motion and second. Any
3 further instruction -- I mean discussion?

4 All in favor, please say aye?

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** And there are none opposed in
7 that. Letter of instruction will be issued in
8 this case to Mr. King.

9 The next case is 2020-249, Sumter County.

10 **MR. CALLAWAY:** Sumter County elections
11 director Randy Howard reported to the secretary
12 of state's office on December 8, 2020 that he
13 found a bag containing about 50 ballots from
14 early voting that had gotten misplaced behind
15 some boxes and never counted. Twenty were
16 provisional ballots and 30 were emergency ballots
17 that were found after the election was certified.
18 The ballots were from the November 2020 general
19 election early advanced voting period.

20 The investigation revealed the provisional
21 ballot bag was found by Sumter County elections
22 office deputy clerk Lois Phillips on December 8,
23 2020 while she was in the process of securing
24 election documents from the November 2020 general
25 election. The bag was inside of the election

1 office's storage room in the basement of the
2 Sumter County courthouse. Ms. Phillips reported
3 it to Mr. Howard and then he reported it to the
4 secretary of state's office. When the locked
5 ballot bag was opened, there were 30 sealed
6 ballots in salmon envelopes, designated as
7 emergency ballots. And 20 sealed provisional
8 ballots in salmon envelopes were inside and they
9 were never tabulated.

10 The recommendations are the Sumter County
11 Board of Elections and Registration; Randy
12 Howard, election supervisor -- Sumter County
13 Board of Elections and elections supervisor Randy
14 Howard violated O.C.G.A. 21-2-419(b), validation
15 of provisional ballots when 20 provisional
16 ballots from the early advanced voting were not
17 validated in the November 3, 2020 general
18 election in Sumter County. The provisional
19 ballots were misplaced and not found until after
20 the election was certified. We recommend 20
21 counts.

22 Sumter County Board of Elections and
23 elections supervisor Randy Howard violated SEB
24 Rule 183-1-12-.11(c), page 10, conducting
25 elections, when on the first day of early

1 advanced voting, 30 voters were issued emergency
2 ballots and instead of placing them in a scanner
3 in the same manner that printed ballots in the
4 polling place were scanned, they were placed in
5 the provisional ballot bag. The emergency
6 ballots were misplaced and not found until after
7 the election was certified, 30 counts.

8 Sumter County Board of Elections and
9 elections supervisor Randy Howard violated SEB
10 Rule 183-1-12-.18(3), page 16, provisional
11 ballot, when 20 provisional ballots from the
12 early advanced voting were not tabulated from the
13 November 3, 2020 general election in Sumter
14 County. The provisional ballots were misplaced
15 and not counted until after the election was
16 certified, 20 counts. Sumter County Board of
17 Elections and elections supervisor Randy Howard
18 violated SEB Rule 183-1-12-.20, page 24, use of
19 emergency paper ballots, when voting machines are
20 inaccessible. When 30 emergency ballots from the
21 first day of early advanced voting were not
22 scanned into the ballot box in the November 3,
23 2020 general election in Sumter County, the
24 emergency ballots were misplaced and not found
25 until after the election was certified, 30

1 counts.

2 **MS. SULLIVAN:** Thank you, Mr. Callaway.

3 It is my understanding the Sumter County
4 attorney is on the line.

5 You may go ahead.

6 **MS. HOOKS:** Yes. This is Hayden Hooks for
7 the Sumter County Board of Education -- I'm
8 sorry, the board of elections.

9 We don't dispute the fact that they
10 presented -- it's my understanding these ballots
11 were all cast on the first day of early voting.
12 And if y'all will remember, in the 2020 cycle
13 there were significant problems with the
14 secretary of state system that caused some
15 capacity problems and the board just couldn't get
16 people registered and signed in.

17 And so all of these ballots were cast during
18 that chaotic process. And so unfortunately
19 because it was such a rough day, a mistake was
20 made in the handling of those ballots. As you
21 had identified a minute ago, Mr. Howard did
22 self-report this error to Mr. Harvey.

23 I don't know -- because the election had
24 been certified, the -- the ballots could not be
25 counted at that time. Mr. Howard did review the

1 envelopes and determined that based on the
2 precincts of all of these voters, none of these
3 votes would have had an impact on any election
4 that was on the ballot in 2020.

5 The board recognizes that this is a serious
6 incident and deeply regrets that it occurred.
7 Mr. Howard, you know, feels terrible that this
8 happened, and they've taken steps to prevent this
9 from happening again. And we ask that you
10 consider those steps and the fact that Mr. Howard
11 self-reported the error when you determine the
12 appropriate sanction.

13 Mr. Howard is on the line, and if you have
14 any questions for him, he's prepared to answer
15 them.

16 **MS. SULLIVAN:** Thank you, Ms. Hooks.

17 This board obviously takes this complaint
18 very seriously. There's 50 voters
19 disenfranchised in this election. We appreciate
20 you for being here today.

21 Are there any questions that -- we
22 appreciate that there has been measures taken to
23 make sure this does not happen again. I do
24 believe that this board will refer this to the
25 attorney general's office for further action.

1 But at this time, do any of the board
2 members have any questions that they'd like to
3 address?

4 I'll make the motion that we refer this
5 matter to the attorney general's office.

6 **MR. MASHBURN:** Second.

7 **MS. SULLIVAN:** Is there any further
8 discussion?

9 **MS. GHAZAL:** No. I'll vote in favor of it.
10 I'm not quite sure Ms. Hooks' correlation between
11 the secretary of state's office function versus
12 the ballot being found by her county a month
13 later than election day. I'm not sure if there's
14 a connection there but also I'll vote in favor of
15 the motion. Thank you.

16 **MS. SULLIVAN:** All in favor, please say aye.

17 **THE BOARD MEMBERS:** Aye.

18 **MS. SULLIVAN:** There are none opposed. That
19 motion passes unanimously.

20 Sumter County does have another case on the
21 agenda a little bit further down. But we're
22 going to go ahead and hear it now.

23 2021-11, Sumter County. That is Tab Number
24 75 in our material.

25 **MR. CALLAWAY:** Deborah Clark Sikes (ph)

1 reported a delay in voting at the Brown's Mill
2 voting precinct in Americus, Georgia. Ms. Sikes
3 reported that she arrived at the precinct at
4 7:30 a.m. and did not vote until 8 a.m.

5 Ms. Sikes states a poll worker told her the
6 wrong computer had been sent to the precinct.
7 Ms. Sikes stated there were people in front and
8 behind her in line that had left.

9 The investigation revealed that -- it showed
10 the poll -- opening of the polls at the
11 recreation department on -- in Brown's Mill
12 voting precinct in Sumter County were delayed
13 because of a mixup of the Poll Pads for the two
14 precincts. The delay was 30 to 45 minutes before
15 voting was open to the voter.

16 Provisional ballots were offered. However,
17 the elections supervisor reported the recreation
18 department precinct had four provisional ballots
19 while Brown's Mill precinct had three provisional
20 ballots.

21 The Poll Pads were picked up from the
22 courthouse the night before the election.
23 Mr. Howard stated the Poll Pads were distributed
24 by a Dominion technician. The mixup in the
25 distribution was a result of the Poll Pads not

1 being properly marked. Mr. Howard stated the
2 problem would be corrected by affixing laminated
3 tags and plastic tags to the Poll Pads.

4 Our recommendations are that Sumter County
5 Board of Elections and Registration and Randy
6 Howard, supervisor of elections, be bound over to
7 the attorney general's office for board rule
8 183-1-12-.08(4), page 7, when he failed to ensure
9 the proper -- when he failed to ensure the proper
10 equipment was delivered to the appropriate
11 polling location.

12 **MS. SULLIVAN:** Thank you.

13 Ms. Hooks, would you like to address the
14 board regarding this claim --

15 **MS. HOOKS:** Sure.

16 **MS. SULLIVAN:** -- complaint?

17 **MS. HOOKS:** Sure. I believe the facts are
18 accurate as you reported. As Mr. Howard had
19 reported to the investigator, it -- it was a
20 Dominion representative, not a mem -- employee of
21 the board who distributed the pads and at that
22 time they were labeled only by poll number.

23 And since that time, Mr. Howard has labeled
24 all of the pads with the precinct name so that
25 they'll -- they'll be more easily identified and

1 has instructed all the poll managers to ensure
2 that they have the correct equipment before the
3 scheduled time to open the polls.

4 As -- as indicated in the report,
5 provisional and emergency ballots were available
6 for voters to use while the Poll Pads were
7 transported to the correct precincts. But my
8 understanding is that Ms. Sikes, the complaining
9 voter, declined to vote provisionally. However,
10 she did return to her precinct later in the day
11 and cast her vote in the election.

12 And so we ask that you take account of the
13 measures that have been taken since this time and
14 the fact that no voters were prevented from
15 voting by this error and dismiss the complaint or
16 issue a letter of instruction.

17 And, again, Mr. Howard is on the line if you
18 have any questions for him.

19 **MS. SULLIVAN:** Do any of the board members
20 have any questions for Ms. Hooks? Or for
21 Mr. Howard?

22 Would any of the members like to make a
23 motion?

24 **MS. GHAZAL:** Move that we accept the
25 recommendations and bind this over to the

1 attorney general's office.

2 **MR. MASHBURN:** Second.

3 **MS. SULLIVAN:** Is there any -- motion and a
4 second. Do we have any further discussion?

5 All in favor, please say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MS. SULLIVAN:** Being there are none opposed,
8 that motion passes.

9 Thank you, Ms. Hooks.

10 Going back up in the agenda to where we left
11 off, the next case is 2020-250, Coffee County.

12 **MR. CALLAWAY:** We have three separate
13 complaints within this case.

14 Complaint 1, on December 4, 2020, the Coffee
15 County Board of Elections and Registration sent a
16 letter advising they could not certify the
17 electronic recount numbers for the November 3,
18 2020 general election.

19 In the letter, they claimed that the
20 Dominion voting system was unable to repeatedly
21 duplicate credible election results. Instead
22 Coffee County Board of Elections and Registration
23 voted to certify the votes cast in the election
24 night report.

25 Complaint 2, a video surfaced on YouTube

1 where it showed Coffee County election supervisor
2 Misty Martin discussing the ways in which the
3 election software could be manipulated.

4 Complaint Number 3, Ms. Britney (ph) Jackson
5 said she submitted a request for her absentee
6 ballot on December 1, 2020, however, did not
7 receive the ballot until December 26, 2020.
8 Ms. Jackson said she was unable -- she was able
9 to mail the ballot back the same day it was
10 received but felt her vote would not be counted
11 due to how late it was received. Ms. Jackson
12 felt this was an effort by Coffee County to
13 suppress her vote.

14 The investigation revealed under Complaint
15 1, Ms. Martin failed to keep the ballots in
16 batches after they were scanned which is the
17 reason the count discrepancy could not be
18 identified and resolved. After the interview,
19 investigators assisted Coffee County with
20 organizing the ballots into batches of 100.

21 The final count was 13,347 advanced and
22 election day ballots and 1,930 absentee and
23 provisional ballots. The total combined ballots
24 total 15,277 ballots which match the original
25 Coffee County election results listed on the

1 secretary of state election night reporting page.

2 Ms. Martin also claimed the ballot scanner
3 was not working properly and would stop on every
4 few ballots. Ms. Martin claimed she did not know
5 the scanner needed to be cleaned periodically.
6 Both Dominion senior project manager Tom Sheahan
7 (ph) and Dominion senior manager Scott Tucker
8 said the scanner's cleaning protocol was included
9 in the training provided to the counties.

10 Investigations accessed the Firefly website
11 and located the ICC scanner use printout which
12 covers the cleaning procedures.

13 Under Complaint 2, Ms. Martin, along with
14 the Coffee County Board -- along with Coffee
15 County Board of Election member Eric Ching (ph)
16 made two videos, claiming the Dominion systems
17 election software could be manipulated.

18 Ms. Martin said the video was made after she
19 made her board aware that a blank ballot could be
20 altered and voted during the adjudication
21 process. Ms. Martin never once during the video
22 explained the intended use of the adjudication
23 process. The video is very misleading. It seems
24 that she proposed -- it seems its purpose was
25 simply to create doubt and public mistrust in the

1 Dominion -- in Dominion voting systems.

2 Investigations received -- reviewed the two
3 videos and noticed what looked like a password
4 taped to the bottom of the computer screen
5 Ms. Martin was using. Investigations paused the
6 video and took some pictures of the password
7 which could be clearly read. It was later
8 discovered that the password was used to access
9 Dominion voting systems.

10 Ms. Martin said everyone at the office used
11 a single password to access the Dominion voting
12 system and the door to the office where the
13 computer was located remained open throughout the
14 workday.

15 Ms. Martin said there was another door that
16 remained locked so the public -- so public
17 individuals could not just walk in. Ms. Martin
18 claimed she was unaware a separate password was
19 needed for every user.

20 Complaint 3, an ENet inquiry on Britney
21 Jackson showed her ballot was received by the
22 Coffee County elections office on January 4th and
23 her vote was counted. At the time of the
24 elections, Jackson was living at a temporary
25 address in Tennessee.

1 Recommendations: Coffee County Board of
2 Elections and Registration and Misty Martin,
3 former elections supervisor, be bound over to the
4 attorney -- attorney general's office for SEB
5 Rule 183-1-12-.05(3), security of voting system
6 components at county elections office in
7 designated county storage areas when they failed
8 to keep the room where the election management
9 system was located locked at all times when it
10 was not directly under the supervision of the
11 election supervisor.

12 **MS. SULLIVAN:** It's my understanding that
13 neither Misty Martin nor anyone from Coffee
14 County is here today.

15 Are there any questions for Mr. Callaway?

16 **MS. GHAZAL:** I've got one question with
17 regard to Count 3. Is there -- do we know
18 exactly how much time elapsed between the time in
19 which the county received the abs -- the absentee
20 application and when it was sent out? If the
21 voter suggested there were three and half weeks
22 between when the -- when it was submitted, I
23 don't know whether or not the -- whether the
24 county timely processed that application.

25 **MS. SULLIVAN:** I was mistaken. Ms. Ditto is

1 here, representing Coffee County. So she might
2 be able to address that question.

3 **MS. GHAZAL:** Very good, thank you.

4 **MR. NORTHEN:** Ms. Ditto, you should be able
5 to unmute yourself.

6 **MS. DITTO:** Thank you. Good afternoon.

7 I'm here for the --

8 **MS. SULLIVAN:** Good afternoon.

9 **MS. DITTO:** -- Coffee County Board of
10 Elections and Registration.

11 Ms. Martin is no longer employed by Coffee
12 County. It's our understanding from the three
13 complaints that the only violation that is now
14 being alleged is a violation of regulation
15 183-1-12-.05(3).

16 We do not agree that we violated that
17 regulation. Even given the facts that it stated
18 in the findings in the report and in the
19 potential violation the -- the election
20 management system was located -- there are three
21 separate locked doors that anybody from the
22 public that would not have been the election
23 supervisor or his or her designee, three separate
24 doors that someone from the general public, not a
25 designee, would have to go through in order to

1 reach the election management system. It was
2 under -- anytime that that door, which is right
3 off of the election supervisor's office, was open
4 or unlocked, it would've been under the
5 supervision -- the elections management software
6 would be under the supervision of Ms. Martin or
7 her designee at that point in time. There is no
8 violation of this regulation.

9 And I'm happy to answer any questions.

10 **MR. MASHBURN:** This is Matt Mashburn. I
11 have a question. Do you agree or disagree that
12 Ms. Martin posted a video where the working
13 password was visible?

14 Counselor, did you hear me? Did you hear
15 me?

16 **MS. SULLIVAN:** Do you hear us, Ms. Ditto?
17 We cannot hear you if you are speaking.
18 Ms. Ditto?

19 **MR. NORTHEN:** Ms. Ditto, you should be able
20 to unmute -- unmute yourself.

21 **MS. SULLIVAN:** Ms. Ditto, are you there?

22 **MS. DITTO:** Hello.

23 **MS. SULLIVAN:** Yes. Can you hear us?
24 Ms. Ditto?

25 **MS. DITTO:** I'm not able to hear you.

1 **MS. SULLIVAN:** You cannot hear us?
2 **MS. DITTO:** Did we use this system last
3 time?
4 **MS. SULLIVAN:** Ms. Ditto, can you hear me?
5 All right, we're going to try to redial in.
6 (Pause)
7 **MS. SULLIVAN:** Okay. We are back.
8 Hopefully you can hear us now. Ms. Ditto, are
9 you still on the line? Can you hear us?
10 **MR. NORTHEN:** Ms. Ditto, you should be able
11 to unmute yourself.
12 **MS. SULLIVAN:** Ms. Ditto, can you hear us?
13 Ms. Ditto, can you hear us now?
14 **MS. DITTO:** Hello.
15 **MS. SULLIVAN:** Ms. Ditto, can you hear us?
16 Can you hear us? Hello? Can you hear us?
17 Is the court reporter here? Can the court
18 reporter hear us?
19 **THE COURT REPORTER:** Yes, I can hear you.
20 **MS. DITTO:** I can hear y'all now. This is
21 Ms. Ditto. I apologize.
22 **MS. SULLIVAN:** Okay. Ms. Ditto, I believe
23 that Mr. Mashburn had a question for you when we
24 lost you.
25 **MS. DITTO:** Sorry about that.

1 **MR. MASHBURN:** Yes. Matt Mashburn. Matt
2 Mashburn. Do you agree or disagree that
3 Ms. Martin posted a video where a password -- a
4 working password was visible?

5 **MS. DITTO:** I believe she did post the
6 video. I'm not sure if at the time it was
7 working because the password is specific to the
8 election. But I do not feel that's a violation
9 of the regulation that was cited in the
10 investigative report.

11 **MR. MASHBURN:** Okay. Now, I would also -- I
12 have a second question and that is our report
13 that we were provided shows that all employees
14 utilized the same password. Is that -- do you
15 agree or disagree with that?

16 **MS. DITTO:** It's my understanding that each
17 of the employees had their own password to log
18 onto the computer and then they would've used the
19 same password. Coffee County was only given one
20 password to get onto the Dominion server.

21 **MS. SULLIVAN:** Any further questions? Would
22 a member like to make a motion?

23 **MS. LE:** I move to refer this case to the
24 attorney general's office for further review and
25 inspection. I think passwords are part of -- an

1 integral part of a security system and I think --
2 I think this case should be looked at more
3 closely and see how Coffee County is handling the
4 security of our elections system over there.

5 **MS. SULLIVAN:** Is there --

6 **MR. MASHBURN:** Second.

7 **MS. SULLIVAN:** Motion and a second. Is
8 there any further discussion?

9 All in favor, please say aye?

10 **THE BOARD MEMBERS:** Aye.

11 **MS. SULLIVAN:** And there are none opposed.
12 That motion passes.

13 The next case is 2020-258 Fulton County.

14 **MR. CALLAWAY:** The complainant alleges they
15 received information from Fulton County at their
16 address that indicated that the previous owner is
17 using their address as their voter address and
18 has requested an absentee ballot that has been
19 mailed to an address in Maryland.

20 The investigation revealed that the
21 complainant advised that he purchased and moved
22 into a residence located in Sandy Springs,
23 Georgia in 2018. He noted that the respondent,
24 Ms. Fissaha, was the previous owner who he
25 believes moved out of the state. However, she

1 used his address to request an absentee ballot
2 which was voted.

3 The investigation revealed that Ms. Fissha
4 did not move out of state but to an address
5 within the same county. The investigation found
6 information that indicated Ms. Fissha lived in an
7 apartment located at 28 Parkgate Drive in
8 Atlanta, Georgia.

9 Our investigators traveled to the apartment,
10 attempted to contact someone there with no
11 success and left a business card on the door.
12 The investigator then met with apartment staff
13 who confirmed that Ms. Fissha is the owner of the
14 apartment and has lived there for approximately
15 two years.

16 The investigation revealed that a man named
17 Assefa Fissha is the owner of the residence in
18 Maryland where the absentee ballot was sent, that
19 Ms. Fissha spends time there and Atlanta.

20 Our recommendations are Meron Fissha be
21 referred to the attorney general's office for
22 21-2-562(a)(1), fraudulent entry, four counts,
23 when she voted in the 2018 election on 11/6/2018
24 at an in-person polling location; on 9/29/2020,
25 when she requested an absentee ballot under her

1 old address; on 10/27/2020, when she requested an
2 absentee ballot under her old address; and on
3 11/24/2020, when she requested an absentee ballot
4 under her old address, Georgia election law
5 O.C.G.A. 21-2-218(c), when she failed to notify
6 the elections office of her new address.

7 **MS. SULLIVAN:** I believe we have someone to
8 speak on this case.

9 **MR. NORTHEN:** Mr. Bruce Maloy, you should be
10 able to unmute yourself.

11 **MR. MALOY:** Yes. Good afternoon. This is
12 Bruce Maloy. Can you hear me?

13 **MS. SULLIVAN:** We can.

14 **MR. MALOY:** Okay.

15 **MS. SULLIVAN:** Good afternoon. Go ahead.

16 **MR. MALOY:** (inaudible) the opportunity
17 to address you here. And also I want to take
18 responsibility. Ms. Fisssha had two separate
19 issues: One with the Fulton County Election
20 Board and one with the state election board. And
21 I failed to send a notice of appearance to the
22 state election board.

23 So you actually took this up at an earlier
24 meeting but you tabled it and I was able to get
25 involved after that and dealt extensively with

1 Investigator Frances Watson, who I found, by the
2 way, to be extremely professional and helpful in
3 trying to get to the bottom of the situation.

4 It was suspected at first that Ms. Fissha
5 was living out of state, but that's not the case.
6 She's a software engineer for a local airline and
7 she would fly regularly up to Maryland to take
8 care of her brother, who's the person that was
9 mentioned in the report, and keep flying back.

10 So that -- that issue is off the table now.
11 It's simply an issue of whether she failed to
12 update her voter information when she moved out
13 of the house that she sold and moved into an
14 apartment that's about a mile away.

15 And she was wrong to not update her voter
16 information, but Ms. Watson and I had to look at
17 it in some detail and it was only some of the
18 very down-ticket races that she was voting in the
19 wrong precinct. And she did that and she
20 should've updated her registration.

21 I spoke to Ms. Watson and she agreed that
22 she would recommend a letter of instruction and
23 that she had had that approved by counsel for the
24 state election board. Frankly, I'm a little bit
25 taken aback by the recommendation that it be

1 referred to the attorney general. I think that
2 overstates the seriousness of what she did here.
3 And I still think that a letter of instruction to
4 her is more than sufficient in a situation like
5 this. She understands now exactly what can
6 happen if you're voting in the wrong precinct.
7 But again because it was (indiscernible) by the
8 idea -- the issue that it was a -- would be
9 another precinct, I think, frankly, just -- just
10 didn't occur to her.

11 And so I would urge you to have a letter of
12 instruction and not a referral to the attorney
13 general's office. Thank you.

14 **MS. SULLIVAN:** Thank you, Mr. Maloy.
15 Ms. Watson is no longer with the secretary of
16 state's office.

17 **MR. MALOY:** I'm sorry to hear that.

18 **MS. SULLIVAN:** Yeah. Thank you.

19 Do any of the board members have any
20 questions for Mr. Maloy? It appears that
21 additional information may have been gathered
22 since this initial report was prepared.

23 **MS. GHAZAL:** This is -- this is Sarah
24 Ghazal. There had been a couple of questions
25 that I had posed that it seems like we still

1 don't have any of this information.

2 But, Mr. Maloy, perhaps you can help fill in
3 some of these blanks. One of the questions that
4 I had previously was whether or not Ms. Fissha
5 had filed a -- an updated address with the postal
6 service because generally these -- the NCOA
7 process should in fact result in updating voter
8 records as well. So do you happen to know
9 whether or not she filed an updated address
10 through the postal system?

11 **MR. MALOY:** That's my belief is that she
12 had. She was not still generally receiving mail
13 at this -- at this address. What happened is she
14 got one of these unsolicited requests for a
15 absentee ballot and a third-party organization, I
16 guess, was going through the list of those
17 requests and see -- and saw that hers had not
18 been returned yet. And so that -- and that
19 organization sent mail to the old address, the
20 house that had been sold. And that's how this
21 got kicked off, if you will.

22 But I believe that she had put in a change
23 of address with the U.S. Postal Service and she
24 had had a change of address to have her mail sent
25 up to Maryland temporarily as well. I'm sorry, I

1 take that back. I'm mistaken about that. She
2 had not done that. This did not come up in the
3 national change of address database. I misspoke.

4 **MS. GHAZAL:** Could you clarify, did -- her
5 new address in Fulton County or are you talking
6 about the address -- the temporary address in
7 Maryland? Can you clarify that?

8 **MR. MALOY:** Yeah. She was having somebody
9 pick up her mail at the apartment in Georgia.

10 **MS. GHAZAL:** Okay. So -- but she had
11 forwarded her mail through the -- the change of
12 address process to the new Fulton County apart --
13 address.

14 **MR. MALOY:** I believe that that's correct.
15 Yes.

16 **MS. GHAZAL:** Thank you.

17 **MS. LE:** This is Anh Le. Did she also
18 vote -- excuse me, let me backtrack. She moved
19 out of this address in 2018; is that correct?

20 **MR. MALOY:** Correct. Well --

21 **MS. LE:** And then she -- did she --

22 **MR. MALOY:** -- actually sold in 2018. She
23 was going through a divorce. She moved into an
24 apartment in 2017. The sale of the --

25 **MS. LE:** So she moved out of this --

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MR. MALOY: -- house was 2018.

MS. LE: Right. Okay. She moved out of the address in question in 2018. And then she voted in November 2020 and January 2021; correct?

MR. MALOY: Correct.

MS. LE: And that was using the address of the 2018 address -- correct? -- when she voted.

MR. MALOY: Yeah. She -- she hadn't changed any address.

MS. LE: Okay. Thank you.

MR. MASHBURN: And she's not registered -- she's not registered in Maryland and has never voted in Maryland.

MR. MALOY: Not registered in Maryland, never voted in Maryland.

MS. GHAZAL: In an effort to treat similarly situated voters similarly, I move that we issue a letter of instruction and also advise Ms. Fissaha to ensure that her registration has been updated to her new address.

MR. MALOY: Understood. That's been done.

MS. GHAZAL: Thanks.

MS. SULLIVAN: We have a motion. Is there a second?

MS. LE: I see a slight distinction between

1 this case and our previous case in that
2 Ms. Fisssha moved out. She sold her home and
3 moved out. The complainant has no relationship
4 with her. And there is a code section out there
5 that says that, you know -- she actually has
6 another home in Georgia that she didn't update
7 the address with and that's the code section
8 cited in our report, the 21-2-562 and 21-2-218.

9 So I think there is a slight distinction
10 here that does make this different than our last
11 case. The distinction being that my
12 understanding of the facts in the previous case
13 is that the voter moved to Pennsylvania, never
14 intended that to be his home, has always kept
15 Georgia as his home, doesn't use an address that
16 he --

17 **MR. MALOY:** She didn't have an address.

18 **MS. LE:** Right. He didn't sell this
19 property that has no relationship to, whereas
20 here we have an address. This person just never
21 updated --

22 **MS. SULLIVAN:** And voted -- also voted in
23 elections that they were not --

24 **MS. LE:** -- and knowingly --

25 **MS. SULLIVAN:** -- entitled to vote in.

1 **MS. LE:** And -- and by representative's
2 admission that, you know, the two down-ballot
3 elections were otherwise not eligible for.

4 So for that reason, Ms. Ghazal, I
5 respectfully declined to support the motion.

6 **MR. MALOY:** The -- the only thing I'd say in
7 response to that is to emphasize to you that --
8 to use an expression, the distance between the
9 house and the -- that was sold and the apartment
10 that she's living in, you could throw a rock and
11 hit it. And so it just didn't occur to her that
12 she was in a different precinct and it was
13 causing that problem.

14 But she -- she failed to update her voter
15 registration information. She updated her car
16 title with Fulton County for the title tax
17 process, but she didn't update her voter
18 registration.

19 **MS. SULLIVAN:** Thank you, Mr. Maloy. I
20 believe that this motion fails for lack of a
21 second, but I certainly think all of this
22 information that you shared can be taken into
23 consideration by the attorney general's office.
24 And then that's that --

25 I'll make -- actually, I'll make that motion

1 in determining, you know, what -- what sanctions
2 should be appropriate here. So we will ask the
3 attorney general's office to take that -- to take
4 all of that information that you shared into
5 consideration. So --

6 **MR. MASHBURN:** I think all of my colleagues
7 have made cogent and well-founded remarks that I
8 think are very well -- well stated. But I second
9 that motion.

10 **MS. SULLIVAN:** Is there any further
11 discussion?

12 All in favor, please say aye.

13 **THE BOARD MEMBERS:** Aye.

14 **MS. SULLIVAN:** Any opposed?

15 **MS. GHAZAL:** Nay.

16 **MS. SULLIVAN:** One opposed. That motion
17 passes.

18 The next case is 2020-269, Pickens County.

19 **MR. CALLAWAY:** The complainant, a poll
20 watcher, alleges that while in the Pickens County
21 poll location, a poll worker tried to push her
22 out of the doors. The police were called but she
23 was allowed to stay.

24 The investigation revealed -- investigations
25 contacted Pickens County elections and spoke to

1 the director, Ms. Roberts, who advised the
2 investigator that the person involved is named
3 Kimberly Hoechstetter and provided contact
4 information for her. She said the sheriff's
5 office was called to the scene when
6 Ms. Hoechstetter became loud and disruptive, but
7 they did not make her leave. She stated that
8 after the sheriff's deputies left, there were no
9 further incidents with Ms. Hoechstetter.

10 Investigation received a notarized statement
11 from the poll manager, Kathy Connell, who advised
12 that Ms. Hoechstetter was poll watcher -- was a
13 poll watcher at a polling location and tried to
14 sit in an area where board members were sitting.
15 When asked to remain in the assigned area, she
16 became loud and boisterous, causing a
17 disturbance. She stated that she called the
18 elections supervisor and the sheriff's office was
19 notified and responded.

20 The investigator contacted Kimberly
21 Hoechstetter. She advised that she was a poll
22 watcher and was advised by Kathy Connell to
23 remain seated in an area where she felt it was
24 too far away from the registration table which
25 she wanted to observe. She stated that when she

1 moved closer -- when she moved to a closer seat,
2 she was advised to sit back in the designated
3 area and an argument ensued between Ms. Connell
4 and herself. She advised that she presented the
5 rules to Ms. Connell and was told that they,
6 Pickens County, were following board rules which
7 established a sitting area for poll workers -- or
8 poll watchers. She stated that she stepped
9 outside before the sheriff's office arrived and
10 then when they left, allowed her to remain inside
11 where no further incidents occurred.

12 Ms. Hoechstetter advised that when the
13 argument ensued, another poll watcher, found to
14 be Tracey Wright, activated a pen camera recorder
15 and captured part of the incident. The video was
16 played for the investigator.

17 Recommendations: Kimberly Hoechstetter be
18 bound over to the attorney general's office for
19 O.C.G.A. 21-2-408(d) when she gave -- when she
20 began arguing with the poll manager, Kathy
21 Connell, inside the enclosed space. This
22 disturbance interfered with the conduct of the
23 election which caused the poll officers to feel
24 the need to call the sheriff's office in an
25 attempt to keep peace.

1 Tracey Lee Wright be bound over to the
2 attorney general's office for O.C.G.A.
3 21-2-408(d) when she began using a personal
4 video-audio recorder inside the enclosed space
5 while her -- while her and the recorder was done
6 in such a way it did not tell voters or any
7 outside -- or any audio outside -- or anything
8 else for audio between Kimberly Hoechstetter and
9 Kathy Connell.

10 **MS. SULLIVAN:** Thank you.

11 My understanding we have a few people who
12 would like to speak.

13 **MR. NORTHEN:** We have two for public
14 comment: Michael Carver, Kimberly Hoechstetter.

15 Michael Carver, you should be un -- able to
16 unmute yourself.

17 **MS. SULLIVAN:** Mr. Carter (sic), go ahead.
18 Mr. Carter, can you hear us? You can unmute
19 yourself and speak now.

20 **MR. CARVER:** Hello, can you hear me?

21 **MS. SULLIVAN:** Yes, we can.

22 **MR. CARVER:** Okay.

23 **MS. SULLIVAN:** Please go --

24 **MR. CARVER:** I was -- I just wanted to go
25 ahead and indicate that I'm a witness to some of

1 this. My name was brought up, as I understand
2 it, as part of the investigation, but I'm not the
3 primary. So I don't know if you want to give
4 Ms. Kimberly Hoechstetter or Tracey Wright first
5 dibs on this.

6 **MS. SULLIVAN:** That will be fine. We'll let
7 Ms. Hoechstetter speak.

8 **MR. NORTHEN:** Ms. Hoechstetter, you should
9 be able to unmute yourself.

10 **MS. HOECHSTETTER:** Okay. Can you hear me?

11 **MS. SULLIVAN:** Yes.

12 **MS. HOECHSTETTER:** Okay. Madam Chair and
13 the board, I'd like to thank you for allowing me
14 the opportunity to be heard today.

15 I received notice of this hearing about two
16 weeks ago, and I wasn't given access to the
17 complaint or the information that I'm accused of
18 but only, like, the investigation summary. And
19 the problem is the summary of the case states
20 that it is a poll-worker issue that took place at
21 the January 5th runoff election.

22 For the record, I have never been a poll
23 worker, nor was I there on January 5th. The
24 summary also cites that the complainant made a
25 complaint for a poll worker, which is on the

1 summary. I know that's not what was just
2 reported a few minutes ago, but that's what's on
3 the written summary. And that the investigator
4 when he contacted me, told me that it was being
5 filed on my behalf but that the complainant has
6 never responded to any -- any attempts whatsoever
7 for him to get in touch with him. So I don't
8 even know if the case needs to be dismissed based
9 on that or not.

10 I was involved in another incident that took
11 place -- and because of all of the confusion
12 surrounding the investigation, I did provide an
13 affidavit to the board along with an affidavit
14 from a material witness. And that was Mr. Carver
15 that had just spoken a second ago.

16 And that details during early voting,
17 December 14th, as poll watchers we were
18 prohibited from doing our jobs and were directed
19 by the Pickens County Board of Elections and the
20 poll manager to remain seated in the corner of
21 the room which prohibited us from monitoring.

22 Julianne Roberts, who was also cited on the
23 investigation summary, was not on sight when this
24 event occurred so I don't know how she could've
25 witnessed what happened.

1 During early voting on December 14th, I
2 worked as a poll watcher. At about 9:40 a.m., I
3 could see that there was a commotion taking place
4 in the corner. And they were making us sit in
5 the corner of the room. We couldn't even go
6 over -- across the room to look at the counter to
7 count -- to keep -- you know, monitor the number
8 of votes. They were really -- the board of
9 elections had told us that we had to stay in this
10 corner of the room.

11 But at about 9:40, I could see there was a
12 commotion taking place at the registration table
13 with a voter. I could barely hear the poll
14 worker tell the voter that their address did not
15 match the registration. So that I could hear
16 better, I got up and I quietly moved about -- it
17 was about eight steps along the wall to get close
18 to the registration. And I sat against the wall
19 with one of the chairs that was already there to
20 listen and observe how that situation was going
21 to be handled.

22 The other poll watcher that was on site at
23 that time Tracey Wright also came with me to
24 observe as I attempted to listen to the poll
25 watchers tell the voter to scratch out and change

1 their address on the form to match their
2 registration records. Within seconds -- and I
3 mean literally seconds -- the poll manager who
4 interrupted my ability to monitor what was
5 happening and sharply demanded that Tracey and I
6 go back to the corner of the room. Tracey and I
7 responded and tried to explain that we were there
8 as election officials, that we were entitled to
9 observe, and that we could not hear from the
10 corner and we were trying to monitor.

11 I wasn't even given the opportunity to share
12 my observance at the registration table with the
13 poll manager because during this exchange, it
14 took her literally less than 15 seconds -- her
15 first thing was not to ask what we were doing,
16 but her -- it took her, like, 15 seconds to say:
17 If you don't move and do what I'm telling you to
18 do, I'm going to call the sheriff.

19 She then abruptly told eight -- there was
20 about eight people in the polls at the time --
21 eight voters that were there, that she was
22 bringing everything to a halt and she stood there
23 and used her cell phone to call someone. Kathy
24 told the person on the other end of the line that
25 board of elections member Paul Lindsey had left

1 the building and that he told her if she had any
2 issues to call the sheriff and have us all
3 removed.

4 At that point, Tracey and I agreed that I
5 would go outside to my car and get my phone and
6 call the GOP to report what was happening. As I
7 turned to walk away, I heard Kathy Connells (sic)
8 tell the person on the phone that I was leaving
9 and that everything was fine and the situation
10 was over. That entire incident, from beginning
11 to end, was, like, less than two minutes.

12 After making my calls to report the incident
13 to the local and state offices, I received a text
14 from Carolyn Childers with the GOP who informed
15 me that Craig Stallings who is the GOP chairman
16 had called sheriff Donnie Craig and -- on our
17 behalf and told him that we were being hassled
18 and not able to monitor at the polls.

19 I then returned to the enclosed space and I
20 continued to monitor for the rest of my shift and
21 stayed there for the rest of the morning.

22 Two full hours later, during an incident
23 between board member Paul Lindsay and Mike
24 Carver, another poll watcher, the sheriff did
25 come. And they told the board that we were

1 there -- that we were free to move about the
2 polls and to do our jobs and the matter quickly
3 dissolved. It just went away.

4 Mr. Carver has provided his testimony which
5 I -- I sent in -- I believe it was last Friday.
6 Because I didn't know if you were going to call
7 this a poll-worker incident or a poll-watcher
8 incident. And I -- I do believe that
9 nomenclature matters. But Mr. Carver did provide
10 his testimony. And I think, as you know, he's
11 still on the call.

12 From that point forward and for the
13 remainder of the election cycle, poll watchers
14 were allowed to monitor as we had been
15 instructed.

16 So from that -- from that day forward, after
17 the sheriff left, the whole environment changed.
18 It was quite a hostile environment earlier, prior
19 to that incident. But afterward everything was
20 fine and everybody could go around and monitor
21 and it was -- there were no more issues.

22 I am of the understanding -- and I'm sure
23 that Mr. Carver will testify to this -- that
24 Paul, the elections -- board of elections
25 manager, did apologize to him the next day for

1 not knowing the law better.

2 I also think it's worth noting that during
3 the time this incident was being investigated,
4 the state Congress was in the process of passing
5 HB682 which Governor Kemp signed. This bill
6 completely removed and replaced the entire
7 Pickens County Board of Elections, Julianne
8 Roberts and Kathy Connell, effective July 1st of
9 this year.

10 So any potential reprimand the state board
11 would decide to send to those individuals because
12 of their attempts to interfere with our ability
13 to monitor would need to be sent to Julie who now
14 works for the board of elections in Cherokee
15 County.

16 Again, with all of these facts in mind, I'm
17 requesting that this whole thing be dismissed.
18 Or if you decide that it's really about poll
19 watchers and not poll workers, that maybe a
20 letter of instruction be sent to the new board of
21 elections so that something like this never
22 occurs again in Pickens County.

23 And I'm open to answering any questions that
24 you might have.

25 **MS. SULLIVAN:** Thank you.

1 Mr. Carver, would you like to address the
2 board briefly?

3 **MR. NORTHEN:** Mr. Carver, you should be able
4 to unmute yourself.

5 **MS. SULLIVAN:** Mr. Carver?

6 **MR. CARVER:** I'm here. I'm sorry.

7 **MS. SULLIVAN:** Yeah. Would you like to add
8 anything?

9 **MR. CARVER:** I'd -- I'd like to ask the
10 board if they've received my affidavit and had an
11 opportunity to review it.

12 **MS. SULLIVAN:** I believe it was in the
13 materials. If you would like to briefly address
14 what was in your affidavit, please feel free to
15 go ahead.

16 **MR. CARVER:** Well, I'd -- certainly. I
17 would first like to start out that I want to make
18 sure that we're talking about the same dates here
19 because I don't want to be a witness to
20 something. My date is specifically around
21 December the 14th. But through the investigative
22 summary, I didn't hear a date. It's just the
23 January 5th general election. So I can't tell
24 from the investigation summary if they're talking
25 about the incident that occurred on December the

1 14th or on the general election of January 5th.

2 **MR. MASHBURN:** How about you tell us what
3 you know about December 14th.

4 **MR. CARVER:** Yes, sir. So I basically just
5 showed up early at the polling location to
6 deliver supplies to the poll watchers. Basically
7 it was badge clips. I wanted all of my
8 co-poll -- all watchers to have a way to mount
9 their credential badges.

10 I was informed when I arrived -- this
11 would've been both by Tracey and Kimberly that
12 poll watchers were not being allowed to walk
13 around in the enclosed space or view the
14 encounters, such as on the scanner and that Paul
15 Lindsey was saying that poll watchers must sit in
16 the designated corner.

17 I was also informed that the poll manager
18 had called the sheriff's office, but the sheriff
19 was informed they didn't need to respond. I
20 assumed this was over the disagreement on what
21 21-2-408(d) states: Poll watchers can be in
22 close space and observe the counting and
23 recording of votes.

24 At about ten after, I left the facility and
25 drove back to my home and then arrived back at

1 home at -- back at the early location. And what
2 I had was a copy of 21-2-408. I was going to
3 just supply that to -- copies of that to both
4 Tracey and Kimberly so they could provide that to
5 Paul Lindsey.

6 But before I could do that, Paul Lindsey had
7 approached me and stated similar to what I'd been
8 told earlier, that poll watchers must sit and
9 observe from the designated corner. I
10 respectfully -- and I want to say that,
11 respectfully disagreed and provided him a copy
12 with 21-4- -- I'm sorry, 21-2-408, and pointed
13 out there's a section in the statute that
14 designates the duties of a poll watcher.

15 Paul Lindsey blocked my egress out of the
16 designated area, the corner we were told to be
17 at. So I sidestepped him and began lawful duties
18 of a poll watcher. Paul informed Kathy Connell
19 to call the sheriff's office. At that time, only
20 Tracey Wright and I were present in the polling
21 location since only two poll watchers are
22 allowed.

23 At approximately 1120 hours on December 14,
24 2020, I walked outside and informed Kimberly to
25 reenter the polling location and waited for law

1 enforcement to arrive.

2 At approximately 11:30, law enforcement
3 arrived. Two deputies were on scene. I was
4 called into the polling location and was told by
5 one deputy that the three poll watchers needed to
6 leave the premises as we were causing a
7 disruption. I informed the officer we were not
8 being disruptive, but we did have disagreements
9 regarding not being allowed to complete our
10 duties.

11 I showed the deputy my poll watcher
12 credential letter, my official poll watcher
13 badge, and showed him the statute of 21-2-408(d).

14 He left for a moment and went to speak with the
15 board member Paul Lindsey. The deputy returned
16 and said he informed Paul that we were not
17 violating any law and that we can stay and
18 perform our duties per the law.

19 At 1138 hours, law enforcement left the area
20 and no other disagreements about poll watchers'
21 duties occurred that day or at any time in the
22 future.

23 At about 2 p.m. on the following day,
24 December the 15th, Paul Lindsey apologized to me
25 for the events of the day prior, stating he had

1 his facts wrong and should've known the law
2 better. The election supervisor Julianne Roberts
3 told the board --

4 **MS. SULLIVAN:** We're losing you, Mr. Carver.
5 I believe that we've lost you, but we do have
6 your affidavit in ...

7 **MR. CARVER:** Okay. And -- but basically
8 they -- the -- the board has been swapped out and
9 the election supervisor, as stated earlier, works
10 for Cherokee County Board of Elections now.

11 **MS. SULLIVAN:** Thank you.

12 And I believe Ms. Wright is also here and
13 would like to address the board.

14 **MR. NORTHEN:** Ms. Wright, you should be able
15 to unmute yourself.

16 **MS. SULLIVAN:** Ms. Wright, please go ahead.
17 If you unmute yourself, you should be able to
18 speak. Ms. Wright? If you would like to speak,
19 please go ahead now.

20 Do any of the board members have any
21 questions for Mr. Callaway or any other people
22 that have joined us on the phones?

23 **MR. MASHBURN:** As I understand it,
24 Mr. Callaway, you were in charge of training and
25 certifying the poll watchers; is that correct?

1 **MS. SULLIVAN:** You mean Mr. Carver?

2 **MR. MASHBURN:** Mr. Carver. Who trained
3 the -- who trained the poll watchers?

4 **MS. SULLIVAN:** Mr. Carver, were you -- is he
5 unmuted? Were you involved in training the poll
6 watchers?

7 **MR. CARVER:** No, I was not.

8 **MR. MASHBURN:** I'm -- I'm curious about his
9 statement about Hoechstetter, that it was her job
10 to check the electors lists. 41-2-408(d)
11 specifically prohibits poll watchers from
12 checking electors lists. So I can get clarity --

13 **MR. CARVER:** If I may, I don't -- I don't
14 know that she was checking electors lists. I
15 think what she was staying was that she heard a
16 dis -- a discrepancy and was just trying to find
17 out what was going on. Not looking at anything,
18 just using her ears.

19 **MR. MASHBURN:** Yeah. And then the other
20 question I wanted to ask was same statute.
21 21-2-408(d) also says any infraction or
22 irregularities observed by the poll watchers
23 shall be reported directly to the superintendent
24 and not to the poll manager.

25 **MR. CARVER:** That may be. I -- I would

1 think that that's what the poll worker should've
2 done.

3 **MR. MASHBURN:** Yes. The poll watchers.

4 **MR. CARVER:** No. The poll watchers don't
5 designate or contact the -- the supervisor, to my
6 knowledge. We had a hotline that we were told to
7 call. Now, right, wrong, or different, that's
8 what we were all trained and told to do. We had
9 a GOP hotline to call for any issues. And as I
10 understand, this was reported. I don't know what
11 the end game of that happened, but that's what we
12 were informed to do.

13 **MS. HOECHSTETTER:** If I may speak as well,
14 this is Kimberly Hoechstetter again.

15 Mike is right. I -- I didn't mean to infer
16 that I wanted to look at any voter records at
17 all. All I was doing was sitting in the corner
18 and the registration table -- like I said, it was
19 only, like, maybe ten or fifteen feet away. I
20 only took maybe about eight steps and stayed -- I
21 quietly moved along the wall and sat down because
22 I couldn't hear what was transpiring.

23 I heard the poll worker say: Your address
24 doesn't match your registration. And that piqued
25 my -- you know, I wanted to hear. I wanted to

1 get closer because I couldn't quite hear
2 everything that she was saying. So I just moved
3 a little bit closer. But, I mean, I no -- I no
4 sooner sat down in that chair to try -- and I
5 wasn't trying to get, like, up behind the poll --
6 the voter or anything. I was sitting against the
7 wall.

8 I just -- no sooner did I sit, then I got, I
9 mean, abruptly approached by Kathy Connell, who
10 said -- and -- and I think it's important to note
11 that what Kathy said was, you know: You will
12 either do exactly what we tell you to do and get
13 back in that corner or we're going to call the
14 sheriff and have you removed.

15 And when she did pick up the phone to call
16 someone, she said that board member Paul Lindsey
17 had instructed her -- whoever she was talking to
18 on the phone -- I assume it was Julie at that
19 point -- but when she was talking to that person
20 on the phone, she said: Paul told us that if
21 anything happens to call the sheriff and have
22 them removed, which to me -- I mean, if -- if
23 you -- there was no reason. I mean, I literally
24 was just sitting against the wall.

25 There was no -- it was -- it was -- I'm

1 telling you it was a very hostile environment.
2 It wasn't comfortable at all. We felt like we
3 weren't supposed to be there and we were supposed
4 to just sit in that corner and not walk around.
5 But I do want to clarify your question earlier
6 and make sure you understand that at no point was
7 I ever trying to look at voter -- the voter rolls
8 or information. I was just trying to hear how
9 they were going to handle it.

10 And quite honestly, while -- while the
11 exchange was taking place and Kathy was telling
12 me she was going to call the sheriff if -- Tracey
13 and I were both talking to her and telling her
14 that, look, we're just trying to do our job.

15 While she was saying she was going to call
16 the sheriff, I -- I heard -- intermittently
17 because I was still trying to listen, I heard the
18 poll worker tell the voter: Just scratch out
19 your name on the registration -- the registration
20 pad and put in -- or scratch out your address on
21 the registration pad and make it -- make it
22 match.

23 So that was the kind of stuff that I was
24 trying to, you know, monitor. And I thought that
25 was our job. I mean, this was the first time

1 they were poll-watched, but I thought that was
2 our job as monitors, to make sure we watched that
3 kind of thing and monitored the -- the counts.
4 And we weren't even allowed to go across the room
5 to where the counter was. We had to -- they
6 were -- we were told we had to stay in the
7 corner.

8 **MS. SULLIVAN:** Okay. Thank you.

9 What is the pleasure of the board?

10 **MS. LE:** Ms. Hoechstetter, were you given an
11 enclosed space on -- I know that 21-2-408(d) says
12 that all poll watchers may be permitted behind an
13 enclosed space for purposes of observing the
14 conduct. Did they identify a space for you or
15 can you clarify that for me?

16 **MS. HOECHSTETTER:** Okay. Let me -- let me
17 go back to when I first got there that morning,
18 when we were told we had to sit in the corner.
19 Tracey Wright had a binder with her that had the
20 statute had it, it had all of the instructions
21 for working at the polls, and it had a schematic
22 of the room. And we called Paul Lindsey over and
23 we showed him what the -- what the -- the code
24 said, where the schematic of the room was, and
25 where we were allowed, based on what we were

1 told, to walk around.

2 His response was: I don't care what that
3 says. You're going to follow our rules and I
4 told you to sit in the corner.

5 So I don't know if that answers your
6 question but the enclosed space, based on our
7 understanding, is the polls. We're just not
8 allowed to go behind the enclosed area where the
9 voters -- if -- if you read -- if you go through
10 some of the statute, in my understanding unless I
11 misread something, is that whole area where the
12 voters actually cast their votes, we're not
13 allowed to go back there, nor were we allowed to
14 go stand, like, right behind the -- where they
15 were looking up the registration and that and
16 view any actual voter information.

17 So I personally -- I can't speak for anybody
18 else, but I personally was very careful not to
19 look at -- there was no chance to, honestly. The
20 only time I -- I was able to even get close to
21 anything was when I took eight steps to sit
22 against the wall and I still was far -- I was
23 10 feet away from the voter that was having
24 the -- the exchange with the worker at that time
25 over their address.

1 Further, I think it's important to point
2 out, too, that the investigator, when he came
3 out -- I'm sure you guys were slammed after.
4 With everything that went on last year, I'm sure
5 you guys were totally slammed with, you know,
6 investigations. And he told me when he came
7 to -- to meet with me that he didn't normally
8 investigate these kind of cases, that it was
9 something that he didn't normally do.

10 And in the investigation summary, he cites
11 only partially part of 21-2-408. And he stops
12 just short of where it says that if anybody --
13 that nobody is allowed to get involved with
14 campaigning. And if -- it infers, at least the
15 way I'm reading it, that if a poll manager is
16 campaigning and they get warned and they don't
17 stop, that they should -- they should be removed.

18 So, first of all, nobody was campaigning. I
19 don't understand why Kathy -- I don't know if
20 Kathy was just totally confused when she did this
21 affidavit or if she flat out filed the false
22 affidavit because I don't know what the affidavit
23 actually said. I only know what the summary
24 says.

25 But those sheriffs came two hours after I

1 had my exchange with her. After Tracey and I
2 talked to her and I went outside and called the
3 GOP hotline and told them what was going on. It
4 was two hours before the sheriff came. So
5 this -- this whole thing infers that there was
6 this big dispute and, you know, I disrupted the
7 election. Kathy literally said, "Go sit in the
8 corner or I'm going to call the sheriff," and
9 picked up the phone. It was that quick and
10 that -- that bold and that demanding.

11 **MS. SULLIVAN:** Thank you.

12 Are there any of the board members prepared
13 to make a motion?

14 **MS. GHAZAL:** I move that we bind this over
15 to the attorney general's office for further
16 investigation and resolution.

17 **MS. SULLIVAN:** I'll second that motion. Is
18 there any further discussion?

19 All in favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There are none opposed. That
22 motion passes.

23 That goes to you.

24 Moving on, the next case on our agenda is
25 2020-273.

1 **MR. CALLAWAY:** Again this is multiple
2 complaints in this one file.

3 The Georgia Secretary of State's Office
4 received a call from an unknown individual
5 regarding mailers that were sent to Georgia
6 residents. The mailer was sent from "When We All
7 Vote" and stated that starting on December 14th,
8 they would be at select early voting locations
9 with plenty of free food, music, masks, and hand
10 sanitizer.

11 On December 28th and 29th, 2020,
12 investigators with the Georgia Secretary of
13 State's Office made contact with the individuals
14 within the hundred-fifty-foot mark at two polling
15 locations, representing "Vote Tripling."

16 These individuals were speaking with voters
17 as they left polling locations from voting and
18 asking them to text three friends to remind them
19 to go vote. This was occurring within a hundred
20 and fifty feet of polling locations.

21 On December 29, 2020, a complaint was
22 received via e-mail from Katherine Hennessey
23 (ph), advising that two individuals -- a young
24 man and a young woman -- acting as poll watchers
25 were standing in a designated loading area and

1 talking to people waiting in line to vote while
2 not voting themselves. The individuals were not
3 wearing name badges or identification designating
4 them as poll watchers and speaking at the polls.

5 The investigation revealed a statement
6 obtained from attorney Dara Lindenbaum with
7 Sandler Reiff Lamb Rosenstein & Birkenstock,
8 P.C., representing "When We All Vote," advised
9 that the mailer encouraged voters to vote early
10 and advertised events celebrating early voting.
11 The mailer did not intend nor imply that free
12 food or anything else of value was being provided
13 for voting.

14 Further, all events were open to the public,
15 not just voters, and the food was offered to all
16 attendees. There were no complaints nor
17 witnesses to these events occurring. And a
18 search of the event section of "When We All Vote"
19 website did not list any events that matched what
20 described -- was described on the mailer.

21 Two of our investigators both entered --
22 encountered individuals associated with the
23 organization "Vote Tripling," within a hundred
24 and fifty feet of the polling location, asking
25 voters exiting polls to text three friends to

1 remind them to vote. The incidents occurred in
2 Alpharetta, Georgia and in Tucker, Georgia.

3 Our investigators photographed an
4 instruction sheet in possession of one of the
5 females that stated that in Georgia you must
6 stand at least a hundred and fifty feet from the
7 outer edge of the polling space and twenty-five
8 feet from any voter standing in line to vote.
9 There should be clear election area and limit
10 signs and markers.

11 Investigator spoke with an area supervisor
12 from a vendor of "Vote Tripling" in which he
13 stated that all representatives of "Vote
14 Tripling" that canvass the polls are given
15 instructions to not be within a hundred and
16 fifty feet of the polling location.

17 A statement from "Vote Tripling" as well as
18 an instruction provided to canvassers of the
19 polls also states in Georgia you must stand at
20 least a hundred and fifty feet from the outer
21 edge of the polling space and twenty-five feet
22 from the people standing in line to vote. There
23 was sufficient evidence to prove an election code
24 violation occurred.

25 And on Complaint Number 3, we were unable to

1 identify the individuals described in the
2 complaint to determine if individuals in question
3 were poll watchers and were part of the -- they
4 were not part of the poll manager -- and poll
5 watchers have been verified by a list when they
6 were provided and they would be wearing
7 identification. There was no video available.
8 According to the complaint, both would have been
9 wearing masks.

10 In addition, based on the statements
11 provided by the complainant, it did not appear
12 that either of the individuals interfered with
13 the voters or attempted to solicit any votes.
14 There weren't any other complaints regarding
15 these individuals.

16 The recommendation is for Kieno Smith to be
17 bound over to the attorney general's office for
18 O.C.G.A. 21-2-414(a)(1), restrictions on
19 campaigning activities when asking voters to text
20 three friends and remind them to vote within the
21 hundred and fifty foot outer edge of the polling
22 place.

23 **MS. SULLIVAN:** Thank you.

24 I understand there's one person that would
25 like to speak on this case.

1 **MR. NORTEN:** Dara Lindenbaum, you should be
2 able to unmute yourself and speak.

3 **MS. LINDENBAUM:** Yes. Can you hear me?

4 **MS. SULLIVAN:** Yes.

5 **MS. LINDENBAUM:** Thank you for having me.
6 Again, my name is Dara Lindenbaum and I represent
7 "When We All Vote" which is an initiative of
8 Civic Nation.

9 I do want to note that we did not receive
10 any notice that this hearing was taking place.
11 I -- I -- and that this matter would be on the
12 agenda. I only am here because I called the
13 SEB's office repeatedly to try to find out if
14 this matter was going to be on the agenda and
15 they were able to confirm it.

16 So for the reasons just discussed, the
17 mailer in question and events fully complied with
18 both the letter and spirit of the Georgia code.
19 The mailer advertised events to celebrate early
20 voting with no implication that attendance at the
21 events and the availability of free food -- free
22 food was conditioned on voting. The events
23 themselves were open to the public and free food
24 was provided to all in attendance, voters and
25 nonvoters alike.

1 I think it's important to separate this case
2 out from any of the other matters that you're
3 considering that are tied up into this 2020-273
4 and that the case against "When We All Vote" be
5 immediately dismissed.

6 I'm happy to answer any questions.

7 **MS. SULLIVAN:** Ms. Lindenbaum, you're not
8 associated with Kieno Smith; is that correct?

9 **MS. LINDENBAUM:** That's correct.

10 **MS. SULLIVAN:** Okay. I believe that all of
11 the -- the recommendation is to dismiss all of
12 the complaints in this case involving "When We
13 All Vote." I know you were concerned about
14 notice. Is there -- I assume you don't object to
15 that recommendation.

16 **MS. LINDENBAUM:** I certainly do not.

17 **MS. SULLIVAN:** Okay. I apologize that you
18 did not get proper notice. Thank you for letting
19 us know.

20 **MS. LINDENBAUM:** Thank you.

21 **MR. MASHBURN:** I move that we accept the
22 recommendation that Kieno Smith be referred to
23 the attorney general's office.

24 **MS. SULLIVAN:** I'll second that motion.

25 Is there any further discussion?

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All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: In that none oppose, that motion passes. Thank you.

The next case is 2020-296, Henry County.

MR. CALLAWAY: On December 31, 2020, the secretary of state's office received two complaints.

Allegation 1, Mr. Larry Morey alleged that Henry County Board of Elections and Registration forwarded multiple absentee ballots to its own address.

Allegation Number 2, Mrs. Christine Law (ph) stated that she was a poll watcher and monitor for the audit conducted by the Henry County Board of Elections. Ms. Law stated that a male and a female worker were counting ballots in stacks of thirty instead of ten and that the ballots were on two different types of paper.

The investigation revealed under Allegation 1 the investigation did not find evidence to support a violation of Georgia election code.

Ms. Ameika Pitts, Henry County election supervisor stated that it was possible that duplicated ballots were mailed to Mr. Rawlinson

1 (ph) due to human error in printing of the
2 labels. The elector was sent three and turned in
3 two and voted one. The two that were turned in
4 were spoiled.

5 Allegation 2, Ms. Ameika Pitts, Henry County
6 election supervisor, said that the complainant
7 could be referring to the electronic UOCAVA
8 ballots that are printed by the voter on a
9 personal printer, using the type of paper they
10 wish to print it on. Once the ballot is opened
11 by the election officials, it is then transposed
12 onto a paper ballot by the vote review panel.
13 The ballots will be in bundles up to 100.

14 The recommendations are as follows: Ameika
15 Pitts be bound to the attorney general's office
16 for Georgia election code 21-2-381(2)(a), making
17 application for absentee ballots, when multiple
18 absentee ballots were sent to Larry Morey. This
19 is contrary to the statute that states a ballot
20 shall be mailed and not ballots plural.

21 **MS. SULLIVAN:** Thank you.

22 I understand we have one person who would
23 like to speak to the board about this case.

24 **MS. PACHUTA:** Yes. Can everyone hear me?

25 **MS. SULLIVAN:** Yes. Can you identify

1 yourself.

2 **MS. PACHUTA:** This is Karen Pachuta. I'm
3 counsel for Henry County and the board of
4 elections and registration and also the staff
5 members.

6 I believe if there any questions for the
7 director, Ameika Pitts, she is available, if we
8 have questions.

9 I do want to clarify though that Larry Morey
10 did not receive any absentee ballots. He did not
11 request absentee ballots and he did not receive
12 any absentee ballots. He did not vote in the
13 January 2021 election.

14 Our understanding is that he was filing a
15 complaint on behalf of his mother-in-law who
16 allegedly received multiple ballots. She did
17 request an absentee ballot for the January 2021
18 election, was -- and returned one ballot that was
19 counted received on January 5th.

20 When Ms. Pitts, the director, spoke
21 originally to the secretary of state
22 investigator, she had no direct knowledge that
23 multiple ballots were mailed. She did, you know,
24 concede that it -- it was possible that perhaps a
25 staff member printed the label page twice, staff

1 were multitasking.

2 The general election was handled by the
3 third-party vendor. But for the runoff, staff
4 was handling. She -- you know, she admits it --
5 it's possible that an extra sheet of labels was
6 printed that could have sent an extra ballot to
7 Ms. Rawlinson (ph). She is just guessing at that.
8 Only one was returned. So, again, you know --
9 and we haven't actually seen the extra ballots.
10 I don't know if they've been shown to the
11 secretary of state.

12 I know there was some confusion with voters
13 that received the applications for absentee
14 ballots from third parties. And a lot of times
15 voters would call, you know, saying why did they
16 get these, you know, ballots when actually they
17 were applications.

18 So, again, to the extent to the secretary of
19 state has not spoken to Mrs. Rawlinson directly,
20 has only spoken to her son-in-law Mr. Morey, who
21 did not receive any absentee ballots, I would
22 object in the fact that that is, you know,
23 secondhand knowledge.

24 And then, you know, while Ms. Pitts conceded
25 the possibility of human error, we, you know --

1 we don't know if that occurred. There have been
2 no other complaints. We haven't heard of anyone
3 else receiving multiple ballots.

4 We would ask the board to find that there's
5 insufficient evidence that a violation occurred
6 and dismiss this action, or in the alternative,
7 that a letter of instruction be issued.

8 **MR. MASHBURN:** Did the investigator -- this
9 is Matt Mashburn. Did the investigator see the
10 multiple ballots?

11 **MR. CALLAWAY:** In the investigative report,
12 it stated that -- Mr. Morey stated that
13 Mrs. Stewart wrote "spoil" on two of the absentee
14 ballots and attempted to keep them in her
15 possession.

16 There's nothing that I'm seeing that our
17 investigators personally saw those absentee
18 ballots because they were taken to the elections
19 office. Based on the report, Ms. Judy
20 Rawlinson -- they were sent to her. Mr. Morey
21 stated that he took the absentee ballots to
22 Mrs. Joy Stewart, early voting manager for Henry
23 County.

24 **MR. MASHBURN:** Counselor, have y'all
25 interviewed Ms. Stewart? Counsel for Henry --

1 for Henry County?

2 **MS. PACHUTA:** I have not. I have the
3 director, Ms. Pitts, on the board.

4 My understanding -- if I could have
5 Ms. Pitts clarify this -- is that Mr. Morey did
6 did complain to the manager but did not leave
7 them. So I -- I don't -- we don't have copies
8 and he did not allow anyone there to take -- to
9 make any copies.

10 **MS. SULLIVAN:** Okay.

11 **MR. MASHBURN:** So we've got a factual
12 dispute between Mr. Morey and Ms. Stewart?

13 **MS. PITTS:** Hello, Board.

14 **MR. MASHBURN:** (indiscernible)

15 **MS. PITTS:** This is -- excuse me, may I
16 speak? This is Ameika Pitts, the director.

17 **MS. SULLIVAN:** You may speak. Go ahead.

18 **MR. MASHBURN:** Sure.

19 **MS. PITTS:** I hope all is well with you all.
20 To my remembrance, this -- our investigator did
21 get a statement from Ms. Stewart. I would have
22 to get them -- I wouldn't have those documents to
23 show at this moment, but I do remember her giving
24 a statement where he did come in and said that he
25 had received the ballots or whatnot from his

1 mother-in-law, not himself.

2 **MS. SULLIVAN:** Mr. Morey, I believe, is on
3 the phone.

4 I'm going to unmute you at this time. You
5 can address the board, Mr. Morey.

6 **MR. NORTHEN:** Mr. Morey, you should be able
7 to unmute yourself.

8 **MS. SULLIVAN:** You should be able to speak
9 now if you unmute yourself.

10 **MR. MOREY:** (inaudible)

11 **MS. SULLIVAN:** I believe that there is a bad
12 connection. If you could --

13 **MR. MOREY:** Can you hear me? This is Larry
14 Morey.

15 **MS. SULLIVAN:** Yes, sir, we can -- we can
16 hear you now.

17 **MR. MOREY:** Can you -- can you hear me now?

18 **MS. SULLIVAN:** Yes, sir, we can hear you.

19 **MR. MOREY:** Okay.

20 **MS. SULLIVAN:** Can you hear us?

21 **MR. MOREY:** I -- I received the three
22 ballots from -- at my home for Ms. Rawlinson. I
23 took them to the voting office. She took them
24 and went back to Ms. Pitts' office. And they
25 came back. When they took those three ballots

1 back there, there was no difference in any of the
2 three. Wrote on two of the ballots "spoiled."

3 Since then, the lady that did that has left
4 and went to Butts County. I don't know why. The
5 three were not in the log and I want to know why.
6 And I don't care if it's a Republican or
7 Democrat. That makes no difference to me. But I
8 want to know why three ballots just alike come to
9 one person to vote.

10 And -- and I really don't like for people
11 to -- to not tell the truth about what I said and
12 what I did. I want the truth to be told, okay?

13 **UNIDENTIFIED FEMALE SPEAKER:** You have the
14 other two ballots in your possession.

15 **MR. MOREY:** What?

16 **UNIDENTIFIED FEMALE SPEAKER:** You have the
17 other two ballots in your possession.

18 **MR. MOREY:** I still have those ballots in my
19 possession. I have them right now. And the
20 reason I wouldn't let her keep them is because
21 she wrote on them, and she didn't have a right to
22 do that. She -- she denied that they did it to
23 start with. And I said: Ma'am, here's the --
24 here's the postmarks right here. You sent them
25 to -- to my address. And then I said: And I

1 want to know why you did it and now why you wrote
2 spoiled on them that you didn't have a right to
3 do.

4 And I want you to -- I want your committee
5 to answer the simple question, why she did it and
6 why was those three ballots sent to Judy
7 Rawlinson. That's my question.

8 **MR. MASHBURN:** And -- and Ms. Rawlinson is
9 your mother-in-law?

10 **MR. MOREY:** She's my mother-in-law. I take
11 her -- when she goes to vote, I take her to
12 explain -- we go through all of the amendments
13 before we go -- leave the house, and I take her
14 up there and she goes in and votes, has done it
15 for years. She's an elderly woman and, you know,
16 that's just the way it is.

17 **MR. MASHBURN:** Hey, I'm sorry to -- I'm
18 sorry to interrupt you but what I'm going to do
19 is I'm going to make a motion to continue this
20 and send an investigator out to you to get those
21 ballots. Is that sensible?

22 **MR. MOREY:** I -- I'm -- and I have no
23 problem with that, sir.

24 **MR. MASHBURN:** All right. I'm going to --
25 now, he's going to have a badge and a gun. He's

1 a real law-enforcement. So don't be intimidated,
2 okay?

3 **MR. MOREY:** I promise you I'm not
4 intimidated. The facts need to be the facts.
5 And -- and everybody up to this point on that end
6 is just not telling the truth. And -- and, you
7 know, that's just not -- that's just not right.

8 **MR. MASHBURN:** I don't mean to cut you -- I
9 don't mean -- I don't mean to cut you short --

10 **MR. MOREY:** What --

11 **MR. MASHBURN:** I don't mean to cut you short
12 but I'm going to make a motion that we continue.

13 **MR. MOREY:** Send you the ballots. I -- I'll
14 do that.

15 **MS. SULLIVAN:** All right. We've got a
16 motion to continue this case.

17 **MS. LE:** I'll second it.

18 **MS. SULLIVAN:** Any further discussions?

19 All in favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There are none opposed. That
22 motion passes.

23 The next case is 2021-004, Dawson County.

24 **MR. CALLAWAY:** On 1/4/21, the Georgia Office
25 of the Secretary of State's Investigations

1 Division received a complaint regarding
2 double-voting attempts, here, in the Dawson
3 County 2020 general and runoff elections.

4 According to the complaint, Connie Cho (ph)
5 requested and returned two absentee ballots by
6 mail for the general election. She also returned
7 an absentee ballot by mail and then appeared in
8 person to vote during the runoff election.

9 Investigation revealed investigations
10 conducted an interview with the voter, Ms. Cho.
11 She stated she was enrolled in a work-study
12 program in New York during this election cycle.
13 She confirmed that she originally requested an
14 absentee ballot be mailed to her Dawson County
15 address of record but later requested that it be
16 mailed to New York where she was attending
17 school.

18 The only ballot that she received and
19 returned was the general election ballot that was
20 initially mailed to her Dawson County home and
21 forwarded to her New York address by her mother.
22 She decided to vote in person for the runoff
23 election while visiting relatives in Georgia
24 because she did not receive that request ballot
25 in the mail. And she was ... if she suspected

1 anyone of intercepting and returning the ballots
2 that were mailed to her New York address and she
3 stated that she didn't think so.

4 Investigations conducted an interview with
5 poll worker Beverly Ragsdale. She was informed
6 that we were investigating the circumstances
7 surrounding the issuance of Cho's in-person
8 application for absentee ballot which resulted in
9 double-voting during the runoff election.

10 After explaining what happened, she
11 confirmed that she worked at the Dawson County
12 2020 general runoff election but she did not
13 recall that particular incident with Ms. Cho.
14 She explained her process for issuing ballots to
15 voters with outstanding absentee ballots and
16 stated that she was not sure why she would have
17 issued one -- issued Cho a ballot if her ballot
18 had already been marked as received in
19 ElectionNet. She viewed her action of issuing a
20 ballot to a voter who had already returned an
21 absentee -- returned an absentee ballot as an
22 oversight.

23 Investigations conducted an interview of
24 poll worker Britney Payne (ph). She recalled the
25 situation with Cho and stated the incident with

1 her general election ballot was a fluke. She
2 remembered being in telephone contact with Cho
3 and Cho expressing her concern that her ballot
4 may not reach the election office in time due to
5 ballot being issued to her Georgia address
6 because she was living in New York at the time.
7 Ms. Payne confirmed with Cho that she would
8 cancel the ballot -- the first ballot and reissue
9 a new one to her New York address.

10 When Payne received both ballots at the
11 election office, she was under the assumption
12 that Cho was trying to ensure at least one of her
13 ballots was received, knowing that only one was
14 active in the system. She did not suspect Cho of
15 attempting to double-vote which is why she did
16 not report the incident.

17 The recommendations are as follows: Beverly
18 Ragsdale, former Dawson County poll worker, be
19 bound over to the attorney general's office for
20 State Election Board Rule 183-1-14-.09, voted
21 absentee ballots, when she failed to verify if
22 Cho had returned an absentee ballot prior to
23 issuing a second ballot here, resulting in a
24 double-vote during the Dawson County 2020 general
25 runoff election.

1 **MS. SULLIVAN:** I believe we have one person
2 that would like to speak to the board.

3 **MS. PACHUTA:** Yes, Board Members. This is
4 Karen Pachuta again. I also represent Dawson
5 County and their board of elections and voter
6 registration and the staff member.

7 We are aware that Ms. Cho has denied
8 completing and returning her absentee ballot.
9 The county is -- we're assuming there's a
10 separate secretary of state investigation into
11 that matter. We have not received any updates on
12 that.

13 For the runoff election, Ms. Cho requested
14 an absentee ballot on November 11th that was
15 mailed on November 19th, and she returned it on
16 December -- or it was returned on December 10th.
17 She claims that she did not return that.

18 On December 31st, Ms. Cho arrived at the
19 advanced voting precinct. When she checked in,
20 she was flagged as having an absentee ballot
21 issued and was sent to another station where they
22 would go through the process of canceling any
23 absentee ballots.

24 Beverly Ragsdale was working at that
25 station. She'd been working in the Dawson County

1 elections office as a temporary part-time
2 starting in March 2020 and then became a poll
3 worker during the advanced voting period in
4 September. She -- I spoke to her and she
5 explained procedure was to check ENet. If the
6 absentee ballot had not been returned, then have
7 the voter complete the affidavit, cancel the
8 outstanding ballot, and allow the person to vote
9 in person.

10 On December 31st, there were 834 in-person
11 advanced voters. So Ms. Ragsdale, you know, when
12 the investigator spoke to her in -- I believe it
13 was October of this year, she does not have any
14 independent recollection, you know, of this
15 specific event or why she would not have seen in
16 ENet that a vote had already -- an absentee
17 ballot had already been returned on
18 December 10th.

19 Ms. Cho did sign the affidavit, stating that
20 she had not received her ballot and had not
21 returned a ballot and requested the new ballot,
22 allowing her to vote in person. And
23 Ms. Ragsdale, you know, gave her the card and
24 allowed her to vote.

25 Staff did -- other staff in the office did

1 realize approximately 15 minutes later as the
2 system was updating. At that point, it was too
3 late. Staff spoke to Ms. Cho about the
4 double-voting. Ms. Cho was adamant that she had
5 not returned that absentee ballot.

6 Again there was another incident in the
7 general election with an absentee ballot Ms. Cho
8 had canceled, one ballot that she had not
9 received. Or she said that she had not received
10 and requested a new one to -- at her New York
11 address. Both were returned, although one had
12 already been canceled. So that did not count.

13 Glenda Ferguson, she is on the phone and
14 available for questions. She is the director for
15 Dawson County and has been with Dawson since
16 2003. This is the first time any matter has --
17 in Dawson County that she is aware of since she
18 has been there that has come before the state
19 elections board.

20 She acknowledges, you know, that somewhere
21 an -- you know, an error occurred, that it
22 should've been caught and, you know, to have
23 Ms. Cho aware that her ballot -- absentee ballot
24 had been returned already so that she could not
25 vote again.

1 Ms. Ferguson did try to research it later,
2 when the investigation came up, in ENet, but the
3 voters moved counties. So she could -- she could
4 no longer access the record.

5 Ms. Ragsdale has no plans at this time to
6 continue work as a poll worker. You know, it
7 appears there may be potential fraud by a
8 third-party as Ms. Cho, you know, denies having
9 returned those absentee ballots, both in the
10 general and in runoff elections. So we do hope
11 that that is being investigated by the secretary
12 of state's office.

13 If the board does find there's sufficient
14 evidence that a violation by staff occurred, we
15 would ask that the board recognize the exemplary
16 history of Dawson County, you know, not having
17 been before this board in at least 20 years and
18 issue a letter of instruction.

19 **MS. SULLIVAN:** Do any of the board members
20 have any questions for Ms. Pachuta or
21 Ms. Ferguson?

22 What is the pleasure of the board?

23 **MR. MASHBURN:** I think it's admitted that
24 two ballots got issued in the name of the same
25 voter; right? The question is whether or not it

1 was the same person or some unknown third-party
2 who got the second ballot. But it's unquestioned
3 that two ballots got issued in the same name;
4 right?

5 **MS. SULLIVAN:** That appears to be correct.

6 **MR. MASHBURN:** So that would be -- that
7 would be an error on the part of the county for
8 which sufficient probable cause exists to send
9 this to the attorney general's office.

10 I'd make a motion to refer this to the A.G.

11 **MS. SULLIVAN:** I'll second that motion.

12 Is there any further discussion?

13 All in favor, please say aye.

14 **THE BOARD MEMBERS:** Aye.

15 **MS. SULLIVAN:** And there are none opposed.
16 That motion passes.

17 I noticed that Ms. Cho is not cited as a
18 respondent here, but it appears that she may have
19 voted twice in this election. So I would ask
20 that the board go back and -- I mean the
21 investigations team go back and look to see if we
22 have a -- a potential violation there.

23 **MR. CALLAWAY:** Yes, ma'am.

24 **MS. SULLIVAN:** Thank you.

25 The next case on our agenda is SEB 2020-109.

1 **MS. JONES:** On December 28, 2020, we
2 received a complaint regarding a food truck at
3 Northside Library, a poll location located at
4 3295 Northside Parkway, Northwest, Atlanta,
5 Fulton County, Georgia.

6 The food truck personnel were giving out
7 free food items. This occurred during early
8 voting for the special runoff election,
9 January 5, 2021.

10 The investigation revealed the investigator
11 went to the location and measured the distance
12 from the edge of the library to the food truck.
13 The distance was 92 feet.

14 The first person associated with the food
15 truck identified himself as Mark and advised that
16 if a person voted, they can get free hot
17 chocolate, coffee, or doughnuts.

18 The second person, a Mr. Schamerhorn,
19 advised that a person did not have to vote to get
20 the free items. They were trying to get as many
21 people to vote as possible.

22 The off-duty officer at the poll location
23 verified the food truck staff had consulted with
24 poll workers about where to set up. They were in
25 the parking lot originally and had to move as

1 they were taking up too many parking spaces. The
2 officer advised he did not observe anything he
3 felt was campaigning at the food truck.

4 The poll manager advised that he did not
5 observe anything that he felt was campaigning or
6 a violation by the food truck.

7 **MR. CALLAWAY:** The recommendation is as
8 follows: Travis Evan Schamerhorn be referred to
9 the attorney general's office for O.C.G.A.
10 21-2-570 in that he did, while working as an
11 employee on a food truck, parked in an
12 (indiscernible) polling location while providing
13 food and beverage, items of value to voters and
14 campaigning by soliciting individuals to text
15 three friends now and posting on the food truck
16 along with other links to campaign.

17 **MS. SULLIVAN:** And we have no one here to
18 address the board.

19 Do the board members have any questions for
20 Mr. Callaway?

21 Motion -- go ahead, Mr. Mashburn.

22 **MR. MASHBURN:** I mean, it strikes me as
23 campaigning. I mean, this strikes me as
24 campaigning and it's within a hundred and fifty
25 feet. So I think that probable cause exists to

1 believe a violation has occurred.

2 I move to forward it to the attorney
3 general's office.

4 **MS. SULLIVAN:** I'll second that motion.

5 Is there any further discussion?

6 All in favor, please say aye.

7 **THE BOARD MEMBERS:** Aye.

8 **MS. SULLIVAN:** And there are none opposed.

9 That motion passes.

10 At this time, let's take a ten-minute break.
11 2:40, we'll come back at 2:50, promptly.

12 (Break taken)

13 **MS. SULLIVAN:** Okay, we are back and we are
14 starting with 2021-26.

15 **MR. CALLAWAY:** This has civil allegations in
16 the case file. In January 2021, it was reported
17 that the individuals were showing as registered
18 to vote at UPS stores in Fulton County.

19 The investigation revealed in Allegation 1
20 Frederick Corey Prevost owns property in Mineral
21 Bluff, it appears. He has family at the address
22 that he had his absentee ballot mailed to in
23 Vermont.

24 According to ElectionNet, he had registered
25 at a UPS store mailbox in Alpharetta, Georgia.

1 The Vermont SOS voter registration records were
2 checked and he was found not to be registered in
3 that state.

4 The investigator interviewed Mr. Prevost who
5 advised that he was in Vermont, visiting his
6 mother over the holidays. He advised that he
7 lives at 775 Georgetown Chase in Roswell with his
8 daughter. And she's the respondent in Allegation
9 Number 2.

10 He advised that he consist -- constantly
11 travels, so he uses the UPS store mailbox as his
12 mailing address. He advised that the property he
13 owns in Mineral Bluff, Georgia is property that
14 he rents out to others. He additionally advised
15 that his daughter was visiting her sister in
16 North Carolina and had her absentee ballot sent
17 there.

18 Investigation confirmed that these two
19 addresses, home address and P.O. boxes addresses,
20 are not the same as the voting precinct.

21 Allegation Number 2, investigations
22 interviewed Julia Prevost who advised that she
23 uses the UPS store mailbox as her mailing
24 address. She advised that she lives with her
25 father at 7775 Georgetown Chase, Roswell, Georgia

1 and was visiting her sister in North Carolina
2 where she had the absentee ballot sent.

3 The investigation confirmed that the two
4 addresses, home address and P.O. box address, are
5 not in the same voting precinct.

6 Allegation Number 3, Terica Kindred
7 possessed a UPS store mailbox. She has a recent
8 address history at the address where the absentee
9 ballot was sent, which is 1811 West 43rd Place,
10 Los Angeles, California. It was also noted that
11 she has a driver's license out of California
12 which shows the same address.

13 A check with the California secretary of
14 state's voter registration records shows that
15 Ms. Kindred is registered to vote in California
16 and had a California absentee ballot sent to the
17 same address that her Georgia absentee ballot was
18 sent to for the same election 11/3/2020. The
19 California absentee ballot was issued on
20 10/5/2020. The Georgia absentee ballot for that
21 11/3/2020 general election and the 1/5/2021
22 runoff election were accepted.

23 It should also be noted that she renewed her
24 Georgia voter registration on 10/19/2020.
25 Investigations contacted the California Secretary

1 of State to confirm this information and noted
2 that the California absentee ballot was not
3 return and counted. All contact attempts for the
4 respondent have been met with negative results.

5 Recommendations are as follows: In
6 Allegation 1, Frederick Corey Prevost be bound
7 over to the state attorney general's office for
8 O.C.G.A. 21-2-217(a) (1), rules for determining
9 residency.

10 Allegation Number 2, Julia Prevost be bound
11 over to the attorney general's office for
12 O.C.G.A. 21-2-217(a) (1), rules for determining
13 residency.

14 Allegation Number 3, Terica Kindred be bound
15 over to the state attorney general's office for
16 O.C.G.A. 21-2-561, false registration; O.C.G.A.
17 21-2-573, absentee voting by unqualified
18 electors, two counts; O.C.G.A. 21-2-217, the
19 residence of any person shall be held to be that
20 place in which such person's habitation is fixed
21 without any present intention of removing
22 themselves therefrom.

23 She violated this law by failing to register
24 at her new address within the same county that
25 she moved to approximately two years ago. She

1 then requested to vote an absentee ballot using
2 that old address.

3 **MS. SULLIVAN:** Thank you.

4 I believe we have a couple of people here
5 who would like to address the board.

6 **MR. NORTEN:** Frederick and/or Julia
7 Prevost. You may --

8 **MR. PREVOST:** Hi. It's Frederick Corey
9 Prevost. You have my name spelled wrong, by the
10 way. There's an "e" between the "d" and the "r."

11 I am temporarily living in Roswell but my
12 legal address is that UPS store on Crabapple
13 Road. The -- it's my -- it's on my driver's
14 license. It's on my passport. It's on
15 everything legal that I was told I was allowed to
16 use that address.

17 So I don't know what else to tell you. I --
18 I'm not voter fraud. I'm not doing anything
19 illegal. I find it --

20 And I don't know who this Terica -- this
21 third name on -- on there. Julia is my daughter,
22 obviously. She lives with me, while, though, she
23 has moved now to Seattle, Washington. She'll be
24 no longer voting in Georgia at all.

25 But the -- the 12460 Crabapple Road is my

1 legal address. And -- and for the sake of
2 getting license plates and driver's license
3 and -- and tickets or any legal correspondence,
4 it goes to my P.O. box so it doesn't get lost or
5 stolen.

6 I had an absentee ballot mailed to me while
7 I was up in Vermont, taking care of my parents,
8 but that was a temporary trip and happened to be
9 during the election. And I am back in Georgia
10 right now, in Roswell.

11 **MS. SULLIVAN:** So, Mr. Prevost, you -- you
12 live in Roswell; correct?

13 **MR. PREVOST:** I do. I'm -- I'm in -- I'm at
14 the Georgetown Chase address 80 percent of the
15 time. I do own property up in Mineral Bluff,
16 Georgia, but it is a rental property and I don't
17 have anything mailed there for obvious reasons.
18 I don't want anyone getting my legal stuff or my
19 credit card bills or anything else up there. But
20 I live in Roswell with my girlfriend.

21 **MS. SULLIVAN:** And I think the reason that
22 you've been cited in this case is because under
23 O.C.G.A. 21-2-217(a)(1), your residence is the
24 place where you live, not -- and cannot be a UPS
25 box.

1 **MR. PREVOST:** Okay. Well, I don't -- I
2 don't see that as being something that needs to
3 be referred to the attorney general. I mean, I
4 was told I could use that as my legal address for
5 everything. Like I said, it's on my passport,
6 driver's license, tax returns, everything. I pay
7 taxes in the state of Georgia and that's where
8 everything goes.

9 So I'd be happy to change it to my Roswell
10 address if necessary, but the reason why I do
11 that is it's -- it's a girlfriend situation. And
12 quite honestly, I'm not sure how permanent that
13 would be either. And I don't want to change my
14 address every time. So I -- I've been using that
15 12460 address for 15 years.

16 **MR. MASHBURN:** When -- this is Matt
17 Mashburn. When you vote in person, where do you
18 go?

19 **MR. PREVOST:** The precinct is usually the
20 elementary school on -- I don't -- I want to say
21 Providence Road, but it's near the CVS and it's
22 been at the Milton Public Library a couple of
23 times as well.

24 **MR. MASHBURN:** So is -- is that closer to
25 where you live or is that closer to your mailbox?

1 **MR. PREVOST:** It's probably -- it's
2 closer -- definitely closer to the mailbox for
3 sure. The -- the mailbox is at the Kroger -- the
4 Kroger Crabapple Shopping Center at Rucker and
5 Crabapple. And the -- yeah, I would say the
6 Milton Public Library is probably a mile and a
7 half up the road through two traffic circles.

8 **MR. MASHBURN:** So that -- go ahead. Go
9 ahead.

10 **MS. GHAZAL:** Mr. Prevost, can you confirm
11 with me that the Roswell address is in Fulton
12 County?

13 **MR. PREVOST:** It's definitely in Fulton
14 County. It's two blocks off of Canton Street in
15 Roswell, Georgia.

16 **MS. GHAZAL:** So the residence and the -- and
17 the registered address are both in Fulton County.

18 **MR. PREVOST:** That's correct. And I'm
19 assuming because my legal address is in
20 Alpharetta that you guys want me voting in the
21 Alpharetta district. So, you know, I -- I go out
22 of my way to not vote in Roswell elections or any
23 of that stuff because of I'm not registered
24 there. And I've never voted in any other state
25 in the last 30 years.

1 **MR. MASHBURN:** Right. So we want -- so we
2 want you to be voting for, like, a -- a local
3 commissioner or a local school board where you
4 live rather than where your mailbox is. That's
5 the whole purpose.

6 **MR. PREVOST:** I -- I understand that. I
7 understand that now, obviously, because, like I
8 said, I was told that the -- the P.O. box can be
9 my legal address. But truth be said, you know, I
10 don't know if -- I'm not trying to be a naysayer
11 and negative about my personal relationships, but
12 we're both extremely independent people and I
13 didn't want, you know -- something should happen
14 to us, I didn't want mail continuing going there
15 or whatever. But I would be happy to register at
16 my Mineral Bluff address. That's fine.

17 **MR. MASHBURN:** Well, I think -- I think I
18 agree with you that I don't see a purpose in --
19 in you going to the attorney general's office
20 over -- over your dating situation. So --

21 **MR. PREVOST:** Love is a crime sometimes,
22 but, yeah.

23 **MR. MASHBURN:** So I -- I'm willing to -- I'm
24 willing to -- to issue a letter of instruction
25 now that we're clear on the reason why the

1 statute is in place is to make sure that the
2 local government is responsive to the people who
3 live there.

4 **MR. PREVOST:** Makes sense.

5 **MR. MASHBURN:** And so I'm willing to -- in
6 your case, I'm willing to move for a letter of
7 instruction.

8 **MR. PREVOST:** Would that suitable for my
9 daughter as well? Because she was under the same
10 instructions, mostly by her father.

11 **MR. MASHBURN:** I think that's what Sara
12 said.

13 **MS. GHAZAL:** Yep, exactly. A friendly
14 amendment.

15 **MR. PREVOST:** I don't know who that third
16 person you mentioned, Terica -- I have no idea
17 who that is. Why is that tied to -- to my case
18 at all?

19 **MR. MASHBURN:** Y'all were probably in the
20 same location, I -- where your mailboxes are
21 probably in the same location.

22 **MR. PREVOST:** Oh, okay. Okay. I -- because
23 I don't know that person at all. I don't know if
24 it's the same -- I don't know if it was a
25 previous box holder of the same one or just the

1 same address in the same suite.

2 **MS. SULLIVAN:** It's unrelated. It's
3 unrelated to you, sir.

4 **MR. PREVOST:** Okay. Okay.

5 **MS. SULLIVAN:** So we have a motion that's
6 been amended to issue a letter of instruction to
7 Mr. Frederick and Miss Julia Prevost.

8 **MS. LE:** Second.

9 **MS. SULLIVAN:** And a second. Any further
10 discussion?

11 Well -- okay, well, while that motion is
12 pending, we have some more people that need to
13 speak. Who -- who else wants to speak?

14 **MR. NORTHEN:** Ms. Kindred.

15 **MS. SULLIVAN:** Okay. So we will take
16 Ms. Kindred -- we'll go ahead and vote on this
17 case and we'll take Ms. Kindred's complaint next.

18 So was there any further discussion? All in
19 favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There's none opposed. That
22 motion passes.

23 Now we will hear from Ms. Kindred and
24 address the allegations with respect to her.

25 **MR. PREVOST:** Thank you, all.

1 **MS. SULLIVAN:** Ms. Kindred, you may speak.
2 Thank you.

3 **MS. KINDRED:** Hello. Can everyone hear me?
4 Hello?

5 **MS. SULLIVAN:** Yes.

6 **MS. KINDRED:** Okay, perfect. So my name is
7 Terica. I was born in Los Angeles, California.
8 When I turned 18, I registered to vote in
9 California, but I haven't voted since the 2008
10 general election.

11 It was stated in the findings that I'm a
12 current California citizen with a current
13 California driver's license. And that finding is
14 incorrect.

15 At the end of 2010, I moved out to Atlanta.
16 I bought a car in 2011 and I surrendered my
17 California driver's license in 2011. And I
18 haven't renewed another license in California
19 since. And I do have documentation from the
20 department of motor vehicles, proving this fact.
21 And I got that on November 29, 2021.

22 Currently, I hold an active Georgia real
23 estate brokers license. I'm a Georgia -- I have
24 a Georgia lenders license. During 2020, I even
25 had a W-2 position at a local mortgage bank in

1 Suwanee. I have over 20 full-time real estate
2 agents working for my real estate brokerage and a
3 host of independent contractors for my
4 development company. So I'm not a current
5 California citizen and I do not have an active
6 California license.

7 It was also stated that I renewed my voter
8 registration and received an absentee ballot from
9 California and then requested an absentee ballot
10 from Georgia. In 2013, I got a UPS store to
11 receive packages and also to keep a stable
12 address. I also worked with the public and I
13 didn't want them to have my address for safety
14 concerns and privacy. So I registered to vote
15 with that address in 2016.

16 The state of Georgia didn't communicate with
17 the state of California regarding my new voting
18 registration. So as of today, my initial
19 California voting registration for almost 20
20 years ago is still active even though I haven't
21 casted a ballot in California for over ten years.

22 I did receive an absentee ballot in 2020
23 from the state of California because they were
24 part of a handful of states that sent absentee
25 ballots to all active registered voters during

1 COVID-19. I didn't request that ballot nor did I
2 use it.

3 When I renewed my Georgia driver's license
4 in 2020, my registration to vote was also renewed
5 through DDS. And I use my UPS store address on
6 my driver's license and it's also the same as my
7 initial registration. So I kept everything the
8 same.

9 In 2020, I did go to 1811 West 43rd Place.
10 That's my mother's house. It's been her home for
11 over 40 years. I was in L.A. so we could help
12 each other during COVID. I was not able to
13 attend the election in person due to the pandemic
14 and shelter-in-place. So I requested an absentee
15 ballot. I received that ballot at my mom's
16 house, which I was temporarily located at the
17 time.

18 So I'm humbly asking the state election
19 board to know it was never my intention to
20 falsely register in 2016 with the UPS store
21 address. I didn't understand the law. I didn't
22 know that I was doing something wrong. It's the
23 address I literally use for everything important
24 in my life. My current driver's license is the
25 same. And so I used it to register as well.

1 So I'm asking for the case to be dismissed
2 or a letter of instruction to be issued to change
3 the address from my -- from the UPS store to
4 another address.

5 **MR. MASHBURN:** Okay. This is Matt Mashburn.

6 So the state of California sent you a live
7 ballot that you didn't ask for?

8 **MS. KINDRED:** Correct.

9 **MR. MASHBURN:** Right?

10 **MS. KINDRED:** Correct.

11 **MR. MASHBURN:** While you were a Georgia
12 resident; right?

13 **MS. KINDRED:** Correct.

14 **MR. MASHBURN:** So California's mailing live
15 ballots out to Georgia residents so they can vote
16 in California; right?

17 **MS. KINDRED:** California is mailing out
18 ballots to all active voters. If you go on the
19 secretary website for the state of California, I
20 am seen as an active voter -- I'm seen as an
21 active registration. I never -- I -- it
22 didn't -- didn't change.

23 When I registered to vote in 2016, nothing
24 changed in California. But they sent out ballots
25 to every active voter, like every active person

1 in their database. You can Google it.

2 **MR. MASHBURN:** I don't think it's your fault
3 that California did something absolutely insane.

4 **MS. KINDRED:** Got it, yeah.

5 **MS. LE:** Did you --

6 **MS. KINDRED:** I mean, I didn't know why I
7 got it. I actually called them and they said
8 they were part of a -- COVID-19.

9 **MR. MASHBURN:** So I -- I move to dismiss it.

10 **MS. LE:** This -- this is Anh Le. I have a
11 question. Did you notify California --

12 **MS. KINDRED:** One time --

13 **MS. LE:** -- of your Georgia residency?

14 **MS. KINDRED:** So I thought when I
15 surrendered my license -- I thought that was done
16 with California ten years ago, 2011. And then
17 when I got the inspection -- or when I got you
18 guys's letter, I called the department of motor
19 vehicles because when they said I had an active
20 California license, I was like, okay, identity
21 fraud.

22 So when I called them, they confirmed that I
23 did not have an active license. And I still have
24 the old expired one from 2011. But I didn't know
25 I -- I've been filing taxes for ten years, you

1 know, in Georgia. I didn't know -- I thought it
2 was automatic that I was now a Georgia resident.

3 I didn't know -- I don't -- I didn't know
4 what to say to California. I don't even know who
5 to contact.

6 **MS. LE:** Okay.

7 **MS. GHAZAL:** Mashburn, is your -- is your --

8 **MS. SULLIVAN:** I'll recog -- I'll recognize
9 you for a motion at it -- I did not recognize you
10 for your previous motion, if you would like to
11 make a motion.

12 **MR. MASHBURN:** I'm -- I'm interested in the
13 other comments of the board. But I just don't --
14 I don't see it's her fault that California did
15 something that was nuts.

16 **MS. GHAZAL:** I'm surprised that California
17 hasn't updated their voter list on a regular
18 basis. But that's not our jurisdiction nor our
19 law.

20 **MS. LE:** I -- I would suggest that some of
21 our colleagues down at the secretary of state's
22 office perhaps reach out to colleagues in
23 California and suggest that they -- they join
24 ERIC.

25 **MR. MASHBURN:** Agreed. Agreed.

1 **MS. GHAZAL:** As a -- as a measure here, the
2 only violation that I see is a technical
3 violation of registering at a -- a UPS store
4 rather than a physical residence.

5 **MR. MASHBURN:** Yeah.

6 **MS. GHAZAL:** And I think in that -- for that
7 case, I move that we issue a letter of
8 instruction.

9 **MR. MASHBURN:** You're right, yeah. That's
10 right, yeah.

11 **MS. SULLIVAN:** I'll second that motion.

12 **MR. MASHBURN:** That's right.

13 **MS. SULLIVAN:** Is there any further
14 discussion?

15 All in favor, please say aye.

16 **THE BOARD MEMBERS:** Aye.

17 **MS. SULLIVAN:** Any opposed? None opposed
18 and that motion passes.

19 Thank you for being here.

20 The next case is 2021-61, Cherokee County.

21 **MR. CALLAWAY:** On February 12, 2021, in the
22 Georgia Secretary of State's Office of
23 Investigations, I received an e-mail from Anne
24 Dover, director of the Cherokee County Elections
25 and Voter Registration, advising that Howard

1 William Bryant, Jr., who was on felony status,
2 registered to vote on November 2020, using online
3 voter registration portal.

4 Howard Bryant, Jr. was issued an absentee
5 ballot on December 1, 2020, placing a challenge
6 to voter status on December 18, 2020 and deleted
7 as a felon on January 28, 2021. Howard Bryant,
8 Jr. was mailed a letter stating: Your right to
9 vote has been challenged. And given time to
10 prove their status prior to being deleted, the
11 absentee ballot was received by the Gwinnett
12 County elections office on December 20, 2020 and
13 received by Cherokee County on December 28, 2020.

14 Anne Dover stated that she assumed that an
15 employee in their office checking in ballots saw
16 that Howard Bryant, Jr. was a -- a challenge
17 voter, changed challenge voter status, and sent
18 him a nonfelon affidavit.

19 Howard Bryant, Jr. completed and signed the
20 nonfelon affidavit which was received on
21 January 5, 2021. The ballot was not counted and
22 the local state probation office was contacted to
23 verify Howard Bryant, Jr.'s felony status.

24 According to probation, Howard Bryant, Jr.
25 was serving two felony convictions. The e-mail

1 contained a copy of the nonfelon affidavit signed
2 by Howard Bryant, Jr., absentee ballot envelope,
3 and signed oath, as well as ENet information for
4 Howard Bryant, Jr.

5 A complaint dated February 11, 2021 was
6 received via mail and online from Janette K.
7 Lawrence. According to the complainant, she had
8 requested an absentee ballot for the January 5th
9 general runoff election and received a ballot but
10 ruined it. The complainant had marked both
11 candidates for one senate seat and no mark for
12 the second senate seat.

13 The complainant said that she followed the
14 directions and wrote "spoiled" on both the ballot
15 and the ballot envelope and returned it to the
16 county elections office. When the complainant
17 later checked the status of her ballot online, it
18 was listed as received and accepted according to
19 BallotTrax. Her ballot was accepted and her vote
20 had been counted. A letter was also sent to
21 Cherokee County elections office.

22 Complainant also stated -- the complaint
23 also contained the e-mail confirmation reporting
24 the incident to the secretary of state's office,
25 BallotTrax registration, BallotTrax notification

1 that her ballot had been accepted.

2 On January 2, 2021, a complaint was received
3 by the secretary of state's office from Terence
4 Brown. According to Brown, he requested an
5 absentee ballot to be sent to his apartment in
6 Washington D.C. as he is student -- as he is a
7 student and away from his home. The ballot
8 request -- requested was sent to his home address
9 in Georgia and at the time he was unable to
10 travel back to Georgia to vote in person.

11 On February 25, 2021, a complaint was
12 received by the secretary of state's office from
13 Gino Rizzi (ph). According to Rizzi, he had seen
14 physical proof of a former classmate's -- and now
15 resides -- now is a resident of Houston, Texas
16 area post on her Facebook of her flying to
17 Atlanta at the end of October to vote in the
18 Georgia general election in November and
19 returning back to Houston for several days after
20 the election.

21 The investigation revealed Howard William
22 Bryant, Jr. had been on active felony probation
23 with the Georgia Department of Community
24 Supervision with his most recent sentence date of
25 July 27, 2018 for possession of a firearm by a

1 convicted felon and sentenced to four years on
2 probation.

3 On November 18, 2020, Howard William Bryant,
4 Jr. registered to vote through the online
5 registration portal.

6 On December 1, 2020, Howard William Bryant,
7 Jr. was issued an absentee ballot and placed into
8 a challenge voter status on December 18th and
9 mailed a letter from the Cherokee County
10 elections office advising him of his status.

11 On December 28, 2020, Cherokee County
12 elections office received a ballot for Howard
13 William Bryant, Jr. in which he signed the oath
14 section.

15 On January 4, 2021, Howard William Bryant,
16 Jr. went to Cherokee County elections office and
17 signed a nonfelon affidavit, confirming he was
18 not currently serving a felony sentence.
19 Cherokee County elections officer advised that
20 Howard William Bryant, Jr. was still on active
21 probation and his voted was not counted.

22 According to Howard William Bryant, Jr., he
23 had received numerous solicitations by mail and
24 phone and was under the impression that he was
25 eligible to vote. Howard William Bryant, Jr.

1 also stated that he never checked his
2 probation -- with his probation officer or anyone
3 within the Georgia Department of Corrections.

4 **MS. SULLIVAN:** Thank you.

5 No one has requested to speak on this case.

6 **MR. CALLAWAY:** The recommendations are for
7 Howard William Bryant, Jr., in Allegation 1,
8 dismiss allegations 2, 3, and 4.

9 And Allegation 1 bound over to the attorney
10 general's office for 21-2-573, absentee voting by
11 unqualified elector. Also O.C.G.A. 21-2-216(b),
12 qualifications of electors.

13 **MR. MASHBURN:** So there's three counts on
14 Complaint 1; right?

15 **MR. CALLAWAY:** That's correct.

16 **MR. MASHBURN:** All right. I move to send
17 all three to the attorney general.

18 **MS. SULLIVAN:** Second that motion.

19 Is there any further discussion?

20 All in favor, please say aye.

21 **THE BOARD MEMBERS:** Aye.

22 **MS. SULLIVAN:** There's none opposed. That
23 motion passes.

24 Next case is 2021-86.

25 **MR. CALLAWAY:** Executive assistant Brittany

1 Daniel with the office of Tennessee Secretary of
2 State's Office advised a voter had been brought
3 to their attention of possibly voting in
4 Tennessee and Georgia.

5 The voter's name is Johnny Wilson and he may
6 have voted during the November 3, 2020 general
7 election in Tennessee and Georgia.

8 On March 31st, Brittany Daniel reported a
9 second voter was brought to their attention as
10 possibly voting in Tennessee and Georgia during
11 November 3, 2020 general election. The electors
12 name is Raison (ph) Heather Brooks, and she is a
13 registered voter in both Tennessee and Georgia.

14 The investigation revealed the Johnny Wilson
15 that resided in Georgia and the Johnny Wilson
16 that resided in Tennessee were two different
17 individuals. They shared the same date of birth,
18 first and the last name.

19 ENet in Georgia shows Raison Heather Brooks
20 voted in Georgia during the absent -- advanced
21 voting on October 16, 2020. Fulton County
22 searched all their applications for one requested
23 by Raison Heather Brooks but they were unable to
24 locate it.

25 Investigator reviewed Raison Heather Brooks

1 and she reports she moved back to Tennessee as a
2 permanent resident in July of 2020. Ms. Brooks
3 denied voting in Georgia during the advanced
4 voting on October 16, 2020. Ms. Brooks advised
5 she would contact the Fulton County elections
6 office and cancel her registration in Georgia.

7 On July 14, 2021, investigators received a
8 statement from Ms. Brooks -- the officer provided
9 a statement from the office manager, DeeAnn (ph)
10 St. John. Ms. St. John reports Ms. Brooks was at
11 work on October 16, 2020 from eight in the
12 morning until five in the afternoon.

13 At this time, it cannot be sustained that
14 Raison Heather Brooks voted in Georgia during the
15 general election. Fulton County provided the
16 voters list for the October 16, 2020 and the
17 investigator did not find Raison Heather Brooks's
18 name on the list. It appears Fulton County
19 mistakenly gave Heather Brooks credit for voting
20 and she did not vote in Georgia.

21 Our recommendations are as follows: Fulton
22 County Board of Registration and Elections;
23 Richard Barron, elections supervisor; Ralph
24 Jones, chief registrar be bound over to the
25 attorney general's office for O.C.G.A.

1 21-2-215(i), main office of board of registrars;
2 business hours; registration cards and papers
3 when they failed to enter credit for voting to
4 the appropriate person and Raison Heather Brooks
5 was given credit in error.

6 **MS. SULLIVAN:** I believe we have some people
7 here to speak regarding this case.

8 **MR. NORTHEN:** David Lowman.

9 **MS. SULLIVAN:** Mr. Lowman, would you like to
10 speak?

11 **MR. LOWMAN:** Yes.

12 **MS. SULLIVAN:** Please go ahead.

13 **MR. LOWMAN:** Again, David Lowman with the
14 Office of the Fulton County Attorney.

15 Through research on the issue, Fulton County
16 Department of Elections has determined that the
17 advanced (indiscernible) advanced staff had been
18 trained on the correct procedure for the credit,
19 that the person that was involved in this
20 situation did not follow the correct procedure.
21 That person has been identified and has been
22 retrained on the correct procedure.

23 And in addition to this specific training,
24 more hands-on training for all advanced voting
25 staff has been given. And because there was this

1 one count and this one issue, I would ask that in
2 light of the additional training and the changes
3 that have been made, that a letter of instruction
4 be issued on this -- in this case.

5 **MS. SULLIVAN:** I believe we have some other
6 people signed up to speak on this case.

7 **MR. NORTHEN:** Susan Rooks, you should be
8 able to speak by unmuting yourself.

9 **MS. SULLIVAN:** Ms. Rooks? Ms. Rooks, would
10 you like to speak regarding this case?

11 Ms. Rooks?

12 Is she unmuted?

13 **MR. NORTHEN:** She may unmute herself.

14 **MS. SULLIVAN:** If you unmute yourself, you
15 should be able to speak.

16 Is there anyone else signed up?

17 **MR. NORTHEN:** That's it.

18 **MS. SULLIVAN:** Ms. Rooks?

19 In our materials, this case is -- references
20 that the county and elector involved is Laurens
21 County. It references the certification in
22 Laurens County.

23 **MR. CALLAWAY:** That is correct. The reason
24 for that is it originated as a Laurens County
25 case and there was multiple complaints,

1 dealing -- we found the same issue. So that --
2 that person was brought -- the complaint was
3 brought into that case and it turned out to be --
4 respondent turned out to be Fulton County.

5 **MS. SULLIVAN:** Understood. Thank you.

6 Do any of the board members have a question
7 for Mr. Lowman?

8 **MR. MASHBURN:** This is Matt Mashburn.

9 Am I getting this right? Somebody voted in
10 person in advanced voting as Ms. Brooks and
11 Ms. Brooks says it wasn't her? And we -- we
12 think that it's because somebody in the back
13 office just entered the wrong name? Or help me
14 out here.

15 **MS. SULLIVAN:** Mr. Lowman, are you able to
16 address that question?

17 **MR. NORTHEN:** Mr. Lowman --

18 **MR. LOWMAN:** Yes. It -- it's my
19 understanding that it was a data entry issue. It
20 was not that someone came down impersonating
21 another voter, but that the voter credit was
22 given to someone else in error, an entry of
23 credit for voting.

24 **MR. MASHBURN:** I move to refer this to the
25 A.G.'s office.

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MS. GHAZAL: Second.

MS. SULLIVAN: We have a motion and a second to accept the recommendation and refer this to the attorney general's office.

Is there any further discussion?

All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: And there are none opposed. And the motion passes.

The next case is 2021-97.

MR. CALLAWAY: McIntosh County elections director, Donna Gale, reported that when she went to the clerk's office -- the clerk of superior court's office to retrieve her absentee ballot envelopes and cure affidavits, she learned that apparently someone in the clerk's office had (indiscernible) a shredding company to shred the contents of one of her five boxes of the election paperwork that had been stored there.

Documents she needed as well as other documents were in the box that was erroneously shredded. Donna properly placed her documents in the clerk's office and the fault appears to belong to someone in the clerk's office.

The investigation revealed an investigation

1 into this complaint shows that McIntosh County
2 election office transferred five boxes of
3 election documents from the November 3, 2020
4 general election to the McIntosh County Clerk of
5 Court's office on December 7, 2020 for storage
6 purposes.

7 Election supervisor Gale went to the clerk's
8 office on March 23, 2021 to serve a court order
9 to make copies of all absentee ballot cure
10 affidavit forms and absentee ballot envelopes
11 that have had -- that had to have a cure
12 affidavit form to verify signatures that were
13 requested by the secretary of state's office.

14 Ms. Gale discovered that the documents that
15 were -- that were requested in one of the boxes
16 were mistakenly shredded while inside the clerk
17 of court's vault on February 19, 2021. The
18 shredding company was contacted by the clerk of
19 court's office to destroy the documents.

20 The lack of oversight by a clerk of court
21 employee resulted in the destruction of the
22 documents that could've been prevented if the
23 shredding process had been witnessed by the
24 employee to ensure the proper documents were
25 destroyed. Other documents in the box were also

1 destroyed. The clerk of court is at fault in
2 this matter.

3 The recommendations as follows: McIntosh
4 County superior court clerk's office; Cheryl
5 Harrison, clerk of superior court; Rebecca Todd,
6 deputy clerk of court be bound over to the
7 attorney general's office for O.C.G.A.
8 21-2-500(a), delivery of voting materials;
9 presentation to grand jury; and in certain case,
10 preservation and destruction; destruction of
11 unused ballots when on February 19, 2021 the
12 contents of a box containing election materials
13 from the November 3, 2020 election, McIntosh
14 County general election was mistakenly shredded
15 while in the custody of the McIntosh County Clerk
16 of Superior Court, one count.

17 **MS. SULLIVAN:** So it's my understanding that
18 there's people who were to speak on this case who
19 are no longer on this call.

20 Are there any questions for Mr. Callaway?

21 **MR. MASHBURN:** So a citizen was asking for
22 records or a court was asking for records that
23 they wanted to check on to verify something about
24 the election; correct?

25 **MR. CALLAWAY:** I believe it our office that

1 actually asked for that, based on one of our
2 investigations that was open.

3 **MR. MASHBURN:** Okay. So this -- so I make a
4 motion this go to the A.G.

5 **MS. SULLIVAN:** I'll second that motion.

6 Is there any further discussion?

7 All in favor, please say aye.

8 **THE BOARD MEMBERS:** Aye.

9 **MS. SULLIVAN:** There are none opposed. That
10 motion passes.

11 The next case is 2021-98.

12 **MR. CALLAWAY:** Troup County election office
13 reported that their office received voter
14 registration applications where the signatures of
15 the applicants were questionable. The
16 applications were submitted by a representative
17 of "The People's Agenda."

18 The investigation revealed -- the
19 investigation by "The People's Agenda" the
20 secretary of state identified Alexeev Harrison as
21 having submitted a voter registration application
22 for her mother Claire Harrison. Alexeev Harrison
23 admitted filling out and signing her mother's
24 name on a voter registration application
25 submitted to the Troup County elections office on

1 March 11, 2021.

2 Alexeev Harrison said her mother is elderly
3 and she assisted in filling out her voter
4 registration application. Registered to Alexeev
5 Harrison mother -- Harrison's mother has been
6 registered -- been a registered Troup County
7 voter since 2008.

8 Claire Harrison had previously signed an
9 affidavit in Troup County election, attesting it
10 was not her signature on the application
11 submitted. An affidavit was signed by Claire
12 Harrison on March 25, 2021. Alexeev Harrison
13 admitted in a statement to investigators that she
14 filled out the voter registration application
15 form for her mother.

16 The investigation by "The People's Agenda"
17 and the secretary of state identified Pamela
18 Williams as having submitted a voter registration
19 application for Lily Brooks. Ms. Brooks, who was
20 already registered to vote in Troup County,
21 confirmed that Pamela Williams signed her vote --
22 voter registration application.

23 Ms. Brooks had previously signed an
24 affidavit for Troup County elections, attesting
25 that it was not her signature on the application

1 submitted. The affidavit was signed by Louise
2 Brooks on March 25, 2021.

3 Ms. Brooks informed the investigator that
4 Pamela Williams filled the form out due to
5 Ms. Brooks's change in residency. Louise Brooks
6 signed a brief statement acknowledging that
7 Pamela Williams filed her voter registration
8 application.

9 The recommendation is as follows: Alexeev
10 Harrison be bound over to the attorney general's
11 office for O.C.G.A. 21-2-562, fraudulent entries,
12 unlawful alteration or destruction of entries,
13 unlawful removal of documents, neglect or refusal
14 to deliver documents when she filled out a voter
15 registration application in the name of her
16 mother, Claire Harrison.

17 Alexeev Harrison admitted she filled out the
18 voter registration application for her sick and
19 elderly mother, Claire Harrison. Alexeev
20 Harrison alleged -- stated -- admitted to filling
21 out the recent voter registration application.

22 Pamela Williams be bound over to the
23 attorney general's office for O.C.G.A. 21-2-562,
24 fraudulent entries, unlawful alteration or
25 destruction of entries, unlawful removal of

1 documents, neglect or refusal to deliver
2 documents when she filled out a voter
3 registration application in the name of Louise
4 Brooks.

5 Louise Brooks was a registered voter in
6 Troup County and signed an affidavit, attesting
7 that she did not sign the recent applications to
8 present to the Troup County election office.
9 Louise Brooks confirmed Pamela Williams was the
10 author of the voter registration application.

11 **MS. SULLIVAN:** And we have no one here to
12 speak regarding this case.

13 **MR. MASHBURN:** Move to refer it to the
14 attorney general's office.

15 **MS. SULLIVAN:** I'll second that motion.
16 Is there any further discussion?
17 All in favor, please say aye.

18 **THE BOARD MEMBERS:** Aye.

19 **MS. SULLIVAN:** None opposed. That motion
20 passes.

21 Next case is 2021-110.

22 **MR. CALLAWAY:** In December of 2020, we
23 received a complaint regarding 40 possible
24 state-wide deceased voters during the 2020
25 general election.

1 Of the 40 suspected deceased voters, the
2 investigation confirmed two to be fraudulent.
3 The other 38 voters are either currently alive,
4 they cast their ballot prior to their death, or
5 their vote was a result of an election office
6 administrative error.

7 The allegations with actual violations are
8 as follows.

9 A vote was cast for deceased voter William
10 Nelson via absentee ballot during the Cherokee
11 County general 2020 election.

12 A vote was cast for deceased -- deceased
13 voter Leon Rowe via absentee ballot during the
14 Richmond County 2020 general election.

15 A vote was listed for deceased voter Mattie
16 McDaniel via absentee ballot during the Fulton
17 County 2020 general election. This was found to
18 be in error as a voter with a similar name
19 requested and voted a ballot but was listed in
20 the system for the deceased person.

21 A vote was cast for deceased voter Charles
22 Knight via absentee ballot during the Coweta
23 County 2020 general election.

24 Alleged that a vote was cast for a deceased
25 voter Steven Shaw via absentee ballot during the

1 Lowndes County 2020 general election. It was
2 later determined the county gave credit to the
3 incorrect Shaw who was deceased. The person
4 casting the ballot is the eligible voter and
5 alive.

6 In Allegation 1, a vote was cast for
7 deceased voter William Nelson via absentee
8 ballot. According to ENet, William Nelson was on
9 a roll -- a rollover list and he was
10 automatically issued an absentee ballot for the
11 Cherokee County 2020 general election. The
12 ballot was mailed to the address on record,
13 located at 321 Orchard Drive in Canton, Georgia
14 and returned to the election office on 9/24/2020.

15 On 1/2/21, the election office changed
16 Nelson's ENet profile from active to deceased.
17 According to Nelson's obituary, he died on
18 9/6/2020.

19 The investigators interviewed William's wife
20 Sharon Nelson. She stated that she assisted her
21 husband with signing his ballot and confirmed
22 that he died on 9/6/2020.

23 We informed her that her husband's ballot
24 was not mailed to him until 9/18, the first day
25 that ballots were allowed to be mailed. However,

1 she insisted that he signed his ballot in the
2 hospital, prior to his death. She went on to say
3 that her husband was a Republican and that she
4 knew how he would've voted.

5 In Allegation 2, a vote was cast for
6 deceased voter Leon Rowe via absentee ballot
7 during the Richmond County 2020 general election.

8 According to ENet, on 9/22/2020, Leon Rowe
9 requested an absentee ballot for the Richmond
10 County 2020 general election. The ballot was
11 mailed to his address of record, located at
12 2508 Becket Court in Augusta and returned to the
13 election office on 10/2/2020.

14 On 1/21/21, the Richmond County election
15 office canceled Leon's voter registration and
16 listed him as deceased. Prior to 2020, Leon had
17 not participated in a Georgia election since
18 2012. According to Leon's obituary, he died on
19 12/2/2013. His mother, Alline Rowe also resides
20 at this address on record.

21 Upon review of Leon and Alline's signed oath
22 envelopes and other election records, the
23 handwriting on Leon's oath envelope is consistent
24 with Alline's handwriting. However, Alline is
25 currently deceased as well.

1 In Allegation 3, a vote was listed for
2 deceased voter Mattie McDaniel, cast via absentee
3 ballot during the Fulton County 2020 general
4 election. On ENet, Mattie Mae McDaniel
5 registered to vote in Fulton County on 6/9/12.
6 Her date of birth is 8/13/1930. Her address of
7 record was 2141 Springdale Road, Apartment 42, in
8 Atlanta.

9 On 9/2/20, elections clerk S. Owens
10 processed a change of address for Mattie Mae,
11 based on mail-in application. Her new address
12 was 555 McDaniel Street, Apartment 42, Atlanta,
13 Georgia 30312.

14 The investigation revealed election clerk
15 Sonia Owens mistakenly processed Mattie Belle's
16 change of address under Mattie Mae's election
17 ENet account. As a result, Mattie Belle's
18 absentee ballot was issued to her under Mattie
19 Mae's account.

20 Allegation 4, it was alleged that a vote was
21 count -- cast for a deceased voter Charles Knight
22 via absentee ballot during the Coweta County 2020
23 general election. According to ENet, Mr. Charles
24 Knight registered in Coweta County on 9/29/2020.
25 The date of birth is 5/4/78. The address of

1 record is 233 Donald Lamb Road in Moreland,
2 Georgia.

3 On 10/9/2020, Knight requested an absentee
4 ballot be mailed to 401 Justice Boulevard,
5 Griffin. The ballot was returned to the election
6 office on 11/2/20 and accepted. On 11/10/20, the
7 election office flagged Knight's ElectionNet
8 record as a convicted felon.

9 The investigation revealed that Knight is
10 currently alive but a convicted felon. According
11 to the Georgia Crime Information Center, Knight
12 has an active warrant for felony probation. His
13 current record indicated he was most recently
14 arrested by the Spalding County sheriff's office.

15 Allegation Number 5, deceased voter Steven
16 Shaw cast an absentee during the Lowndes County
17 2020 general election. According to ENet, Steven
18 Shaw was registered in Lowndes County on seven --
19 on 7/8/2011. His date of birth: 7/27/1980.
20 Address on record is 411 Pendleton Place,
21 Apartment 7, Valdosta, Georgia.

22 On 9/21/2020, he requested an absentee
23 ballot be mailed to P.O. Box 24 in Valdosta,
24 Georgia. Election associate R. Knight processed
25 the request. The ballot was returned to the

1 election office on 2/16/21 and it was canceled.

2 On 2/16/21, the Lowndes County election
3 office canceled Shaw's voter registration and
4 listed him as deceased. According to Shaw's
5 obituary, he died 12/2015.

6 The original allegation is not substantiated
7 as the person who made the request is living.
8 However, there is -- sufficient evidence has
9 proved a Georgia election code violation occurred
10 when the county processed the request under the
11 incorrect name of a different Mr. Shaw that is
12 actually deceased.

13 The recommendations are as follows: Sharon
14 Nelson bound over to attorney's office for
15 O.C.G.A. 21-2-562, fraudulent entry when she
16 signed and returned an absentee ballot on behalf
17 of her deceased husband during Cherokee County
18 2020 general election.

19 Sonia Owens, Fulton County elections clerk
20 be bound over the attorney general's office for
21 O.C.G.A. 21-2-218(c), address change and
22 corrections, when she processed a change of
23 address under the wrong voter registration
24 record.

25 Charles Knight be bound over to the attorney

1 general's office for O.C.G.A. 21-2-561, false
2 registration, when he registered to vote in
3 Coweta County while serving a sentence for
4 felony -- for a felony pursuant to O.C.G.A.
5 21-2-216(b), O.C.G.A. 21-2-563 (sic), absentee
6 voting by unqualified elector, when he voted in
7 the Coweta County 2020 general election while
8 serving a sentence for a felony pursuant to
9 O.C.G.A. 21-2-216(b).

10 Rebekah Knight, Lowndes county elections
11 clerk, be bound over to the attorney general's
12 office for O.C.G.A. 21-2-381(b)(1), making of
13 application -- apply for absentee ballot, when
14 she issued an absentee ballot to a deceased voter
15 and not the correct requestor as placed on the
16 application without verifying all of the
17 information.

18 **MS. SULLIVAN:** Thank you.

19 I believe we have several people signed up
20 to speak.

21 **MR. NORTHEN:** We have Rebekah Knight and
22 Barry Bishop.

23 Rebekah Knight, you'll be able to talk.
24 Unmute yourself.

25 **MS. SULLIVAN:** Ms. Knight, you may go ahead.

1 **MS. KNIGHT:** Hi. This is Rebekah Knight.
2 Can y'all hear me?

3 **MS. SULLIVAN:** Yes, we can.

4 **MS. KNIGHT:** Okay. I just wanted to inform
5 that -- that it's saying in the case that all of
6 this was discovered in February of 2021 and that
7 I was no longer there then. I was fired back in
8 November of 2020. And it says that the reason
9 for my termination was because of the improper
10 processing.

11 However, when I was fired, they told it was
12 because I was no longer -- that they no longer
13 required my assistance. And with it being all
14 being discovered in February, I was not informed
15 of it -- of this until I was -- until I got a
16 call in August by the investigator which is why I
17 don't recall any -- any of this.

18 **MS. SULLIVAN:** Thank you, Ms. Knight. You
19 have no memory of this situation.

20 **MS. KNIGHT:** No, ma'am. Because, like I
21 said, I was fired back in November of 2020 and
22 all of this was discovered in February of 2021.
23 And I wasn't informed until Aug -- of August of
24 2021 when the investigator gave me a call about
25 it.

1 And he had asked me if I had known anything
2 about this, and I told him I had no recollection
3 of it.

4 **MS. SULLIVAN:** Do any of the board members
5 have any questions for Ms. Knight?

6 Okay. And who else do we have here to
7 speak?

8 **MR. NORTHEN:** Barry -- Barry Bishop.

9 **MS. SULLIVAN:** Mr. Bishop, you may go ahead.

10 **MR. BISHOP:** Unmute I guess. Can you hear
11 me now?

12 **MS. SULLIVAN:** Yes, sir.

13 **MR. BISHOP:** Thank you. Madam Chairman,
14 I -- first of all, I'd like to say it's been a
15 real education for me to sit here all day and
16 listen to these cases. I guess no one is aware
17 of what's going on with the voter -- voter system
18 in Georgia, but it's a real education.

19 I represent Sharon Nelson who is the
20 74-year-old widow of William Nelson. The -- I've
21 heard the allegations and it's pretty much
22 accurate what's been described.

23 My client and her husband were on the
24 absentee roll to receive the absentee ballots for
25 the general election in September of two -- in

1 2020 for November. He did pass away
2 September the 6th, I believe. She -- prior to
3 that he -- she and her husband had talked about
4 voting and how he was a staunch Republican and he
5 was going to vote Republican. And she says,
6 well, I'm going to cancel your ballot because
7 I'm -- I'm voting Democrat. So it was kind of a
8 joke between the two of them.

9 He died. She received the absentee ballots
10 and to carry out his wishes she sent both ballots
11 back in, both hers and his, with him voting
12 Republican and her voting Democrat. She now
13 realizes that was not the thing to do. She
14 shouldn't have done that, did not realize that it
15 was anything wrong other than she was carrying
16 out the wishes of her husband.

17 Later on, both of them did receive -- or she
18 received for herself and her husband the absentee
19 ballots for the runoff election. At that point,
20 she talked to her grandson who advised her, well,
21 my granddad's deceased, you need to send in your
22 ballot but not -- but not his. So she did that.
23 She sent in her absentee ballot for the runoff
24 election. She did not send in her husband's for
25 the runoff, based upon what her grandson had told

1 her was what she needed to do.

2 She didn't realize that she was violating
3 anything when she did this. She only thought she
4 was carrying out her husband's wishes. She's
5 obviously remorseful for this and realizes
6 that -- that it was a mistake. But she was under
7 a lot of emotional stress, medication, confusion,
8 and just did not do the right thing at the time
9 and didn't seek advice on what to do.

10 So we would request a dismissal of this
11 case.

12 **MR. MASHBURN:** Yeah. Can't -- this is Matt
13 Mashburn. I -- I appreciate your presentation.
14 I thought it was well done.

15 I can't see to dismiss. And the reason why
16 I can't see to dismiss is because of the damage
17 that this does to the belief of the other people
18 in the system that you really did have a dead
19 person vote in Georgia. And so that creates
20 damage throughout the system and people don't
21 believe the system because this happened.

22 Now, that being said, if it goes to the
23 attorney general, one of the things they're going
24 to do is enter a cease-and-desist order which
25 means she's not going to do it again. And I

1 think she's properly instructed now that she's
2 not going to do it again.

3 So I can't see my way clear to dismiss it,
4 but I don't think sending it to the attorney
5 general is a good use of their resources or are
6 of benefit because I think she's remorseful. You
7 made a good presentation on her behalf.

8 So I'm going to move that a letter of
9 instruction be issued.

10 **MR. BISHOP:** I understand.

11 **MS. GHAZAL:** Second.

12 **MS. SULLIVAN:** We have a motion and a
13 second. Is there any further discussion?

14 **MS. LE:** I respect the motion and the
15 second. I will not support the motion. I think
16 there's a direct violation, albeit a mistake.
17 And voting rights are not assignable. And for
18 that reason --

19 Remorse is something we hear a lot and it's
20 something I really appreciate because sometimes
21 we do make these mistakes unknowingly. However,
22 the law is what it is and for that reason and
23 because of consistency with past cases, I will
24 not support the motion, respectfully.

25 **MS. SULLIVAN:** Thank you.

1 Is there any further discussion?

2 All in favor of the motion, please vote by
3 saying aye.

4 **THE BOARD MEMBERS:** Aye.

5 **MS. SULLIVAN:** And all opposed, please say
6 nay.

7 **THE BOARD MEMBERS:** Nay.

8 **MS. SULLIVAN:** The motion is not going to
9 pass for lack of a majority.

10 **MR. MASHBURN:** Okay. So we have a -- we
11 have -- we have -- we must -- we must deal with
12 the case in some fashion. So the next -- I
13 can't -- I just can't see to dismiss it. So it
14 seems that the will of the board is deadlocked
15 at -- at doing something, but what is that
16 something?

17 So I think the attorney general can weigh
18 the appropriate aggravating and mitigating
19 circumstances and come to a just and proper
20 solution, based on the board's comments today.

21 So with that, I'll move to -- either allow
22 Anh Le to make a motion to send it to the
23 attorney general or I'll make the motion to send
24 it to the attorney general or second hers.
25 However ...

1 I'll make the motion to send it to the
2 attorney general.

3 **MS. LE:** I'll second that. This is Anh Le.

4 **MS. SULLIVAN:** Any further discussion?

5 All in favor, please say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MS. SULLIVAN:** And there are none opposed.

8 That motion passes. That deals with the
9 allegations regarding Ms. Nelson.

10 We also have recommendations -- the
11 remaining recommendations in this case.

12 Mr. Callaway, would you remind us.

13 **MR. CALLAWAY:** Yes. Charles Knight be bound
14 over to the attorney general's office for
15 O.C.G.A. 21-2-561, false registrations. He
16 registered to vote in Coweta County while serving
17 a sentence for felony punishment pursuant to
18 O.C.G.A. 21-2-216(b), O.C.G.A. 21-2-573, absentee
19 voting by unqualified elector, when he voted in
20 the Coweta County 2020 general election while
21 serving a sentence for a felony, pursuant to
22 O.G.C.A. 21-2-216(b).

23 **MR. MASHBURN:** It was -- it was believed
24 that he was deceased but he -- he was not
25 deceased but he was a felon.

1 **MR. CALLAWAY:** That's correct. The original
2 complaint was that he was deceased and the
3 investigation revealed he was alive but a
4 convicted felon under probation -- under
5 sentence.

6 **MR. MASHBURN:** I move that that be referred
7 to the attorney general.

8 **MS. SULLIVAN:** I'll second that.

9 Is there any further discussion?

10 All in favor, please say aye.

11 **THE BOARD MEMBERS:** Aye.

12 **MS. SULLIVAN:** None opposed. That motion
13 passes.

14 And then we have a last allegation regarding
15 Lowndes -- former Lowndes County election clerk
16 Ms. Knight.

17 **MR. CALLAWAY:** Rebekah Knight, Lowndes
18 County -- former Lowndes County elections clerk
19 bound over to the attorney general's office for
20 O.C.G.A. 21-2-381(b)(1), making of application
21 for absentee ballot, when she issued an absentee
22 ballot for a deceased voter, not the correct
23 requestor reflected on the application without
24 verifying all of the information.

25 **MS. SULLIVAN:** I believe that Ms. Knight is

1 still on the line.

2 Ms. Knight, do you work in elections at --
3 at all now?

4 **MS. KNIGHT:** No, ma'am.

5 **MS. SULLIVAN:** And do you have any intention
6 of working --

7 **MS. KNIGHT:** No, ma'am.

8 **MS. LE:** Because Ms. Knight is no longer in
9 elections, her actions taken during this time was
10 in the capacity of an elections representative, I
11 don't have facts here that support fraudulent
12 activities in her personal capacity but that
13 there is a technical violation for that reason.

14 I move to issue a letter of instruction if
15 that is the will of the board.

16 **MS. SULLIVAN:** I'll second that motion.

17 Is there any further discussion?

18 All in favor, please say aye.

19 **THE BOARD MEMBERS:** Aye.

20 **MS. SULLIVAN:** And there are none opposed.
21 That motion passes.

22 **MR. MASHBURN:** And before we move on, does
23 that complete this ...

24 **MS. SULLIVAN:** It does.

25 **MR. MASHBURN:** Before we move on, Madam

1 Chair, if I could make an inquiry.

2 Is this -- and this is probably a completely
3 unfair question for the investigator now, but
4 does this complete our dead voters? No, we still
5 have more?

6 **MR. CALLAWAY:** We've got a few more --

7 **MR. MASHBURN:** Okay.

8 **MR. CALLAWAY:** -- that we're looking into.

9 **MR. MASHBURN:** A handful? Ten? Twenty?

10 **MR. CALLAWAY:** There's a north and a south.
11 Macon and Atlanta are doing separate cases now,
12 as well, should -- should be wrapped up here by
13 the end of the month.

14 **MR. MASHBURN:** Okay. And if you had a
15 ballpark figure, is that unfair? Is that unfair?
16 Put you on the spot? Can you get us that number?

17 **MR. CALLAWAY:** I can get you that figure,
18 yes, sir.

19 **MR. MASHBURN:** Okay. Yeah. If you can get
20 us that number because we -- there's this
21 original allegation that there were 1200 dead
22 people that voted in Georgia. We found five that
23 were all voted by close family members and the
24 rest were either alive or felons or whatever.

25 So the soonest we can wrap that part up, I

1 think it would be helpful to the people's
2 confidence.

3 **MR. CALLAWAY:** Yes, sir.

4 **MR. MASHBURN:** Thank you.

5 **MS. SULLIVAN:** I will take this opportunity
6 to compliment the investigations division.

7 **MR. MASHBURN:** Yes.

8 **MS. SULLIVAN:** They have cleared a
9 tremendous backlog of cases --

10 **MR. MASHBURN:** Oh my gosh, yes.

11 **MS. SULLIVAN:** -- in the last couple of
12 years.

13 And we do thank you for all of -- all of
14 your hard, dedicated work to -- to get -- to
15 clear that backlog.

16 **MR. MASHBURN:** Agreed. Agreed.

17 **MS. SULLIVAN:** The case on the agenda is
18 2020-111.

19 **MS. JONES:** On 6/14/21, the Georgia Office
20 of Secretary of State's Investigation Division
21 initiated an investigation regarding the
22 collection of absentee ballots from drop boxes
23 during the Fulton County 2020 general election.

24 There was an allegations that the Fulton
25 County elections office failed to provide

1 approximately 385 drop box -- ballot transfer
2 forms during the open records request which
3 represent undocumented chain-of-custody for
4 approximately 18,900 absentee ballots.

5 The investigation revealed in the initial
6 response to the news article, open records
7 request did not contain all the requested
8 records. The requested -- the records, sorry --
9 the records provided represented approximately
10 56,000 absentee ballots of the 78,000 reported to
11 be collected by Fulton County on the spreadsheet
12 included with the open records request.

13 The election official responsible for
14 preparing the files failed to save all of the
15 records to the flash drive that was provided to
16 the -- to the news agency. After being contacted
17 by the news agency in question about the
18 discrepancy, the election office conducted an
19 internal audit of the records and Fulton County
20 elections chief, Nadine Williams, created a flash
21 drive that contained all of the records they were
22 able to locate on 6/17/21.

23 On 6/22/21, the secretary of state's office
24 reviewed ballot transfer forms provided by
25 Williams. On 6/17/21, this review was able to

1 account for a total of 78,383. However, there
2 were still 58 missing ballot -- missing ballot
3 transfer forms. These forms accounted for 892
4 absentee ballots and 13 collection dates.

5 On 6/24/21, our investigation --
6 investigations conducted a follow-up interview
7 with Williams. Investigations requested that she
8 provide video surveillance for each date and
9 location that she was not able to provide a
10 ballot transfer form and where there appeared to
11 be only one courier documented on the ballot
12 transfer forms. Investigations also asked she
13 provide the names and contact information for
14 each of her couriers and their signed oaths.

15 On 6/30/21, Williams provided her list of
16 the absentee ballot collection teams and their
17 signed oaths and video surveillance from the
18 drop-box locations that were missing ballot
19 transfer forms. Of the 50 members of the
20 absentee ballot collection team, Williams
21 provided 40 signed oaths. The oaths were not
22 dated or notarized. She stated she cannot locate
23 the others.

24 Williams submitted a request to the Fulton
25 County technical operations manager to obtain

1 video surveillance on the date of the missing
2 ballot transfer forms. Surveillance footage was
3 only available for three locations.

4 On 11/2, a review of this footage revealed
5 two couriers collecting ballots from each
6 location. Footage for the earlier dates were not
7 retained by Fulton County IT department.

8 Williams stated she contacted the managers of
9 each collection team and confirmed each team
10 consisted of two couriers and all ballot boxes
11 were checked daily.

12 On 7/8/21, investigations interviewed three
13 members of the absentee ballot collection team
14 and they were able to confirm the collection
15 process described by Williams as well as the
16 alternate process that resulted in two sets of
17 ballot transfer forms.

18 Recommendations are as follows:

19 Fulton County Board of Elections and
20 Registration; Richard Barron, elections
21 supervisor; and Nadine Williams, Fulton County
22 elections be bound over to the attorney general's
23 office for board rule 183-1-14-0.6-.14(10),
24 secure absentee ballot drop boxes, when the
25 election office was unable to produce 58 drop-box

1 ballot transfer forms for the 2020 general
2 election.

3 Ralph Jones, former chief registrar; Nadine
4 Williams, Fulton County be bound over to the
5 attorney general's office for O.C.G.A. 21-2-95,
6 form of manager's oath, when she failed to
7 maintain copies of oaths for each member of the
8 absentee ballot collection team.

9 Fulton County Board of Elections and
10 Registration; Richard Barron, Fulton County;
11 Nadine Williams, Fulton County be bound over to
12 the attorney general's office for board rule
13 183-1-14-0.6-.14(5), secure absentee ballot drop
14 boxes, when the election office failed to retain
15 absentee ballot drop-box surveillance video for
16 the 2020 general election.

17 **MS. SULLIVAN:** Mr. Lowman, would you like to
18 address this complaint?

19 **MR. LOWMAN:** Yes, I would. I believe -- I
20 believe I have Nadine Williams, chief of
21 elections, on the line who can speak to the
22 issues in this case.

23 **MS. SULLIVAN:** I don't -- she's not
24 available?

25 **MS. WILLIAMS:** Hello.

1 **MR. NORTEN:** Ma'am, you should be able --

2 **MS. SULLIVAN:** Yes, Ms. Williams. You can
3 unmute yourself.

4 **MS. WILLIAMS:** Okay, I'm sorry. I -- I was
5 trying to unmute. Well, the report reads out of
6 the 1,035 absentee ballot transfer forms, 58 were
7 missing. Please be advised that -- that 35 of
8 those forms were located and provided to the SOS
9 around June 25th. Therefore, 23 forms were
10 misfiled.

11 Unfortunately during most of those dates,
12 the 23 missing transfer forms, which was
13 October 14th to October 20th, permanent
14 management staff and experienced temporary staff
15 were out of the office due to a COVID-19 outbreak
16 and temporary management unfortunately misfiled
17 the forms.

18 To avoid this occurrence in the future, we
19 have drafted standard operation procedures and
20 retrained all staff on proper filing of transfer
21 forms. We have also converted the SOS absentee
22 drop-box ballot form to a four-part carbon, so
23 for additional form tracking.

24 Regarding the oaths which were not properly
25 completed, we have retrained staff regarding the

1 completion of those forms and retention.

2 Regarding the video surveillance, because
3 our understanding per SEB 183-1-14-.8-.14, the
4 surveillance videos were to be kept 30 days
5 postelection date. Therefore our video storage
6 system was not programmed to retain video by the
7 date of this request which was approximately a
8 hundred and fifty days postelection date. But
9 any videos that were still available were
10 provided to the SOS.

11 And that completes my statement.

12 **MS. SULLIVAN:** Thank you, Ms. Williams.

13 Does Ms. Ghazal have a question?

14 **MS. GHAZAL:** No. I just wanted to thank
15 Ms. Williams for outlining all of the steps that
16 you have taken since then to provide back-up
17 systems. Thank you.

18 **MS. WILLIAMS:** Thank you.

19 **MR. MASHBURN:** This is Matt Mashburn. I
20 have a couple questions for the investigator.

21 So we started out with approximately 78,000
22 votes that were -- that were dropped in ballot
23 boxes; right?

24 **MR. CALLAWAY:** Yes, sir.

25 **MR. MASHBURN:** All right. And y'all have

1 been able to identify 78,383.

2 **MR. CALLAWAY:** Yes, sir.

3 **MR. MASHBURN:** Okay. And so the report was
4 that there was 56,000 missing. And then it was
5 down to 18,000 were missing. And so now we're
6 down to 892.

7 **MR. CALLAWAY:** Correct.

8 **MR. MASHBURN:** Okay.

9 **MS. SULLIVAN:** And, Ms. Williams, can I
10 confirm that while the ballot transfer forms may
11 not be identified, all of these ballots still
12 underwent the same process as every other
13 absentee ballot. So they underwent the signature
14 verification and they were checked in just like
15 any other absentee ballot; is that correct?

16 **MS. WILLIAMS:** Yes, that is correct.

17 And may I also state that the count -- and
18 I'm sorry I don't have that number in front of
19 me -- is less 800. I think it was 898. Because
20 we did find the 35 forms. So it's less than that
21 number for the absentee drop -- for the absentee
22 ballots that -- for the forms that match those
23 ballots.

24 But our log -- we had a daily log that we
25 kept that was not required. But we kept a log

1 that it was also posted on our website. And
2 those -- we can see the numbers that are on that
3 form -- I mean, that were -- that were -- that
4 were copied from their form. But unfortunately
5 the forms were misfiled.

6 But we have a log of what the count was for
7 each day that the form is missing.

8 **MR. MASHBURN:** So you -- you know what boxes
9 and what dates those 892 are -- were submitted;
10 right?

11 **MS. WILLIAMS:** It is -- yes. Yes. It's
12 less than 892 but we know the exact date, exact
13 box that -- of the missing form. Yes, we do.

14 **MR. MASHBURN:** And that's posted on your
15 website?

16 **MS. WILLIAMS:** We had it on our website at
17 the time. We had a spreadsheet that we kept for
18 full transparency of the -- how much we collected
19 every day from every drop box.

20 **MR. MASHBURN:** Thank you.

21 **MS. WILLIAMS:** You're welcome.

22 **MR. MASHBURN:** I appreciate the hard work
23 that the secretary of state's office has done on
24 this. This is a -- this is a very big issue,
25 both in Georgia and nationwide. So y'all's

1 investigation is really important and I
2 appreciate you doing it.

3 And I believe that the result of the
4 investigation does indicate a violation has
5 occurred. And so I move that it be recommended
6 to the attorney general's office.

7 But I appreciate your hard work. I
8 appreciate Fulton County's hard work in trying to
9 recover as much as they can and get as much as
10 they can.

11 But the video and the sheets were just
12 central pillars of allowing the drop boxes to
13 exist. And what they were supposed to do didn't
14 happen. So I do -- I do find a violation has
15 been shown with probable cause.

16 **MS. SULLIVAN:** Is that a motion?

17 **MR. MASHBURN:** Yes. I move to send it to
18 the attorney general's office.

19 **MS. SULLIVAN:** Is there a second?

20 **MS. LE:** This is Anh. I second it.

21 **MS. SULLIVAN:** Any further discussion?

22 All in favor, please say aye.

23 **THE BOARD MEMBERS:** Aye.

24 **MS. SULLIVAN:** There are none opposed. That
25 motion passes.

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The next case is 2021-130.

MR. CALLAWAY: On 9/9/21, secretary of state investigation division received a complaint regarding the residency status of Fulton County voter Lewanna Tucker for the August 2020 general primary runoff, the 2020 general election, and 2021 January 5th runoff elections.

The allegation is that Lewanna Tucker moved prior to these elections and voted out of district.

The investigation revealed Lewanna Tucker did early advanced vote three separate times at the Alpharetta Library. This was not her voting precinct. She filled out the application for advanced early voting by absentee, using her old address and did not inform Fulton County elections staff of her change of address when she checked into the polls and filled out the application on all three occasions.

She did not update her address to elections until a year after she had moved. She did not move -- She did this on June 24, 2021. She also did not update her address on her license until August 31, 2021.

The investigation revealed that Lewanna

1 Tucker voted out of district on three separate
2 occasions, filling out and signing the
3 applications for absentee ballot and attesting to
4 the incorrect address for the August 11, 2020
5 general primary special election for the 5th
6 Congressional District, November 3, 2020 general
7 election, and the January 5, 2021 senate runoff.

8 Recommendations are as follows: That
9 Lewanna Tucker be bound over to the attorney
10 general's office for Georgia election code
11 21-2-562, fraudulent entries, unlawful alteration
12 or destruction of entries, unlawful removal of
13 documents, neglect or refusal to deliver
14 documents, when Lewanna Tucker used an address on
15 her August 11, 2020, November 3, 2020, and
16 January 5, 2021 applications for early advanced
17 in-person voting oaths which she no longer
18 resided, three counts; Georgia election code,
19 O.C.G.A. 21-2-218(f), cancellation of
20 registration in former state or county, address
21 changes or corrections, in that Lewanna Tucker
22 used an address on her August 11, 2020 general
23 primary runoff, November 3, 2020 general
24 election, and January 5, 2021 senate runoff
25 applications for early advanced in-person voting

1 oath in which she no longer resided, three
2 counts; O.C.G.A. 40-5-33, require change of
3 address or name, when she failed to update her
4 Georgia driver's license within 60 days as
5 required by law.

6 **MS. SULLIVAN:** Yes, Ms. Ghazal.

7 **MS. GHAZAL:** I recuse myself in this case.

8 **MS. SULLIVAN:** Okay. And there is no one
9 here to speak on this case.

10 I will make a motion that we accept the
11 recommendation.

12 **MR. MASHBURN:** Second.

13 **MS. SULLIVAN:** I've got a motion and a
14 second.

15 Any further discussion?

16 All in favor, please say aye?

17 **THE BOARD MEMBERS:** Aye.

18 **MS. SULLIVAN:** And there are none opposed.
19 And let the record reflect that Ms. Ghazal did
20 not vote in that motion that passed.

21 The next case is 2021-132.

22 **MR. CALLAWAY:** Paulding County election
23 employees reported a voter living in Paulding
24 County and voting in Fulton County.

25 The investigation revealed Ms. Holloway has

1 lived in Paulding County for almost three years.
2 Her drivers license and vehicle registration list
3 a residence at 6737 Bill Carruth Parkway in
4 Hiram. That's in Paulding County.

5 Ms. Holloway voted in Fulton County for the
6 November 3, 2020 and January 5, 2021 elections.
7 She believes that she could vote in Fulton County
8 because she and her ex-husband own a residence at
9 2817 Arlington Road in East Point.

10 Paulding County did inform her that that was
11 not the case and Ms. Holloway refused to believe
12 that.

13 The recommendations are as follows:
14 Aruanita Holloway be bound over to the attorney
15 general's office for O.C.G.A. 21-2-562,
16 fraudulent entries, unlawful alteration or
17 destruction of entries, unlawful removal of
18 documents, neglect or refusal to deliver
19 documents in that, to wit, that Ms. Holloway used
20 an address on her January 5, 2021 application for
21 early advanced in-person voting oath that says
22 she wished to use an address that -- in which she
23 no longer resides.

24 O.C.G.A. 21-2-218, two counts, in which
25 Ms. Holloway used an address on a January 5, 2021

1 application for early advanced in-person voting
2 oath in which she no longer resided and voted in
3 the January 5, 2021 elections. Ms. Holloway also
4 voted in the November 3, 2020 general election.

5 **MS. SULLIVAN:** It's my understanding that
6 Ms. Holden is here.

7 Would you like to address the board?

8 **MS. HOLDEN:** Thank you. I'm just here,
9 available for any questions that the board may
10 have.

11 **MS. SULLIVAN:** Okay. I don't think there
12 are any questions for you. Thank you for being
13 here.

14 Are there any other individuals here?

15 **MR. NORTHEN:** No, ma'am.

16 **MS. SULLIVAN:** No other individuals signed
17 up to speak.

18 **MR. MASHBURN:** We appreciate their diligence
19 in catching this.

20 **MS. SULLIVAN:** Yeah.

21 **MR. MASHBURN:** I move to refer this to the
22 attorney general's office.

23 **MS. SULLIVAN:** Second.

24 Any further discussion?

25 All in favor, please say aye.

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THE BOARD MEMBERS: Aye.

MS. SULLIVAN: None opposed. That motion passes.

And the last case on our agenda today is 2021-137.

MR. CALLAWAY: Athens-Clarke County elections director Charlotte Sosebee advised that a citizen had filed for two voter registration I.D. cards under two different names in September of 2021.

The investigation revealed that Lopez Diego Borders came to the Athens-Clarke County elections office on 9/7/2021 and applied for a voter I.D. card in the name of Antonio Riaz (ph). On 9/23/2021, he came into the office again and applied for a voter I.D. card in the name of Timothy White. He was not using his identification cards for voting at this time, however, appears to fraudulently cashing checks with them.

He is also wanted by Athens-Clarke County law enforcement for forgery and theft. Athens-Clarke County elections did not violate any election law or rule in issuing the IDs. They were following Georgia election rules in

1 issuing the IDs, using the voter application form
2 he filled out at the time as proof of his
3 identity.

4 Our recommendations are as follows: Lopez
5 Diego Borders, alias of Antonio Riaz, alias of
6 Timothy White, be bound over to the attorney
7 general's office and also the district attorney's
8 office for O.C.G.A. 21-2-561, false registration,
9 and O.C.G.A. 21-2-562, fraudulent entries, four
10 counts respectively on that one; and on O.C.G.A.
11 21-2-561, two counts.

12 **MS. SULLIVAN:** Thank you, Mr. Callaway.

13 And this individual is not here to address
14 that. So I would make a motion that we accept
15 this recommendation and refer to both the
16 attorney general and the district attorney.

17 **MR. MASHBURN:** Second.

18 **MS. SULLIVAN:** Is there any further
19 discussion?

20 **MR. MASHBURN:** Thanks to Charlotte Sosebee
21 for catching this one.

22 **MS. SULLIVAN:** Yes, thank you.

23 All in favor, please say aye.

24 **THE BOARD MEMBERS:** Aye.

25 **MS. SULLIVAN:** Any opposed? That motion

1 passes.

2 The next item on our agenda is the attorney
3 general report. We have the first number of
4 consent orders to consider. We normally vote on
5 these as a block.

6 Are any of these cases that any member would
7 like to speak about individually?

8 We also have the -- let's go ahead and
9 entertain a motion on these consent orders then.

10 **MR. MASHBURN:** Move to approve in -- on --
11 in a block.

12 **MS. SULLIVAN:** Do we have a second?

13 **MS. LE:** Second.

14 **MS. SULLIVAN:** All in favor, please say aye.

15 **THE BOARD MEMBERS:** Aye.

16 **MS. SULLIVAN:** Any further discussion?

17 And we're -- this is a long day.

18 And there's none opposed. That motion
19 passes.

20 Then we have the orders and dismissals
21 listed on the agenda: Case 2016-34, 2015-4, and
22 2016-179.

23 Would any board member like to discuss any
24 of these individually?

25 We can entertain a motion at this time then.

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MR. MASHBURN: Move to approve in a block.

MS. SULLIVAN: Is there a second?

MS. GHAZAL: Second.

MS. SULLIVAN: Any further discussion?

All in favor, please say aye.

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: And there are none opposed.

That motion passes.

And there being no further business before us today, I make a motion to adjourn.

MS. GHAZAL: Second.

MS. SULLIVAN: All in favor?

THE BOARD MEMBERS: Aye.

MS. SULLIVAN: Thank you very much for all who joined us today. Thank you for all the work of all of those (indiscernible).

Thank you so much. We are adjourned.

(Adjourned at 4:12 p.m.)

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CERTIFICATE

STATE OF GEORGIA)
)
 I, Mary K. McMahan, Certified Court
Reporter, Certified Verbatim Reporter, Registered
Professional Reporter, Florida Professional Reporter
certify that I was authorized to and did
stenographically report the foregoing proceedings
through audio-conferencing and that the transcript is
a true and complete record to the best of my ability
through stenographic notes.

DATED this 25th day of January, 2022.

/s/ Mary K. McMahan
MARY K. MCMAHAN
Certified Court Reporter
Certified Verbatim Reporter
Registered Professional Reporter
Florida Professional Reporter

THE OFFICE OF SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD HEARING

Zoom Audio-conference

DECEMBER 14 2021
9:00 A.M.

MARY K MCMAHAN, CCR, 2757
STEVEN RAY GREEN COURT REPORTING LLC
ATLANTA, GEORGIA 30324
(404) 733-6070

APPEARANCE OF THE PANEL

Rebecca Sullivan, Acting Chair
Sara Tindall Ghazal
Ahn Le
Matthew Mashburn

ALSO PRESENT:

Ryan Germany, General Counsel
Nicholas Northen, Election System Manager
Pamela Jones, Investigator Supervisor
James Callaway, Deputy Chief Investigator

Transcript Legend

(sic) - Exactly as said.
(ph.) - Exact spelling unknown.
-- Break in speech continuity.
. . . Indicates halting speech, unfinished sentence
or omission of word(s) when reading.
Quoted material is typed as spoken.

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P R O C E E D I N G S

1
2 **MS. SULLIVAN:** Good morning, this is Rebecca
3 Sullivan. We're going -- thank you all for being
4 here. We're going to go ahead and call this
5 meeting to -- of the State Election Board to
6 order.
7 For purposes of the record, I'd like to call
8 Ms. Le.
9 **MS. LE:** Present.
10 **MS. SULLIVAN:** Ms. Ghazal.
11 **MS. GHAZAL:** Present.
12 **MS. SULLIVAN:** And let the record reflect
13 that Mr. Mashburn will be joining us at a later
14 point in today's meeting.
15 We'll start with the invocation and Pledge
16 of Allegiance. If you'll please join me in
17 prayer.
18 (Invocation)
19 (Pledge of Allegiance)
20 **MS. SULLIVAN:** The next item on our agenda
21 is to review the board meeting minutes from the
22 October 28, 2021 meeting of the State Election
23 Board. The board members have been provided
24 those minutes and at this time I'll entertain a
25 motion to approve them.

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1 **MS. LE:** Move to approve.

2 **MS. SULLIVAN:** Motion by Ms. Le. Is there a
3 second?

4 **MS. GHAZAL:** Second.

5 **MS. SULLIVAN:** Motion and a second. Any
6 further discussion?

7 All in favor, please say aye.

8 **THE BOARD MEMBERS:** Aye.

9 **MS. SULLIVAN:** That motion passes
10 unanimously.

11 And next on the agenda, Mr. Germany is going
12 to give us an update on the Fulton County Review
13 Panel's work.

14 Mr. Germany?

15 **MR. GERMANY:** Thank you, Madam Chair.

16 This is Ryan Germany, general counsel in the
17 secretary of state's office. The Fulton County
18 performance review remains ongoing. The team has
19 conducted observation of early voting,
20 election-day voting, and tabulation during both
21 last November's general municipal election and
22 the -- the runoff following that, the end of
23 November.

24 The next step in our process, we'll conduct
25 the interviews of Fulton personnel and other --

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1 that would like to speak regarding a consent
2 case. If you could let me know which ones those
3 are.

4 **MR. NORTHEN:** So we have Nancy Stephens on
5 case number 2020-006.

6 Just a moment, Ms. Stephens. You will be
7 unmuted.

8 **MS. SULLIVAN:** At this time, we'll go ahead
9 and present the case.

10 **MS. JONES:** Complainant self-reported to the
11 secretary of state's office that Hancock County
12 didn't handle qualifying properly for the May 19,
13 2020 general primary election in Hancock County.

14 The investigation revealed that Hancock
15 County handled the qualifying of Democratic and
16 Republican candidates for the May 19, 2020
17 general primary election within the time limit
18 set out by O.C.G.A. 21-2-131. The deadline of
19 February 1, 2020 was met when the fixing and
20 qualifying fees was posted in the *Sparta*
21 *Ishmaelite* newspaper. Qualifying was completed
22 by the Democratic and Republican parties in
23 Hancock County within the qualifying period of
24 March 2nd through March 6th, 2020.

25 Our recommendation is this case be

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1 other people as well.

2 So it -- it remains ongoing, and then given
3 this time of year, it has been a little difficult
4 to schedule things. So it's proceeding a little
5 bit slower than I think we initially were hoping.
6 But I think it will remain on track to complete
7 it in a reasonable time.

8 And as stated, so far Fulton has been very
9 cooperative and open in trying to really make
10 sure that the team gets information that it needs
11 so we can provide a recommendation to you guys in
12 short order.

13 That's it.

14 **MS. SULLIVAN:** Thank you, Mr. Germany.

15 Do any of the board members have any
16 questions for Mr. Germany?

17 At this point, we will move on to the
18 investigation report. And first on our agenda
19 are the consent cases.

20 I would like to add one case to the agenda
21 that's not on this printed agenda. And that is
22 SEB Case Number 2020-256.

23 We have one case that has been continued on
24 this agenda. That's 2020-125.

25 And I believe that we have some people here

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1 dismissed.

2 **MS. SULLIVAN:** Ms. Stephens, would you like
3 to address the board regarding this case?

4 **MR. NORTHEN:** Ms. Stephens, you'll need to
5 unmute.

6 **MS. SULLIVAN:** Ms. Stephens, if you would
7 like to speak, you need you to unmute yourself
8 and you may go ahead and address the board.

9 **MS. STEPHENS:** Nancy Stephens. Can you hear
10 me now?

11 **MS. SULLIVAN:** Yes, ma'am.

12 **MS. STEPHENS:** During the 2020 election
13 year, I was the acting election supervisor for
14 approximately six weeks, from mid February to the
15 end of March. I was BOER member and was asked to
16 fill in when our election supervisor resigned at
17 the end of January 20, 2020 and through the
18 presidential preference election.

19 Our board of commissioner chair had hired
20 the election supervisor from McDuffie County as a
21 liaison to help me with any assistance that I
22 needed. None of our new equipment had been
23 checked in, so I was trying to do that as well as
24 stay on top of what needed to be done for the
25 upcoming election.

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1 When the question of qualifying came up, I
2 asked our liaison what I needed to do. I was
3 advised that I could either take care of the
4 qualifying or tell the political parties they
5 needed to handle the qualifying themselves. I
6 should've verified the -- that information I
7 received from the liaison was correct, but I did
8 not.

9 I advised the political parties that they
10 should handle their own qualifying. Shortly
11 before the qualifying period ended, the county
12 Republican party chair had some questions, and it
13 was then that I realized that I should've handled
14 the qualifying myself. I found that neither
15 political party had provided the information to
16 me about qualifying by deadline dates and it
17 should've -- I should've handled the qualifying
18 as well as the actual advertising.

19 I called Chris Harvey and told him what I
20 had done and asked what I needed to do to fix the
21 situation. We went over several items and
22 determined that while I had missed key dates,
23 there were not any candidates that were prevented
24 from qualifying timely.

25 This was all reported to the secretary of

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1 at a polling place, requesting "I voted" stickers
2 for local electors whose ballots he had in his
3 possession to deliver to the drop box.

4 The investigation revealed that during the
5 November 3, 2020 general election, Robert L.
6 Collins transported his wife Betty Collins and
7 sisters-in-law Mattie (ph) Chapman and Mordi (ph)
8 Harris -- transported their absentee ballots to
9 the elections office for tabulation. The ballots
10 were dropped off on Friday October 16, 2020
11 during early voting.

12 There was suspicion of Mr. Collins possibly
13 harvesting ballots after he requested the "I
14 voted" stickers from the elections staff. There
15 was no evidence of a violation of said election
16 code.

17 We would recommend that the case be
18 dismissed.

19 **MS. SULLIVAN:** Thank you.

20 **MR. NORTHEN:** I have Deirdre Holden here,
21 from Paulding County. She'll be able to speak in
22 just a moment if she unmutes herself.

23 **MS. SULLIVAN:** Ms. Holden, you may speak.

24 **MS. HOLDEN:** Can you hear me?

25 **MS. SULLIVAN:** Yes, ma'am.

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1 state investigators. I learned quite a few
2 things from this. In speaking with political
3 party chairs and advising them of what should've
4 happened and dates that were missed, I found that
5 the political parties were unaware of these
6 requirements. It appeared the qualifying had not
7 been handled correctly in Hancock County for
8 quite a while, if ever.

9 I advised the political parties, the BOER,
10 and later the new elections supervisor of the
11 correct procedures and code sections that were to
12 be followed in the future.

13 Thank you for hearing me.

14 **MS. SULLIVAN:** Thank you, Ms. Stephens.

15 And we have someone else signed up to speak
16 regarding a consent case?

17 **UNIDENTIFIED FEMALE SPEAKER:** Yes.

18 **MR. NORTHEN:** Yeah. We have case number
19 2021-132.

20 **MS. SULLIVAN:** If you would go ahead and
21 present that case.

22 **MS. JONES:** On October 22, 2020,
23 investigations was forwarded a complaint,
24 alleging a person in possession of an
25 undetermined number of absentee ballots appeared

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1 **MS. HOLDEN:** The -- the case that we were --
2 that you're talking about does not involve me.
3 I'm on a -- a case later on down the line.

4 **MS. SULLIVAN:** Okay. Thank you.

5 **MS. HOLDEN:** You're welcome.

6 **MS. SULLIVAN:** Do we have anyone else signed
7 up to speak regarding any of the other consent
8 cases on our agenda today?

9 **MR. NORTHEN:** We have Vanessa Waddell from
10 case number 2020-282.

11 **MS. SULLIVAN:** Okay. You may present that
12 case now. That's tab number 25 in our materials.

13 **MS. JONES:** The secretary of state's office
14 conducted an investigation after it was alleged
15 that the Floyd County Board of Elections and
16 Registration displayed partisanship toward one
17 political party over another by allowing one
18 party to retrieve absentee ballots from official
19 drop boxes without members of the other party
20 being able to observe the process.

21 The investigation revealed the allegations
22 that the Floyd County Board of Registrars
23 displayed partisanship toward one political party
24 over another by allowing one party to retrieve
25 absentee ballots from the official drop boxes

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1 without members of the other party being present
2 to observe the process as unsubstantiated. No
3 new evidence or documentation was provided to
4 support the claim.
5 The investigation confirmed that Floyd
6 County Board of Registrars complied with the
7 Georgia State Election Board Rule
8 183-1-14-.06-.14(10) as the county arranged for
9 the collection of absentee ballots from each drop
10 box, arranged for collection of absentee ballots
11 to be made by a team of at least two sworn
12 volunteers, and provided the sworn oath and
13 signed ballot transfer forms completed by the
14 volunteers sworn in as election clerks.
15 The recommendation is to dismiss the case.
16 **MS. SULLIVAN:** Thank you.
17 **MR. NORTHEN:** And, Vanessa, Ms. Waddell, you
18 should be able to unmute yourself and speak on
19 this case.
20 **MS. SULLIVAN:** Please go ahead.
21 Ms. Waddell, you may speak.
22 **MS. WADDELL:** Can you hear me now?
23 **MS. SULLIVAN:** Yes, ma'am.
24 **MS. WADDELL:** Oh, okay. I was just saying
25 that Floyd County would never have done anything

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1 a particular candidate.
2 The group was identified by complainants as
3 Black Lives Matter. They had a bus and had a
4 Santa passing out gifts to children and adults,
5 asked to complete a form to vote for Democrats in
6 Black Voter Matters.
7 The investigator did not speak to any
8 complainants or witnesses that provided any
9 confirmation or proof that actual voting or proof
10 of voting was required to participate in
11 receiving the items.
12 The recommendation is to dismiss the case.
13 **MS. SULLIVAN:** Thank you.
14 **MR. NORTHEN:** And we have Chan Jones here to
15 speak on the case.
16 **MS. SULLIVAN:** You may go ahead.
17 **MR. JONES:** Thank you, guys, for hearing me.
18 I -- I was in contact with the sheriff and the
19 GBI. I did leave a message with the secretary of
20 state regarding this case. Never heard back from
21 the investigator until I had an interaction with
22 Gabe Sterling on social media.
23 I -- I just want to make sure that I'm clear
24 because our local party members are making plans.
25 As long as we're a block away from the polling

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1 like that. And when people make false
2 allegations like that, is it a recourse that the
3 county could follow up on?
4 **MS. SULLIVAN:** I would suggest that you
5 contact your county election officials regarding
6 that.
7 **MS. WADDELL:** Okay. Thank you.
8 **MS. SULLIVAN:** Thank you, Ms. Waddell.
9 **MS. WADDELL:** Uh-huh.
10 **MR. NORTHEN:** We have case number 2021-032,
11 Dodge County.
12 **MS. SULLIVAN:** Ms. Jones, can you go ahead
13 and present that case. That is tab number 30.
14 **MR. CALLAWAY:** During early advanced voting
15 in the general election runoff complaint, Allison
16 Dixon (ph), Ruff -- Les Ruff (ph), and Bowli (ph)
17 and Chan Jones reported a Black Voter Matter and
18 Black Lives Matter were giving out food for toys
19 and toys for votes.
20 The investigation revealed -- the
21 investigation revealed no evidence to sustain the
22 allegation of 21-2-570, giving or receiving,
23 offering to give or receive, or participating in
24 the giving or receiving of money or gifts for
25 registering as a voter, for voting, or voting for

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1 place and it's on days during election, we can
2 hand out items of value and take them to the
3 polls. Because that's what occurred here. And
4 if there's a, quote, Fifth of Liquor for Freedom
5 or Case of Cigarettes Caucus, all of that's
6 acceptable to the state elections board.
7 **MS. SULLIVAN:** Thank you for being here
8 today. If you have questions regarding the
9 application of the code and how the board
10 interprets it, we suggest that you reach out to
11 the investigations division for further
12 discussion.
13 **MR. JONES:** And that number --
14 **MS. SULLIVAN:** Thank you.
15 **MR. NORTHEN:** We have the next case,
16 2020-262. That is Cobb County.
17 **MS. SULLIVAN:** Thank you. If we can go
18 ahead and present that case.
19 **MR. CALLAWAY:** Cobb County food trucks, the
20 complainant -- we received a complaint that
21 provided information that a food truck was at the
22 East Cobb (indiscernible) office, a poll location
23 located at 4400 Lower Roswell, Cobb County,
24 Georgia.
25 Food truck personnel were giving out free

1 food items to the voters. This occurred during
2 early voting for the special runoff election,
3 January 5, 2021.

4 The investigation revealed the complainant
5 advised that on December 14, 2020, the first day
6 of early voting for the January 5, 2021 election,
7 she observed a food truck parked close to the
8 polls at 736 Whitlock Avenue. The elections
9 director, Janine Eveler, and Cobb County
10 elections officials were outside with a measuring
11 tape and the truck moved to an area close to the
12 road.

13 The complainant advised there was no voter
14 campaign signs on the truck, the owner or
15 operator on the truck was not identified. There
16 was no documentation that any individual was
17 offered a specific item of value in exchange for
18 voting.

19 Our recommendation is there is insufficient
20 evidence to substantiate a violation and to
21 dismiss the case.

22 **MS. SULLIVAN:** Thank you.

23 **MR. NORTHEN:** Okay. And we have Tyler
24 Hagenbuch here.

25 Tyler, you should be able to unmute yourself

1 and speak at this time.

2 **MR. HAGENBUCH:** Good morning.

3 **MS. SULLIVAN:** Please go ahead.

4 **MR. HAGENBUCH:** Yes. Thank you very much.

5 I don't have anything to -- Tyler Hagenbuch on
6 behalf of Vote.org, the respondent.

7 Nothing to add but happy to make myself
8 available for questions should the board members
9 have any.

10 **MS. SULLIVAN:** I don't believe we have any
11 questions. Thank you.

12 **MR. HAGENBUCH:** Thank you.

13 **MR. NORTHEN:** That is the extent of those
14 (indiscernible) consent cases before 9:05 a.m.
15 when you announced the beginning of the meeting.

16 **MS. SULLIVAN:** Thank you. So at this time
17 the board will consider the recommendations for
18 the consent cases on our agenda, including case
19 2020-256.

20 Let the record reflect that 2020-125 has
21 been continued.

22 Would any of the board members like to pull
23 off any of the cases on the agenda for further
24 discussion or to vote on separately?

25 There being none, at this time I'll

1 entertain a motion regarding the consent cases.

2 **MS. LE:** I move to approve the consent cases
3 as a block.

4 **MS. SULLIVAN:** Is there a second?

5 **MS. GHAZAL:** Yes. I second.

6 **MS. SULLIVAN:** We have a motion and a
7 second. Is there any further discussion?

8 All in favor, please say aye.

9 **THE BOARD MEMBERS:** Aye.

10 **MS. SULLIVAN:** And there are none opposed.
11 That motion passes.

12 Moving on, the next item on our agenda are
13 the letter cases. Are there any people signed up
14 to speak regarding these cases?

15 **MR. NORTHEN:** No.

16 **MS. SULLIVAN:** Okay. We'll go ahead and
17 present SEB Case Number 2020-188.

18 **MS. JONES:** This case has multiple
19 complaints. Michelle Saylor (ph) reported that
20 her absentee ballot was not counted. Gregory
21 Branch reported he and his wife, Amanda Branch,
22 mailed their absentee ballot in and they were not
23 counted. Collette Devine (ph) reported that she
24 and a poll watcher -- she was a poll watcher and
25 not allowed to properly view the process. Shawn

1 Bach reported she voted in advanced in person and
2 her vote was not counted. Linda Kent reported an
3 absentee ballot was requested by someone other
4 than her mother, Lillian Kent. Ryan Johnson
5 reported his voting address was changed from
6 Cherokee County to Douglas County.

7 The investigation revealed -- investigations
8 were not able to determine if Michelle Saylor
9 requested or returned an absentee ballot for the
10 November 3, 2020 election. Investigation did not
11 find evidence of a violation of state election
12 law or state election board rules.

13 Investigations were not to determine if
14 Gregory or Amanda Branch requested and returned
15 an absentee ballot for the November 3, 2020
16 election.

17 There was no evidence to suggest that
18 Ms. Devine was not provided the ability to view
19 the processing of absentee ballots. There was no
20 evidence to suggest there were not three election
21 employees in the room where the absentee ballots
22 were being process.

23 Shawn Bach reported: We found discrepancies
24 between the machine count and the ballot count.

25 Cherokee County Assistant Elections Director

1 Janis Rodgers admitted the poll worker failed to
2 save Ms. Bach's information in ElectionNet,
3 therefore she did not receive credit for voting.

4 Linda Kent was unaware her mother, Lillian
5 Kent, was (indiscernible) as a rollover voter to
6 receive a ballot regardless if she requested one
7 or not. There is no evidence to suggest that
8 Cherokee County did not send Lillian Kent her
9 absentee ballot. ElectionNet records indicate
10 she was mailed her absentee ballot in time to
11 vote. Investigations did not find evidence of a
12 violation (indiscernible).

13 Ryan Johnson was mistakenly transferred as a
14 voter from Cherokee County to Douglas County by a
15 Douglas County elections employee. The mistake
16 was caught when Mr. Johnson attempted to vote.
17 The county elections employees were able to work
18 through the mistake and Mr. Johnson was able to
19 vote in Cherokee County.

20 The recommendation is that Anne Dover and
21 the Cherokee County Board of Elections and
22 Registration be issued a letter of instruction
23 for violation of election code 21-2-215(i).

24 **MS. SULLIVAN:** Thank you.

25 And I believe we have someone signed up to

1 speak.

2 **MR. NORTHEN:** We have Shawn Bach.

3 Shawn, you should be able to unmute yourself
4 and speak at this time.

5 **MS. BACH:** I don't have anything to add --

6 **MS. SULLIVAN:** Please go --

7 **MS. BACH:** -- to what was said. I just was
8 wanting to find out what the results of the
9 investigation were. And it sounds like it was a
10 clerical error essentially. But I'm really
11 disappointed in the system for -- for these kinds
12 of things happening.

13 And it was just a coincidence that I was
14 able to find out for myself that mine didn't
15 vote. I'm -- I'm concerned how many other votes
16 weren't counted in Cherokee County based on these
17 kinds of mistakes.

18 That's all for me.

19 **MS. SULLIVAN:** Thank you.

20 Is there anyone else?

21 **MR. NORTHEN:** Not for this case.

22 **MS. SULLIVAN:** Okay.

23 Do any other board members have any
24 questions?

25 **MS. GHAZAL:** Yes. This is Sara Ghazal.

1 I've got just a couple of comments.

2 Ms. Bach, thank you for joining us today.
3 And I certainly understand your concern about
4 making sure that your vote counts. And you're
5 right, clerical errors do happen. And in fact,
6 the fact that you did not receive credit in ENet
7 for your vote doesn't mean that your vote didn't
8 count.

9 I think it's really important that voters
10 understand when they vote in person and they put
11 that vote in through the scanner, your vote is
12 counted then and there. And whether the
13 system -- the voter registration system accounts
14 for the fact that you checked in doesn't mean
15 that your vote didn't count.

16 So I just wanted to make sure that you
17 understand that your vote did count. It was
18 counted as soon as you put it through that
19 scanner. And that's a misunderstanding that
20 voters sometimes have. And it's important that
21 folks recognize that.

22 I also wanted to note the mistake that was
23 made with Mr. Johnson. And that's deeply
24 unfortunate that his voter registration was
25 moved. But I'd like to point out there are

1 some -- there are some details in that that I
2 think are important to highlight. And that is
3 that the mistake was made because there was a
4 voter with the same first name, same last name,
5 and same date of birth. So it was -- there was a
6 Ryan Johnson whose middle name is Christopher who
7 was mistaken for Ryan Eugene Johnson with the
8 same date of birth.

9 And these are -- with a state with
10 10 million people and millions and millions of
11 registered voters, you are going to find that
12 sort of thing. And that again is not an
13 indication of any sort of fraud. It is a
14 clerical error.

15 **MS. SULLIVAN:** Thank you, Ms. Ghazal.

16 And, Ms. Bach, the recommendation is -- in
17 this case is to send a letter of instruction from
18 the state election board to the Cherokee Board of
19 Elections as well as the elections superintendent
20 regarding the failure to enter credit for your
21 vote.

22 Are there any other questions by any of the
23 board members?

24 I'd like the record to reflect that
25 Mr. Mashburn has now joined us for the meeting.

1 **MR. MASHBURN:** Hello, everyone.
2 **MS. SULLIVAN:** Good morning.
3 Do any of the board members have a motion
4 regarding SEB case number 2020-188?
5 **MS. GHAZAL:** I move that we accept the
6 recommendation of sending a letter of
7 instruction.
8 **MS. SULLIVAN:** Do we have a second?
9 **MS. LE:** I'll second it.
10 **MS. SULLIVAN:** Motion and second. Any
11 further discussion?
12 All in favor, please say aye.
13 **THE BOARD MEMBERS:** Aye.
14 **MS. SULLIVAN:** And there are none opposed.
15 That motion passes.
16 Next is SEB case number 2020-278, DeKalb
17 County.
18 Mr. Callaway, are you presenting that case?
19 **MR. CALLAWAY:** Morning. 12/24/2020, Georgia
20 Office of the Secretary of State's investigation
21 division received a complaint regarding the
22 illegal assistance to a voter.
23 According to the complaint, Deborah Daniel
24 is recovering from a stroke and is nonverbal.
25 She is currently being treated at Grace

1 ballot. Although Deborah could not speak, she
2 was able to communicate to Beverly that she had
3 already completed an absentee ballot for the
4 runoff election. She did so by refusing to sign
5 the ballot and answering a series of yes or no
6 questions.
7 Beverly spoke with the staff at Grace
8 Healthcare of Tucker and confirmed that the
9 activities division registered Deborah to vote in
10 DeKalb County under the name Deborah Daniel,
11 although Deborah's legal name is Deborah with a
12 different spelling, she typically signs her name
13 as Deborah.
14 According to ElectionNet, Deborah has been a
15 Fulton County registered voter since 1996. Her
16 name is listed as Deborah; her date of birth,
17 9/29/53; and the last four of the social, 5964.
18 Her address of record is 9470 Hunting Cliff
19 Trail, Atlanta, Georgia 30350.
20 On 8/3/2020 Deborah requested an absentee
21 ballot for the Fulton County 2020 general
22 election. It was mailed to her address of record
23 and return to the elections office on 10/31/2020
24 and accepted. Her ballot for the runoff election
25 was automatically mailed out to her address of

1 Healthcare of Tucker which is a living assistance
2 home in DeKalb County.
3 Staff at Grace Healthcare registered Deborah
4 who was already registered in Fulton County to
5 vote in DeKalb County and assisted her with
6 completing her absentee ballots during the 2020
7 DeKalb County general election. Not knowing that
8 Deborah had already voted in DeKalb County, her
9 sister assisted her with her 2020 Fulton County
10 general election absentee ballot. As a result,
11 Deborah voted in both counties during the same
12 election.
13 The investigation revealed Deborah's sister,
14 Beverly Chandler, stated that she had a
15 power-of-attorney for her sister Deborah and that
16 her home address is her sister's address of
17 record. She requested an absentee ballot for the
18 Fulton County 2020 general election.
19 In mid October, her sister Robin delivered
20 the ballot to Deborah and assisted her with
21 completing the ballot. Deborah was automatically
22 issued an absentee ballot for the Fulton County
23 2020 general election -- general runoff election.
24 Beverly delivered the ballot to Deborah mid
25 December to assist her with completing the

1 record.
2 According to ElectionNet, Deborah was
3 registered to vote in DeKalb County on 9/29/2020.
4 Her name is listed as Deborah; her date of birth,
5 9/29/53; and last four of her social was 5964.
6 Her registration address: 2165 Idlewood Road,
7 Tucker, GA 33384(sic).
8 DeKalb County elections official D. Brewer
9 processed Deborah's mail-in voter registration
10 application. On 10/24/2020, Deborah requested an
11 absentee ballot for the DeKalb County general
12 election. It was mailed to her address of record
13 and returned to the elections office on 11/3/2020
14 and was accepted. Her ballot for the runoff
15 election was automatically mailed to her address
16 of record and returned to the election office on
17 12/18/2020 and accepted.
18 Investigations interviewed the activities
19 division staff at Grace Healthcare of Tucker and
20 then confirmed that they assisted Deborah with
21 her DeKalb County voter registration and her
22 request for absentee ballots.
23 They asked Deborah if she wanted to vote and
24 she stated yes. However, they failed to ask if
25 she was already registered in another county.

1 Staff simply checked to see if she was registered
2 in DeKalb County, which she was not, and then
3 submitted her voter registration application to
4 the DeKalb County elections office.

5 My interview with DeKalb County registration
6 technician Dionna Brewer revealed that she failed
7 to confirm that Deborah was not registered in any
8 other county prior to processing her DeKalb
9 County voter registration. She also processed
10 her registration without proof of identity,
11 stating it was an administrative error and when
12 she checked the wrong box in ElectionNet when
13 she -- when asked if proof of identity was
14 provided.

15 Investigations conducted an interview with
16 Deborah by asking her a series of yes-or-no
17 questions. We first established her cognitive
18 skills by asking basic questions, such as name
19 and date of birth, the current year, and the
20 current president. She confirmed that she had
21 always been a Fulton County registered voter and
22 that she had never voted in DeKalb County.

23 Investigations asked her if any of her
24 sisters delivered an absentee ballot to her and
25 she stated no. She stated the only absentee

1 ballots that she received were delivered to her
2 by Grace Healthcare of Tucker staff which
3 contradicts Beverly's statement that her sister
4 Robin delivered a ballot to Deborah on two --
5 10/2020. We showed Deborah her DeKalb County
6 application and her voter registration
7 application for the absentee ballot. She
8 recognized her signature but she did not recall
9 completing the forms. Deborah Daniel
10 inadvertently cast a ballot in DeKalb County as
11 well as Fulton. She did not recall this due to
12 her (indiscernible) state of mind.

13 I make a recommendation for Deborah Daniel
14 to be issued a letter of instruction for O.C.G.A
15 21-2-572, repeat voting in the election, when she
16 voted absentee ballots in Fulton and DeKalb
17 County during the 2020 general election; Dionna
18 Brewer, DeKalb County registration technician,
19 and DeKalb County Board of Voter Registration and
20 Elections Office be referred attorney general's
21 office for O.C.G.A. 21-2-216(g) (1),
22 qualifications of electors when the registration
23 office failed to verify the identity of a voter;
24 processing their voter registration, resulting in
25 duplicate voter registrations, and misspelling of

1 a voter's legal name.

2 **MR. NORTEN:** We have Beverly Chandler here
3 to speak.

4 Unmute yourself and you may speak at this
5 time.

6 **MS. SULLIVAN:** Ms. Chandler, you may go
7 ahead.

8 **MS. CHANDLER:** Yes, I'm fine. So your final
9 resolution will just be the letter of instruction
10 to Deborah, no other action.

11 **MS. SULLIVAN:** That is the recommend --

12 **MS. CHANDLER:** Okay.

13 **MS. SULLIVAN:** That is the recommendation.

14 **MS. CHANDLER:** And that -- that's fine.
15 She -- when I told -- ask her to vote and she
16 clearly told me she'd already voted, she clearly
17 was not doing anything wrong. And we -- so as
18 long as there's no record, no issue with her,
19 that's fine.

20 **MS. SULLIVAN:** Thank you for being here,
21 Ms. Chandler.

22 Anyone else signed up to speak?

23 **MR. NORTEN:** Not for that case.

24 **MS. SULLIVAN:** Do any of the board members
25 have any questions for Mr. Callaway or

1 Ms. Chandler?

2 **MS. LE:** This is Anh Le and I'm going to
3 recuse myself from this case, please.

4 **MS. SULLIVAN:** Noted.

5 **MS. CHANDLER:** I'm sorry, who would be
6 recusing themselves?

7 **MS. SULLIVAN:** Ms. Le is recusing herself
8 from voting on this case. There are still three
9 members of the board who will vote and who is a
10 quorum.

11 **MS. CHANDLER:** Okay.

12 **MS. SULLIVAN:** Any of the board members like
13 to make a motion?

14 **MS. GHAZAL:** I move that we accept the
15 recommendation and issue a letter of instruction.

16 **MR. MASHBURN:** Second.

17 **MS. SULLIVAN:** We have a motion and a
18 second. Any further discussion?

19 All in favor, please say aye?

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** And Ms. Le has recused
22 herself. That motion passes unanimously to issue
23 a letter of instruction to Ms. Daniel.

24 I believe that there is a further
25 recommendation regarding DeKalb County. Is that

1 correct, Mr. --

2 **MR. CALLAWAY:** That's correct. And that

3 recommendation is going to be for Dionna Brewer,

4 a DeKalb County registration technician; DeKalb

5 County Board of Voter Registration and Elections

6 Office be referred to the attorney general's

7 office for O.C.G.A. 21-2-216(g)(1),

8 qualifications of electors when the registration

9 office failed to verify the identity of the voter

10 prior to processing their voter registration,

11 resulting in duplicate voter registrations; and

12 misspellings of voter's legal name.

13 **MS. SULLIVAN:** Are there any questions for

14 the investigator?

15 **MR. MASHBURN:** No. And I move that we

16 accept the recommendation.

17 **MS. SULLIVAN:** We have a motion. Is there a

18 second?

19 **MS. GHAZAL:** Second.

20 **MS. SULLIVAN:** Any further discussion?

21 All in favor, please say aye.

22 **THE BOARD MEMBERS:** Aye.

23 **MS. SULLIVAN:** And there are none opposed.

24 Ms. Le has recused herself. That motion passes.

25 Is that all of the recommendations in that

1 **MR. NORTHEN:** No additional.

2 **MS. SULLIVAN:** Do any of the board members

3 have any questions?

4 Is there a motion?

5 **MR. MASHBURN:** I'm sorry. Election -- what

6 was the recommendation? I didn't see it.

7 **MS. JONES:** A letter of instruction be

8 issued.

9 **MR. MASHBURN:** I move that we accept the

10 recommendation and issue a letter of instruction.

11 **MS. SULLIVAN:** Is there a second?

12 **MS. GHAZAL:** Second.

13 **MS. SULLIVAN:** A motion and second.

14 Any further discussion?

15 All in favor, please say aye.

16 **THE BOARD MEMBERS:** Aye.

17 **MS. SULLIVAN:** And there are none opposed.

18 That motion passes.

19 Next we're moving on to the investigation

20 cases, the new cases.

21 SEB case number 2019-44 is our first case,

22 City of Riverdale.

23 **MS. JONES:** On November 7, 2019, the

24 investigations division opened an investigation

25 regarding a complaint that the City of Riverdale

1 case?

2 **MR. CALLAWAY:** Yes, ma'am.

3 **MS. SULLIVAN:** Okay. Thank you.

4 We move on to the next case of 2021-113,

5 Toombs County.

6 **MS. JONES:** On June 29, 2021, investigations

7 was forwarded a complaint alleging elector Oliver

8 Prescott photographed his ballot while inside the

9 polling place.

10 The investigation revealed that the

11 respondent in the case, Oliver Prescott, is

12 alleged to have photographed his ballot during

13 early voting inside the Toombs County voting

14 precinct. Prescott admitted photographing the

15 ballot and further explained he always had.

16 Our recommendation is that Oliver Prescott

17 be issued a letter of instruction for violation

18 of 21-2-413(e) for photographing his ballot while

19 early voting inside the Toombs County election

20 precinct.

21 **MS. SULLIVAN:** Thank you.

22 And we have someone here to speak?

23 **MR. NORTHEN:** That person has left the call.

24 **MS. SULLIVAN:** Okay. So no one else signed

25 up to speak on this case?

1 had voters not in their proper district. On

2 conducting (indiscernible) about it during the

3 early voting period for 11/5/2019 municipal

4 elections, the Clayton County Elections Office

5 discovered several errors that had been made

6 regarding placement of voters in the Riverdale

7 city council wards.

8 On October 31, 2019, Clayton County

9 Elections Office made the following changes to

10 Riverdale city council wards: 536 through 614

11 Denham Street was updated to all -- all Ward 2

12 from Ward 4. Forty-five voters were affected.

13 614 Denham Street remains Ward 4 with no voters

14 impacted. 632 Camp Street was updated to Ward 4

15 from Ward 2 and no voters were impacted.

16 1183 King Road was updated from Ward 1 to outside

17 the City of Riverdale and two voters were

18 impacted.

19 Rodney Lawrence asserts that he lost the

20 Ward 2 election by nine votes and claims that he

21 might have actually won the election if he had

22 been provided an opportunity to address the 45

23 voters who were moved into Ward 2 on October 31,

24 2019. There were only three voters out of the 47

25 that voted in the election and only one that

1 voted an incorrect ballot. The remaining voters
2 were corrected in the system.

3 **MS. SULLIVAN:** Thank you.

4 I think we have someone that signed up to
5 speak.

6 **MR. NORTHEN:** Yes, we do. We have Charles
7 Reed and Shauna Dozier.

8 Mr. Reed, when you unmute yourself, you
9 should be able to speak.

10 **MR. REED:** Good morning. Can you all hear
11 me?

12 **MS. SULLIVAN:** Yes.

13 **MR. REED:** Okay. Good morning, Madam Chair
14 and other board members. I'm Charles Reed,
15 representing the Clayton County Board of
16 Elections and Registration and Ms. Dozier.

17 I wanted to kind of give you all a little
18 factual background. So in 2017, the Clayton
19 County Board of Elections had a contractual
20 obligation to conduct the City of Riverdale's
21 elections. And as part of that contractual
22 obligation, the board of elections implemented
23 redistricting changes for the City of Riverdale.

24 And Ms. Dozier, she worked with the then
25 city clerk Sylvia Vaughan, along with a GIS

1 coordinator for the city. And in 2017,
2 Ms. Dozier provided a step-by-step update of the
3 districting maps during that process and city
4 officials were fully involved in that process.
5 And prior to finalizing those redistricting
6 changes and generating the precinct cards in
7 ENet, Ms. Vaughan approved all of those changes
8 that were made.

9 And so even though the board of elections
10 conducted those 2017 elections, even though it
11 was a contractual obligation, the board of
12 elections always encourages extensive input by
13 the municipalities in the redistricting process,
14 basically as a best practice to make sure that
15 the municipal experts are in the know because
16 they are the ones who know geography of the city.
17 And I believe that those 2017 e-mail exchanges
18 were provided to the investigators prior to the
19 investigation into this case.

20 So then fast-forwarding to -- to July 19,
21 the board of elections sent a municipal street
22 audit to each municipality to give them an
23 opportunity to review and make any
24 recommendations for changes prior to the start of
25 early voting to ensure that all of the streets in

1 the district correct. And unlike in 2017 where
2 the board of elections had a contractual
3 obligation to run the city's elections, in 2019,
4 Ms. Vaughan was conducting the election for the
5 City of Riverdale.

6 And July 24, 2019, Ms. Vaughan signed off on
7 a form, a verification form, indicating that
8 street lists and districts in Riverdale were
9 correct prior to the 2019 November general
10 election.

11 In October of 2019, during early voting,
12 Ms. Vaughan contacted Ms. Dozier and informed her
13 that a voter had stated that they had voted in
14 the wrong district -- or they were assigned in
15 the wrong district. And then upon research, it
16 was identified that the voter was correct.

17 And to ensure that there were no other
18 voters that were impacted and despite the
19 assurances from the signed verification form in
20 July that all of the districts were correct,
21 Ms. Dozier on her own conducted a full voluntary
22 street audit of the City of Riverdale streets.
23 And at that time, she saw there were a few other
24 segments that needed correction and that
25 information was passed on to Ms. Vaughan along

1 with a list of instructions on how to code a
2 ballot for any voter impact.

3 And so the information that was read in
4 the -- in paragraph 2 of the findings on the
5 summary section were all of the streets and
6 everything and those changes, that information
7 was taken verbatim from the e-mail that was sent
8 from Ms. Dozier to Ms. Vaughan, alerting
9 Ms. Vaughan of the errors that Ms. Dozier found
10 in the street audit and those actions that were
11 taken to correct those errors.

12 And so in addition, Ms. Dozier also provided
13 Ms. Vaughan a list of the impacted voters and the
14 board of elections provided notifications
15 immediately to each voter. Ms. Vaughan was also
16 reminded to offer a provisional ballot to voters
17 when necessary. And Ms. Dozier made herself and
18 election staff available to assist Ms. Vaughan
19 during this process.

20 Ms. Dozier is obviously sincerely apologetic
21 to the voter that was impacted by the City of
22 Riverdale and the board of election and
23 registration.

24 Since this incident, the board of elections
25 and Ms. Dozier continue to send municipal audit

1 reports to the municipalities as well as meet
2 with respect to the municipalities at least once
3 a year in an annual municipal roundtable where
4 they discuss the upcoming elections,
5 certification requirements, along with duties and
6 responsibilities of the county as -- as it
7 relates to the municipalities.

8 And it's the desire of both Ms. Dozier and
9 the board of elections to continue to work
10 jointly with the City of Riverdale and any other
11 municipality in Clayton County as at the end of
12 the day, both the cities and the county want
13 voters to be able to cast votes for the
14 candidates of their choice properly.

15 Since this situation in 2019, the board of
16 elections has added more audit checks and
17 continue to revise and update processes and
18 procedures. Furthermore, the board of elections
19 recently hosted a redistricting training in
20 Clayton County in conjunction with the secretary
21 of state's election division office to assist in
22 our upcoming redistricting preparedness.

23 So without diminishing the impact of this
24 incident on the affected voter, at this time the
25 board of elections and Ms. Dozier ask that this

1 in the report that it was dismissed with
2 prejudice by the complainant and I was just
3 wondering if you knew what the rationale behind
4 that was, even if -- even if you weren't
5 involved.

6 **MR. REED:** No. I -- I'm not aware of the
7 challenge that Mr. Lawrence -- if there was a
8 challenge that was made, I'm not aware of that.
9 We were not involved in their election at all in
10 2019. Only to the extent that we provided them a
11 street audit and made sure that what they told us
12 was correct.

13 **MR. MASHBURN:** Thank you.

14 **MR. REED:** Now, Ms. -- Ms. Dozier is -- I
15 think she is online. She may have additional
16 information that I'm not aware of.

17 **MS. SULLIVAN:** Is Ms. Dozier unmuted?

18 **MR. NORTEN:** Unmute yourself at this time.

19 **MS. SULLIVAN:** Ms. Dozier, if you would like
20 to speak, you can unmute yourself.

21 **MS. DOZIER:** Good morning. No, I'm not --
22 we weren't involved in any of the -- any type of
23 litigation.

24 **MS. SULLIVAN:** Thank you.

25 **MR. MASHBURN:** Thank you.

1 board dismiss the case against them as the board
2 and Ms. Dozier reasonably relied on a signed
3 verification by the municipal representatives for
4 the City of Riverdale that all information
5 related to the streets and voter district was
6 correct for the City of Riverdale's November 2019
7 general election.

8 In the alternative, if the board is not
9 willing to dismiss, we're asking for a letter of
10 instruction.

11 **MS. SULLIVAN:** Thank you, Mr. Reed.

12 And Ms. Vaughan was not cited as a
13 respondent in this case; is that correct?

14 **MR. REED:** That's correct.

15 **MR. MASHBURN:** This is Matt Mashburn. I
16 have a question. Counselor --

17 **MR. REED:** Yes.

18 **MR. MASHBURN:** -- were you involved in the
19 civil -- in the civil action? Was that a
20 contest? Was that an election contest?

21 **MR. REED:** No. I don't -- we were not
22 involved. If there was any civil litigation
23 related to this election, no, we were not
24 involved in that.

25 **MR. MASHBURN:** Okay. I just -- I just see

1 **MS. SULLIVAN:** Do any of the board members
2 have any further questions for Mr. Reed or
3 Ms. Dozier? Ms. Ghazal does.

4 Go ahead.

5 **MS. GHAZAL:** I actually just -- I want to --
6 to thank Ms. Dozier for the ameliorative actions
7 that she has taken because we all know that with
8 redistricting coming up, making sure that voters
9 are properly districted and assigned is really
10 paramount to what's -- what's coming up.

11 And the fact that she's put so much
12 attention to this, moving forward, I just wanted
13 to acknowledge and appreciate. Thank you.

14 **MS. SULLIVAN:** Thank you, Ms. Ghazal.

15 What's the pleasure of the board?

16 **MS. LE:** This is Anh Le. I have a question
17 for the counsel. I guess that the ultimate
18 question I have is in -- in your view, is it your
19 position that the election was not impacted, the
20 results were not impacted in terms of
21 Mr. Lawrence's -- the outcome of the election was
22 not impacted by this error; is that right? And
23 can you confirm that for me?

24 **MR. REED:** From what we can determine from
25 what's available to us, there -- I believe

1 there's only one vote that was affected relating
2 to Mr. Lawrence's election. There was a -- I
3 don't believe there were any -- there were not,
4 you know, ten people or -- he said he lost by
5 nine votes. I believe the actual official
6 results, it may've been eight from what we can
7 determine. But there was not enough people who
8 were affected that would've affected his
9 election.

10 The only thing that we can determine is that
11 Tony Thomas -- and the only way we knew that this
12 person was even affected was from what the
13 state -- from what the investigator provided to
14 us in this report. When the person who came to
15 us -- this was a totally different person. When
16 they came to us -- were referred to us from
17 Riverdale, that correction was made and their
18 ballot was able to be counted.

19 And I believe anybody else that was
20 affected, there was -- they were able to cast
21 their ballots provisionally and all their votes
22 were counted.

23 **MS. SULLIVAN:** Thank you.
24 Any additional questions for Mr. Reed?
25 Would anyone like to make a motion?

1 well. And I know they'll appreciate that as
2 well. So that's my rationale.

3 **MS. SULLIVAN:** Any further discussion?
4 All in favor of the motion, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** And there are none opposed.
7 That motion passes unanimously.

8 The next case is 2020-35, Talbot County.

9 **MS. JONES:** The Talbot Elections
10 (indiscernible) reported that four potential
11 double voters returned absentee by mail ballots
12 that were accepted and counted. They also went
13 in to cast their votes. This occurred at the
14 Flint Hill polling precinct in Talbot County on
15 June 9, 2020, general primary election.

16 The investigation revealed that four Talbot
17 County voters -- JoAnn and Robert Ellison, James
18 Hardnett and Aundrea McDowell -- voted twice
19 during the June 9, 2020 primary election. Each
20 of the voters had applied for absentee ballots
21 and completed them and sent back to the Talbot
22 County Registrar's Office. On election day, the
23 four voters went to the Flint Hill polling
24 precinct, Flint Hill fire station, and 173 Flint
25 Hill in Shiloh, Georgia, wanting to vote in

1 **MS. LE:** I move -- this is Anh Le. I move
2 to refer this case to the attorney general's
3 office. I think there are two issues here. One
4 is voters didn't get to vote, and I just want to
5 make sure that we have a closer look at, I guess,
6 the outcome of the election to ensure that
7 Mr. Lawrence's candidacy was not impacted
8 negatively by this error.

9 **MS. SULLIVAN:** We have a motion. Is there a
10 second?

11 **MR. MASHBURN:** Second.

12 **MS. SULLIVAN:** Any further discussion by the
13 board members? All -- go ahead.

14 **MR. MASHBURN:** Just a further point on that
15 is I appreciate ameliorative efforts. And
16 whenever there's a problem, it's great when
17 people try to do whatever they can to correct it
18 and make sure it doesn't happen again.

19 But when people don't get to vote, then you
20 failed in the fundamental job of -- of what
21 you're doing. So I agree with Anh on that.

22 But I do want to echo Sara's comment that I
23 appreciate them taking efforts to correct it and
24 work on it and I'm sure the attorney general's
25 office will be very well receptive to that as

1 person. Each of the voters, according to the
2 Poll Pad, had been issued an absentee ballot.

3 The poll manager, Mary Ann Searcy, said she
4 tried to call the elections office to check the
5 status of the ballots but could not get through
6 due to the line being busy.

7 She then decided to allow the electors to
8 vote. Each voter was asked to sign an affidavit
9 stating that they did not use the ballot and they
10 checked the box to explain why. After signing
11 the affidavit, each voter was issued a voter
12 access card and then was allowed to vote on the
13 BMD units.

14 It was learned afterwards that all four
15 voters' absentee ballots had already been
16 accepted before the June -- before June 9, 2020
17 election day.

18 The recommendation is Talbot County Board of
19 Elections and Registration; Marjorie Howard, the
20 election supervisor; and Mary Ann Searcy, the
21 poll manager at Flint Hill polling precinct be
22 bound over to the A.G.'s office for violation of
23 21-2-388(2), cancellation of absentee ballots of
24 electors who were present in the election
25 precinct during primaries, in that JoAnn Ellison,

1 Robert Ellison, James Hardnett, and Aundrea
2 McDowell be bound over to the A.G.'s office for
3 violation of 21-2-572, repeat voting in a primary
4 or election.

5 **MS. SULLIVAN:** Do we have anyone here to
6 speak?

7 **MR. NORTEN:** We have Marjorie Howard.
8 I sent you a prompt to unmute yourself. You
9 need to do that and begin speaking.

10 **MS. HOWARD:** Yes. Thank you very much. Are
11 you able to --

12 **MS. SULLIVAN:** Go ahead.

13 **MS. HOWARD:** -- hear me?

14 **MS. SULLIVAN:** Yes, ma'am.

15 **MS. HOWARD:** Thank you very much for giving
16 me an opportunity to speak.

17 I'd like to point out that Flint Hill is our
18 busiest precinct within Talbot County and of
19 which we have seven. During this time,
20 Ms. Searcy was a brand-new poll manager. I had
21 three of them during this particular election
22 because our three former precinct managers who
23 are elderly decided they did not want to risk
24 exposing themselves in working in the election.
25 We had gone through extensive training with

1 we had to go to to make sure they were up and
2 operational. Throughout the day all of us,
3 except for one individual that was in our office
4 to man the phone, addressing any issues with any
5 of the precincts or polling places that may have
6 arisen during that time -- in this particular
7 instance, Flint Hill had not been able to get
8 through on our phone lines.

9 We had a lot of calls coming in that day
10 from both voters who were confused about what was
11 happening in terms of whether or not this was a
12 second election. The four people that voted
13 twice, in each instance when they filled out
14 their affidavits, they were under the impression
15 that this was a different election. I know that
16 Mr. Monroe did actually talk with all of these
17 individuals to determine why were they willing to
18 fill out the affidavit, saying they had not
19 received a ballot. And then virtually in every
20 case, it's my understanding, that that was their
21 response.

22 What was different about that election --
23 and this is part of the statement that I
24 submitted to both my (indiscernible) and
25 Mr. Monroe -- is that during that time with the

1 our precinct managers and with the poll workers
2 on how to handle situations like this. And I put
3 it -- I put the details in our statements when we
4 worked with Investigator Monroe regarding this
5 because I actually reported it myself when we
6 discovered this on June the 12th. We were in the
7 process of certifying our election.

8 We discovered that these four people had
9 been allowed to vote again on the touchscreen.
10 And since we had never had this situation before,
11 I contacted my liaison at the time, Robin Carr,
12 to find out how -- what we needed to do because
13 we wanted to report it to the secretary of state
14 once we discovered this had been done.

15 The way that this happened -- and there
16 should be a copy in our file of the statement
17 from Ms. Searcy because we went through extensive
18 training to explain to the precinct managers and
19 the poll workers that if a Poll Pad showed that a
20 person had been issued an absentee ballot or they
21 voted an absentee ballot, our registration office
22 should've been called.

23 We are a five-member combined board. On
24 that election day, all of the board members
25 including myself, we were assigned precincts that

1 Poll Pads, the Poll Pad would allow a precinct
2 manager to go in and to actually cancel out an
3 absentee ballot.

4 After the voters were adamant that they had
5 not voted, they had not received an absentee
6 ballot in one case, and they didn't --
7 Mr. Hardnett reported he had lost his. Because
8 Ms. Searcy has worked this location for several
9 years before, she was familiar with the people
10 that come in there. And because she couldn't get
11 through on our phone lines -- she couldn't reach
12 my cell because at that time I was on the phone
13 with other precinct managers -- she elected to --
14 to go in and cancel the ballot and to allow them
15 to vote on (indiscernible).

16 When I talked with Ms. Searcy to get her
17 statement, to find out why exactly she did this,
18 she did not remember at that time that the voters
19 standing there in front of her, that the option
20 she should've taken was to allow them to vote a
21 provisional ballot even if they were adamant that
22 they had not voted one before versus going in to
23 cancel that ballot in Poll Pad and allow them to
24 vote on the machine.

25 With the following election, that option was

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1 taken away. In the old system, they never had
2 that option. But I think at that point, despite
3 all of the extensive training that we had done --
4 and we did several trainings before this general
5 election, that at that point she reverted back to
6 what they had done before. Because in this
7 particular instance, they allowed her to make
8 that decision. But it was fixed before the
9 November election because of the fact that this
10 had (indiscernible) in other counties.

11 So the fact -- the facts of the case are
12 that we -- it actually happened. I counseled
13 Ms. -- Ms. Searcy. We went back to determine
14 what the mistake was. The mistake was not giving
15 these voters a provisional ballot to allow us
16 more time during that three-day time frame to
17 investigate and determine exactly what happened,
18 to go back to them and tell them, yes, you did
19 vote even though you don't remember. And, no,
20 this is not another election, it's still the same
21 one that had been rescheduled from May.

22 So it was a trying situation to deal with,
23 and I -- at that point, I think we addressed it
24 in terms of trying to recruit people to fill our
25 polling places. But it was just the fact of --

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1 working as an assistant manager or a polling
2 assistant, she was put in one of the most
3 difficult situations any poll manager or election
4 official runs into when you've got voters that
5 insist that they have not voted absentee. And I
6 think at that point, she just did not have the
7 experience to be able to handle it.

8 And we have addressed the issues with our
9 phone systems since this particular election.
10 Actually starting in November of 2020, not only
11 is each board member, again, assigned a
12 particular polling place to go to, in addition to
13 the office numbers, they have our personal cell
14 phone numbers. But even in that instance, there
15 were times when they could not get through to us
16 in November. But we just kept calling back and
17 calling back and trying to address it as best we
18 could under the circumstances.

19 So I appreciate your allowing me --

20 **MS. SULLIVAN:** Thank you, Ms. Howard.

21 **MS. HOWARD:** -- to (indiscernible) that and
22 (indiscernible).

23 **MS. SULLIVAN:** Thank you, Ms. Howard, for
24 being here and for your investigation as well as
25 reporting this to your board and your very

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1 with her not being in that manager's position
2 before, to make those kind of decisions in terms
3 of telling a voter, no, we're not able to let you
4 vote on the machine, and, yes, you do have to
5 vote provisional even though I know in the case
6 of the Ellisons it would've been a situation that
7 I would've had to deal with later on.

8 I think in her instance, it was just a
9 matter of trying to -- trying to address a
10 voter's issue and try to resolve it at that time.
11 But it was -- it was a mistake and it was a
12 mistake that once I did discover it after the
13 election, I couldn't go back and undo it because
14 there was no (indiscernible) to do it at that
15 point.

16 So what I'm asking at this -- with the board
17 is to consider what the full facts of that -- of
18 that situation, to have not had an opportunity to
19 look at the statements that both Ms. Searcy and
20 myself submitted, to look at them. It goes
21 through extensive detail in terms of how we
22 struggle to find people to put in our polling
23 places.

24 When I finally convinced this young lady to
25 be a manager at active locations versus just

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1 thorough explanation of -- of the circumstances.

2 Do any of the board members have any
3 questions for Ms. Howard?

4 **MS. GHAZAL:** Yes. This is Sara Ghazal.
5 I've got a quick question. Is there any evidence
6 in this runoff as to when the actual absentee
7 applications were submitted because I think we
8 all recall that the process is very confusing to
9 voters and to even us. So there were three
10 different dates throughout the process. So do we
11 know when the absentee applications were
12 submitted initially?

13 **MS. HOWARD:** Yes.

14 **MS. JONES:** I've got --

15 **MS. HOWARD:** I'm sorry?

16 **MS. JONES:** Go ahead, I'm sorry.

17 **MS. HOWARD:** Okay. And I --

18 **MS. SULLIVAN:** Go ahead.

19 **MS. HOWARD:** I'm looking at my -- my notes
20 here because in the case -- in the case of the
21 Ellisons, Ms. Ellison submitted her first
22 application -- we received it on April 9, 2020.
23 Let's see. Just give me a moment.
24 Mr. Hardnett, we received his application on
25 May the 11th. He was the voter that said that he

1 had lost his original application.
2 Looking for Mr. Ellison. Mr. Ellison's came
3 in on the same date as Mrs. Ellison's, April the
4 9th.

5 Then I'm looking through at Ms. McDowell.
6 Ms. McDowell's was received on May the 5th. In
7 her situation, what she alleged is that her
8 application was mailed to the wrong address
9 initially, which when we -- it was one of the
10 ones that was mailed by the secretary of state
11 and it actually did go to an address other than
12 what we had in our system as her mailing address.

13 Because I tried -- when I received the
14 envelope back and when I pulled copies of it, I
15 saw that it actually had been forwarded from what
16 we showed as the mailing address to the address
17 where it was actually received and both of them
18 were at Flint Hill. But somehow or another in
19 terms of them being automatically mailed, the
20 wrong address was used.

21 **MS. SULLIVAN:** Thank you.

22 Do we have anyone else signed up to speak on
23 this case?

24 **MR. NORTHEN:** Yes. Gwen Hardnett is signed
25 up speak. I believe that they are on the line

1 that's the reason I sent a message in, to give
2 her the opportunity to be able to speak. I don't
3 have her on the line.

4 **MR. NORTHEN:** The phone number provided is
5 not on the call right now or has not been on the
6 call previously either.

7 **MS. SULLIVAN:** Okay. That's -- okay,
8 understood. Sorry, I was confused there.

9 So she was given a number to call in and she
10 is not on the phone?

11 **MR. NORTHEN:** And her phone number was
12 provided to us and the home telephone does not
13 give us their name.

14 We would suggest that they submit public
15 comment via sepubliccomment@sos.ga.gov.

16 **MS. SULLIVAN:** Okay.

17 Is there anyone else here who ...

18 **MR. NORTHEN:** Not for this case.

19 **MS. SULLIVAN:** What is the pleasure of the
20 board?

21 **MR. MASHBURN:** All right. So the way I
22 understand it is we have four elderly voters, one
23 of whom is infirm -- somewhat infirm -- and the
24 investigation revealed that they just forgot that
25 they voted.

1 with Kelly Monroe who is the (indiscernible) that
2 (indiscernible) technology set up.

3 So either Ms. Monroe or Ms. Hardnett, you
4 should be able to unmute yourself and speak at
5 this time.

6 **MS. SULLIVAN:** Ms. Hardnett? Ms. Monroe?
7 You should be able to speak.

8 Are they unmuted?

9 **MR. NORTHEN:** I have requested that they
10 unmute. It has not been --

11 **MS. SULLIVAN:** Okay. If you unmute
12 yourself, you should be able to speak.

13 **MR. NORTHEN:** Kelly Monroe?

14 **MS. SULLIVAN:** I believe you need to unmute
15 yourself. Ms. Hardnett? Ms. Monroe?
16 Mr. Hardnett, I apologize.

17 **MR. NORTHEN:** If there are technical
18 difficulties, may we suggest that they submit a
19 comment?

20 **UNIDENTIFIED MALE SPEAKER:** Hello?

21 **MS. SULLIVAN:** Go ahead. We -- we heard
22 you.

23 **UNIDENTIFIED MALE SPEAKER:** Okay. I --
24 I'm -- Gwen Hardnett has no technology other than
25 a house phone to call in on. And that was --

1 And this is not the first time this has
2 happened. We have had this happen at previous
3 meetings. We've had these cases. So as the
4 general assembly and judges look at what
5 corrections need to be made, there is an issue
6 that's coming up repeatedly that the voting
7 period is so long that people are forgetting that
8 they voted.

9 You have the corresponding problem that when
10 there's an error and -- for example, back at the
11 county, they checked off the wrong voter and you
12 have the legitimate voter standing at the
13 precinct. They want to cast a real ballot rather
14 than a provisional ballot. So you have that
15 competing interest there.

16 I don't see any value in sending these
17 voters to the attorney general's office. So I
18 think a letter of instruction to be more careful
19 next time is the proper remedy.

20 So that's what I make, the motion for those
21 four voters be issued letters of instruction.
22 And then I'll wait to hear from others about what
23 to do about the board of elections.

24 **MS. SULLIVAN:** Okay. Mr. Mashburn has made
25 a motion to issue a letter of instruction to the

1 four individual voters listed as respondents.
2 Is there a second?
3 **MS. GHAZAL:** I second.
4 **MS. SULLIVAN:** Any further discussion?
5 All in favor, please say aye.
6 **THE BOARD MEMBERS:** Aye.
7 **MS. SULLIVAN:** There are none opposed. That
8 motion passes unanimously.
9 We do have to deal with the recommendation
10 regarding the board of elections, starting with
11 Ms. Searcy at this time.
12 **MS. LE:** I move to send that case to the
13 attorney general's office. And in particular, I
14 appreciate the acknowledgment of error and
15 corrections made. I think what we should just
16 have also asked in any consent order that the
17 attorney general's office may enter is some
18 training.
19 As Mr. Mashburn has alluded to earlier,
20 these rules are in place for the county's office
21 to catch these kind of errors, especially with a
22 population that sometimes gets confused or is
23 infirm. That's incumbent on the election
24 officials to carry out their job in the code.
25 I know there are technical challenges in

1 they advised they had mailed her ballot to the
2 incorrect address and she was not able to vote in
3 the election.
4 The investigation revealed that when elector
5 Cierra Hodges submitted an application to receive
6 an absentee ballot for the August 11, 2020
7 general primary runoff, she requested it to be
8 mailed to her temporary address in Savannah.
9 However, an error was made by Bibb County
10 elections office and the ballot was incorrectly
11 mailed to Ms. Hodges' permanent address on file.
12 Recommendation is that Bibb County Board of
13 Elections and Registration, election supervisor
14 Jeanetta Watson, and chief registrar Veronica
15 Seals be bound over to the attorney general's
16 office for violation of O.C.G.A.
17 21-2-381(a)(1)(C), making application for
18 absentee ballot, that they failed to mail the
19 absentee ballot to the temporary address
20 requested by the elector.
21 **MS. SULLIVAN:** Thank you, Ms. Jones.
22 Do we have anyone here to speak regarding
23 this case?
24 **MR. NORTEN:** We do. We have William Noland
25 here.

1 this case where they couldn't reach each other,
2 but that's a procedural thing that the county
3 needs to work out. So for this reason, I am
4 recommending this -- the county be referred to
5 the attorney general's office.
6 **MR. MASHBURN:** Second.
7 **MS. SULLIVAN:** Ms. Le has made a motion and
8 Mr. Mashburn has seconded. Is there any further
9 discussion?
10 All in favor, please say aye.
11 **THE BOARD MEMBERS:** Aye.
12 **MS. SULLIVAN:** And there are none opposed.
13 That motion passes unanimously.
14 The next case listed on the agenda as
15 2020-43 has been continued.
16 So we'll move on to 2020-87, Bibb County.
17 **MS. JONES:** Complainant Cierra Hodges
18 reported she submitted an application to receive
19 an absentee ballot for the August 11, 2020
20 general primary. Ms. Hodges requested her ballot
21 to be mailed to her temporary address in
22 Savannah, Georgia. She advised her ballot was
23 mailed to her address where she was registered in
24 Macon, Georgia.
25 Ms. Hodges called the elections office and

1 Mr. Noland, you can unmute and are able to
2 speak.
3 **MR. NOLAND:** Good morning.
4 **MS. SULLIVAN:** Please go ahead.
5 **MR. NOLAND:** I represent the respondents.
6 And I -- I first just want to say that we accept
7 the -- the results of the investigation. The
8 error did occur. It was unfortunate.
9 Ms. Thomas, the clerk who processed the
10 ballot, understands the -- the rules, understands
11 what her error was here. I do believe it's an
12 isolated incident.
13 And I would just ask that the board consider
14 a letter of reprimand or a letter of instruction.
15 Thank you.
16 **MS. SULLIVAN:** Thank you, Mr. Noland.
17 Does anybody have any -- any board members
18 have any questions for Mr. Noland?
19 Is there a motion?
20 **MS. LE:** I --
21 **MS. SULLIVAN:** Go ahead, Ms. Le.
22 **MS. LE:** Excuse me, I'm sorry. My ...
23 Can you confirm, did Ms. Hodges enter -- did
24 she vote?
25 **MR. NOLAND:** I think that -- I believe that

1 the investigation is -- is correct and that she
2 did not vote. Now, whether she -- there was --
3 the clerk did report that she did send it to the
4 proper address eventually. Ms. Hodges says she
5 did not receive it. I can't -- I can't say one
6 way of the -- or the other as to that. I do not
7 believe she voted.

8 **MS. LE:** Thank you.

9 **MR. MASHBURN:** I move that we accept the
10 recommendation because the voter didn't get to
11 vote -- that we accept the recommendation and
12 refer this to the attorney general's office.

13 **MS. GHAZAL:** Second.

14 **MS. SULLIVAN:** We have a motion and a
15 second. Any further discussion?

16 All in favor, please say aye.

17 **THE BOARD MEMBERS:** Aye.

18 **MS. SULLIVAN:** There are none opposed. That
19 motion passes.

20 2020-89 has been continued.

21 The next case on our agenda is 2020-90,
22 Catoosa County.

23 **MS. JONES:** On September 9, 2020, the
24 investigations division opened an investigation
25 concerning a complaint that a vehicle bearing

1 campaign material was situated directly in front
2 of a polling location within the 150-foot limit
3 on campaign -- campaign activities.

4 The investigation revealed that on June 9,
5 2020, a campaign truck for Catoosa County
6 Commissioner Stephen Henry was photographed in
7 the parking lot of the Lakeview voting precinct
8 within the 150-foot limit on campaign activity.
9 The truck had been hired by Ken Brooks and was
10 driven by Alan Ogle.

11 Mr. Ogle drove through the parking lot of
12 the precinct within the 100-foot-no-campaigning
13 limit.

14 The recommendation is that Alan Ogle be
15 bound over to the A.G.'s office for violation of
16 20-2-414(a)(1), restrictions on campaign
17 activities.

18 **MS. SULLIVAN:** Do we have anyone signed up
19 to speak? Okay. No one is signed up to speak.

20 Do any of the board members have any
21 questions of Ms. Jones?

22 **MR. MASHBURN:** I move that we accept the
23 recommendation and bind it over to the attorney
24 general's office.

25 **MS. SULLIVAN:** We have a motion. Is there a

1 second?

2 **MS. LE:** This is Anh Le. I second.

3 **MS. SULLIVAN:** Any further discussion?

4 All in favor, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** There are none opposed. That
7 motion passes.

8 I'm going to continue the next case, which
9 is 2020-139, DeKalb County. It's my
10 understanding that DeKalb County did not receive
11 a sufficient notice for this meeting.

12 So we will move to case number 2020-145,
13 Colquitt County.

14 **MS. JONES:** Chief registrar Paula McCullough
15 reported that they received two absentee ballots
16 from Rodney and Sybil Edwards on October 6, 2020
17 for the November 3rd general election.

18 Ms. McCullough stated that on October 28th,
19 the Edwards came in and requested to vote in
20 person, and they were allowed to cancel their
21 absentee ballots. The poll worker failed to
22 notice the voters' absentee ballots were accepted
23 on October 6, 2020. On the day the Edwards
24 request to cancel their absentee ballots,
25 Colquitt County had already began processing the

1 absentee ballots prior to the election day. The
2 error by the poll worker caused the Edwards to
3 repeat vote in the same election.

4 The investigation revealed that Rodney and
5 Sybil Edwards requested to vote by absentee
6 ballot during the November 3, 2020 general
7 election. They voted their ballots and mailed
8 them back. The registrar's office received their
9 absentee ballots and they were accepted on
10 October 6, 2020.

11 The Edwards later received a letter in the
12 mail informing them of the following: Final
13 notice, public records indicates you have not yet
14 voted in the 2020 general election. Make a plan
15 and vote early.

16 The Edwards decided to go to vote during
17 advanced voting in person.

18 On October 28, 2020, the Edwards presented
19 themselves at the poll to vote. They informed
20 the poll worker they had already voted by ballot
21 and mailed it back, but they wanted to make sure
22 their votes had counted.

23 The Edwards signed an affidavit to cancel
24 their absentee ballots and they were allowed to
25 vote on the machine. When the poll worker,

1 Deidra McClelland, reviewed the information on
2 the Edwards' absentee ballots, she failed to see
3 their ballots had been accepted.

4 Chief registrar Paula McCullough reported on
5 October 28th the absentee ballot processing had
6 already begun. So the ballots had been pulled
7 from the oath envelopes on the Saturday prior and
8 batched. McCullough stated that they had not
9 scanned them yet and that the Edwards' ballots
10 were in the batch. They had been removed from
11 their oath envelopes. The error by poll worker
12 Deidra McClelland allowed the Edwards to vote
13 more than once in the same election.

14 It's recommended that Colquitt County
15 probate judge and election supervisor Wesley
16 Lewis, Colquitt County Board of Registrars chief
17 registrar Paula McCullough and poll worker Deidra
18 McClelland be bound over to the A.G.'s office
19 for violation of State Election Board Rule
20 183-1-14-02(11), advanced voting when they --
21 when Deidra McClelland found Rodney and Sybil
22 Edwards eligible to cancel their absentee ballots
23 but failed to notice their ballots had been
24 received.

25 **MS. SULLIVAN:** And do we have anyone signed

1 contacted the secretary of state office about a
2 posting she found on Facebook. The posting was
3 on E.D.B.G. Facebook page and states the
4 following: What if I told you I would giving
5 away free Q chicken this Sunday on M.L.K. for
6 everybody that came up to see me with an "I
7 voted" sticker? What if I also said there would
8 be a free concert?

9 The investigation revealed that Edward
10 Gresham, a.k.a. Eddie B.G. posted on Facebook on
11 November 1, 2020 the following: What if I told
12 you I would bring -- I would be giving away free
13 Q chicken this Sunday on M.L.K. for everybody
14 that came up with an "I voted" sticker?

15 He also posted: When I say today is about
16 to be epic, today is about to be epic. We are
17 talking free concert and free Q chicken, hash tag
18 get out today, hash tag bring your voted -- bring
19 your voted sticker.

20 The investigator was able to speak with
21 Mr. Gresham by phone and stated he admitted that
22 they were basically throwing a concert and
23 providing food. He stated they invited both
24 sides of the aisle, Republicans and Democrats.
25 He denied that the posting was an offer of free

1 up to speak?

2 **MR. NORTHEN:** No.

3 **MS. SULLIVAN:** No one has signed up to speak
4 regarding this case. Do any of the board members
5 have any questions for Ms. Jones?

6 Is there a motion?

7 **MS. LE:** I move to accept the recommendation
8 and bind this over to the A.G.'s office.

9 **MS. SULLIVAN:** Is there a second?

10 **MR. MASHBURN:** Second.

11 **MS. SULLIVAN:** All in favor -- any -- all --
12 any further discussion?

13 All in favor, please say aye.

14 **THE BOARD MEMBERS:** Aye.

15 **MS. SULLIVAN:** There are none opposed and
16 that motion passes.

17 2020-147 has been continued.

18 We're going to take a -- a five-minute
19 break, and we will come back at 10:40 and start
20 with case 20-155. Thank you.

21 (Break taken)

22 **MS. SULLIVAN:** We'll call this meeting back
23 to order.

24 The next case is 2020-155, Chatham County.

25 **MS. JONES:** Complainant Sarah Thompson

1 food for voting. However, the Facebook posting
2 did say: Show your "I voted" sticker for free
3 food.

4 An appointment was made to meet with the
5 investigator, but Mr. Gresham later declined.

6 The recommendation is that Edward Gresham be
7 bound over to the attorney general's office for
8 violation of 21-2-570, giving or receiving --
9 offering to give or receive or participating in
10 the giving or receiving of money for gifts for
11 registering as a voter, voting, or voting for a
12 particular candidate.

13 **MS. SULLIVAN:** Do we have anyone signed up
14 to speak?

15 **MR. NORTHEN:** Sarah Thompson, unmute
16 yourself and you should be able to speak at this
17 time.

18 **MS. SULLIVAN:** Ms. Thompson, you may go
19 ahead.

20 (no response)

21 **MS. SULLIVAN:** Ms. Thompson, you may speak.

22 **MR. NORTHEN:** Ms. Thompson, you are unmuted
23 but it does not appear that we can hear you.
24 Please make sure you have an audio selected on
25 Zoom.

1 **MS. SULLIVAN:** Is there anyone else at this
2 time to speak?
3 **MR. NORTHEN:** There is no one else.
4 **MR. MASHBURN:** One of the things the board
5 tries exceptionally hard to do is treat similar
6 cases similarly and different cases differently.
7 And this one strikes me as identical to the "Show
8 me your 'I voted' sticker and get entered into a
9 gun raffle." And I think we bound that over to
10 the attorney general's office.
11 So in the spirit of treating similar cases
12 similarly, I think we should also bind this over
13 to the attorney general's office because I think
14 this is virtually the same case. So I make a
15 motion.
16 **MS. SULLIVAN:** Okay. Is there a second?
17 **MS. LE:** This is Anh Le. I second.
18 **MS. SULLIVAN:** Is there any further
19 discussion?
20 Ms. Thompson, I'll give you one more chance.
21 If you can speak, please feel free to address the
22 board.
23 (no response)
24 **MS. SULLIVAN:** Okay. All in favor of the
25 motion, please respond by saying aye.

1 Beasley, poll manager of Gresham Road precinct;
2 and Bob O'Neal, poll manager of Valley Brook and
3 Shamrock precincts be bound over to the A.G.'s
4 office for violation of 21-2-403, time for
5 opening and closing the polls, and also for SEB
6 Rule 183-1-12-.10(1), before the opening of the
7 polls.
8 **MS. SULLIVAN:** Do we have anyone signed up
9 to speak?
10 **MR. NORTHEN:** Yes. We have several
11 speakers. The first one is Shelley Momo, counsel
12 for DeKalb County.
13 You should be able to unmute yourself at
14 this time.
15 **MS. SULLIVAN:** Go ahead.
16 **MS. MOMO:** Good morning. Good morning. My
17 name is Shelley Momo. I am here to represent the
18 respondents -- DeKalb County, Erica Hamilton,
19 Ms. Beasley, and Mr. O'Neal -- in this case.
20 I want to start by saying that the
21 respondents accept the finding that the poll
22 places didn't open by seven as they needed to.
23 This was due to technical issues with the Poll
24 Pads, as the investigation discovered. Some of
25 these were outside of the county's control.

1 **THE BOARD MEMBERS:** Aye.
2 **MS. SULLIVAN:** Are there any opposed? None.
3 And that motion passes.
4 Next case is 2020-160, DeKalb County.
5 **MS. LE:** This is Anh Le. I'm going to
6 recuse myself from this case.
7 **MS. SULLIVAN:** Let the record reflect that
8 Ms. Le has recused herself from case 2020-160.
9 **MS. JONES:** On November 3, 2020, the
10 investigations division opened an investigation
11 concerning extended polling location hours. The
12 investigation revealed the Gresham Road precinct
13 opened late due to an unspecified malfunction
14 with the Poll Pads. By the time investigators
15 arrived, the Poll Pads had been replaced and the
16 precinct was functioning normally.
17 The Valley Brook and Shamrock precincts
18 co-located at Valley Brook Baptist Church opened
19 late due to the Poll Pads not being set up
20 properly. Once the mistake was identified and
21 corrected, the precinct functioned normally for
22 the rest of the day.
23 It is recommended that DeKalb County Board
24 of Elections and Registration; Erica Hamilton,
25 the director of DeKalb County elections; Martha

1 However, we are not aware of the Poll Pads being
2 powered on late as mentioned in the investigative
3 report, which is a violation of SEB Rule
4 183-1-12-.10, subsection 1.
5 It did result in Gresham Road polling place
6 opening late by 45 minutes. And the Valley Brook
7 and Shamrock polling place opening late by 40.
8 At Gresham Road, I know that after 45 minutes the
9 staff began checking in with paper certificates
10 and voting began. And ultimately the technical
11 difficulties they had at that location required
12 the Poll Pads to be replaced is my understanding.
13 And I know that there were technical difficulties
14 at Valley Brook which they fixed after 40
15 minutes.
16 Upon learning of these delays, DeKalb and
17 the respondents took the appropriate remedy of
18 petitioning the superior court to have these poll
19 places stay open longer to account for the 45
20 minutes at Gresham and 40 minutes at Valley Brook
21 delay. We received a court order at 2:03 on
22 election day and DeKalb County itself then sent
23 out a press release shortly thereafter to alert
24 its citizens that the polling places would remain
25 open longer.

1 The county immediately acted within the code
2 and performed that remedy to keep the polling
3 places open longer to ensure that voters had the
4 same amount of time as everyone else to vote and
5 that these polling places would remain open
6 longer.

7 As a result and because at least in part,
8 some of these malfunctions were not -- were not
9 the cause or not within the county's purview of
10 correcting until it was replaced, we would ask
11 this case either be dismissed or in the
12 alternative a letter of instruction be issued.

13 **MS. SULLIVAN:** Thank you, Ms. Momo.

14 Do any of your clients want to address the
15 board?

16 **MS. MOMO:** No, ma'am.

17 **MS. SULLIVAN:** Is there anyone else signed
18 up?

19 **MR. NORTHEN:** Next speaker is Martha
20 Beasley.

21 **MS. MOMO:** Okay. She does not want to
22 speak.

23 **MR. NORTHEN:** Okay. Next --

24 **MS. MOMO:** Oh, I'm -- I'm sorry. Ms. --
25 Ms. Beasley may speak if -- if she would like.

1 promptly at seven as should be.

2 That's a statement and a question.

3 **MS. SULLIVAN:** The investigation did
4 determine that the Gresham, Valley, and Shamrock
5 polling locations did not open properly by 7 a.m.
6 on the November 3rd ...

7 **MS. BEASLEY:** Okay. Now, for reference, I
8 mean, there should be some follow-up with the --
9 the command center that -- that we let it be
10 known to the registration office that we are
11 open, on that record.

12 When the Poll Pad first voter came in, which
13 was right at seven, you know, could that not be
14 referenced to show that we were open properly at
15 seven? Gresham Road has never opened late. When
16 I say late, after 7 p.m. -- I mean 7 a.m.

17 **MS. SULLIVAN:** Ms. Beasley, I believe the
18 determination is even if the building is actually
19 open but people are not able to vote at that
20 time, then the polling location has not opened on
21 time.

22 **MS. BEASLEY:** Okay.

23 **MS. SULLIVAN:** But your statements will
24 be -- your statements will be reflected in the
25 record.

1 Ms. Beasley, you may speak. I have given a
2 general overview. Thank you.

3 **MS. SULLIVAN:** Go ahead, Ms. Beasley.

4 **MR. NORTHEN:** Ms. Beasley, you should be
5 able to unmute yourself now.

6 **MS. SULLIVAN:** Ms. Beasley, if you'll unmute
7 yourself, you may speak.

8 **MS. BEASLEY:** Yes. Okay, can you hear me
9 now?

10 **MS. SULLIVAN:** Yes, ma'am.

11 **MS. BEASLEY:** Well, I just want some
12 clarification about not opening on time. Gresham
13 Road did open promptly at seven. And I just want
14 clarification on that.

15 I know the machine -- the Poll Pads were
16 inactive because -- but that was -- that was for
17 the primary -- the primary election. And, yes,
18 that was corrected, you know, within forty --
19 forty -- forty-five.

20 And we did issue paper to get the manual
21 activation on the ICX. So that's --

22 You know, again I just want to know.
23 Because the Poll Pads were not working properly,
24 does that penalize the precinct being -- to say
25 not open on time when it was actually opened

1 **MS. BEASLEY:** Oh, okay. Well, as I said
2 that -- that was my concern when I saw the
3 letter, that we failed to open, okay? But we
4 were open, but the -- the Poll Pads were not
5 properly programmed for that location. And it
6 happened --

7 **MS. SULLIVAN:** Thank --

8 **MS. BEASLEY:** -- during the primary and
9 again during the general election. But during
10 the general election, we remembered what happened
11 during the primary, so we (indiscernible) -- you
12 know, got our electors list and proceeded from
13 that point. So no time was wasted on
14 November 3rd.

15 **MS. SULLIVAN:** Thank you, Ms. Beasley.

16 **MS. BEASLEY:** Okay.

17 **MS. SULLIVAN:** Thank you.

18 **MR. MASHBURN:** Yeah, I'm -- I'm sorry to
19 interrupt. This is Matt Mashburn.

20 I have a -- just want to confirm with the
21 investigators and the county that all of the
22 voters were accounted for and nobody left and
23 didn't come back.

24 I'm reading in the report that all of the
25 voters were accounted for; is that right?

1 Everybody agrees on that?
2 **MS. MOMO:** This is Shelley Momo. That is my
3 understanding, based on the findings and the
4 information that I have.
5 **MS. SULLIVAN:** Thank you.
6 Is anyone else --
7 **MR. MASHBURN:** Well --
8 **MS. SULLIVAN:** I'm sorry, go ahead,
9 Mr. Mashburn.
10 **MR. MASHBURN:** Yeah. In the -- I'm going to
11 address kind of some -- a couple things that
12 Ms. Beasley brought up. But one of the issues is
13 when you keep polls open late, the counties are
14 under a new requirement under the new law to
15 report their vote totals. And so this puts a
16 real burden on the county.
17 And so it concerns me that people are
18 relying on keeping the polls open later as kind
19 of the default now. Where it used to be
20 extraordinarily rare, now it's kind of the
21 default remedy.
22 So I would like to have the counties be more
23 directed about doing whatever you've got to do to
24 make sure -- and I just have my own experience in
25 my own life. I worked at a fast food restaurant

1 **MS. SULLIVAN:** Yes, sir. We can hear you.
2 **MR. O'NEAL:** Okay, very good. Just -- I --
3 I will be brief. This is the first time I've
4 been involved in one of these sessions. I've
5 been a precinct manager for ten-plus years.
6 I was delighted to hear the motion that's
7 tabled right now. That is exactly what we need.
8 At Valley Brook, we were ready to open. We were
9 ready. Everything was in place at 6:40. It
10 states we were not ready, but just as Ms. Beasley
11 stated, we certainly were.
12 What we failed to have -- and this, to me,
13 is a secretary of state issue, it's not a DeKalb
14 County issue -- is some kind of process where we
15 do a dummy vote before 7 a.m. and are assured
16 that everything is working.
17 In our case, a long-term employee of mine --
18 he has worked the Poll Pads for many years -- he
19 installed the encoders in our three Poll Pads in
20 reverse. It was easy to do. It's clearly stated
21 he shouldn't have. He was supposed to have an
22 individual reading the instructions and he
23 explicitly follows each step. That apparently
24 didn't happen. We didn't know about it until at
25 7:00 we start processing our first voters and all

1 and if we were -- we were selling chicken and if
2 the lights were on but the fryers hadn't been
3 turned on, we weren't open because we couldn't
4 sell chicken. And so if everything's not in
5 place for the voters to vote, you're not open.
6 So I would refer -- I would move to refer
7 this over to the attorney general's office. And
8 what I would like for them to concentrate on is
9 what needs to be done. What's the -- where's the
10 problem that people aren't checking this to make
11 sure everything is open and ready before the
12 voters get in the door?
13 So that's my motion.
14 **MS. SULLIVAN:** All right. I believe we have
15 one more person signed up to speak regarding this
16 case. So we'll hold that motion --
17 **MR. MASHBURN:** Okay.
18 **MS. SULLIVAN:** -- at this time.
19 **MR. NORTEN:** The next speaker is Robert
20 O'Neal who may unmute himself at this time.
21 **MS. SULLIVAN:** Mr. O'Neal, you may go ahead
22 and address the board.
23 **MR. O'NEAL:** Yes. I hope you can hear me.
24 This is Robert O'Neal, precinct manager at the
25 Valley Brook/Shamrock precinct.

1 three Poll Pads would not accept them.
2 In phone calls and other things, it took
3 about 30 minutes to remedy it and find out our
4 mistake, flip the units around, and then
5 everything was fine.
6 But if we'd had a -- a system where you can
7 do a -- excuse me, a dummy run in advance, this
8 could've been avoided. We would've been ready.
9 Also, as I'm talking about this, I've
10 learned in this process that each county must
11 generate their own training programs. A rich
12 county like DeKalb, we were given a lot of
13 training. There's a lot of resources, but
14 nonetheless we were swamped with material.
15 And under the old system, before the last
16 two years, we've had the new equipment, we had
17 hard copies, a single page for each portion --
18 the check-in station, the voting station, the --
19 all of the different things had hard copies that
20 clearly stated or started you through and closed
21 out the process and also had -- excuse me --
22 provisions for when things were not going right.
23 I would love to have that come back. And
24 I've lobbied my own county, our NE office, to
25 institute those. But anyway, that is what I see

1 we need to make things good.
2 I thank you for your time and those are my
3 comments.
4 **MS. SULLIVAN:** Thank you, Mr. O'Neal.
5 All right. Anyone have any questions for
6 Mr. O'Neal?
7 **MS. GHAZAL:** I've got a question actually
8 for Mrs. Beasley.
9 Did I understand correctly, Mrs. Beasley,
10 that you were able to utilize the back-up paper
11 registration list and offered provisional ballots
12 to voters who were in line by 7 a.m.? Is that
13 correct?
14 **MS. BEASLEY:** Yes. Those who wanted
15 provisional were given provisional, which were
16 very few because others wanted to wait to vote on
17 the ICX. But when we learned about the manual
18 ballot activation on the ICX, we used the
19 electors list and the paper certificate to -- and
20 the -- the number -- material to get them signed
21 in before we gave them a card to activate
22 manually on the ICX. Then they could vote and
23 then submit their -- the ballot to the scanner.
24 **MR. MASHBURN:** So everybody voted on cards,
25 not provisional; right?

1 **MR. MASHBURN:** Right. And I would hope that
2 -- not that they don't, but in this case I hope
3 they -- and that all the parties on this case
4 entered into a very collaborative spirit, saying
5 this is what we want to do so this doesn't happen
6 again and get this fixed, rather than an
7 adversarial way.
8 I don't believe this is an adversarial issue
9 but it needs to get fixed because with the new
10 requirements, we've got to reduce the number of
11 precincts that are staying open late.
12 **MS. SULLIVAN:** Okay. We have a motion and a
13 second.
14 All in favor, please signify by saying aye.
15 **THE BOARD MEMBERS:** Aye.
16 **MS. SULLIVAN:** Any opposed? There are none
17 opposed and that motion passes.
18 Ms. Le did recuse herself from that case.
19 The next case is 2020-169, Clayton County.
20 **MS. JONES:** On November 6, 2020, the
21 investigations division initiated an
22 investigation regarding the securing of Clayton
23 County absentee ballot drop boxes by 7 p.m. on
24 November 3, 2020 general election.
25 The investigation revealed the county

1 **MS. BEASLEY:** Correct. Only a few people
2 chose provisional. The majority of the people
3 waited until we got the -- the Poll Pads to some
4 fashion so they could vote on the ICX.
5 **MS. SULLIVAN:** Any additional questions?
6 I'll take your motion off the table.
7 **MR. MASHBURN:** I renew my motion.
8 **MS. SULLIVAN:** Okay. Mr. Mashburn's motion
9 is renewed to accept the recommendation in this
10 case. Is there a second?
11 I'll second that motion.
12 Is there any further discussion?
13 **MS. GHAZAL:** It seems to be from
14 Ms. Beasley's report that in fact her poll
15 technically opened on time. If voters were given
16 the option to cast a ballot, starting 7 a.m.,
17 even if they chose not to use that option by a
18 provisional ballot, voters could vote. So that
19 poll opened on time. I'm not convinced that
20 that -- that there was a late opening in the
21 case.
22 **MS. SULLIVAN:** I think the attorney
23 general's office can certainly take that into
24 consideration as they make a recommendation for a
25 consent order.

1 maintained eight absentee ballot drop boxes. A
2 review of drop box surveillance video revealed
3 each of the drop boxes being secured by election
4 staff at approximately 7 p.m. on November 3,
5 2020.
6 However, elections director Shauna Dozier
7 was unable to produce copies of the drop box
8 transfer forms.
9 Our recommendation that Shauna Dozier,
10 Clayton County director of registration and
11 elections in Clayton County; registration and
12 elections office be bound over to the A.G.'s
13 office for violation of O.C.G.A. 21-2-273,
14 preservation of primary election records.
15 **MS. SULLIVAN:** I believe we have someone
16 signed up to speak.
17 **MR. NORTHEN:** Yes. We have Mr. Reed.
18 **MS. SULLIVAN:** Mr. Reed, please go ahead.
19 **MR. REED:** Thank you, Madam Chair.
20 Again Charles Reed, representing Ms. Dozier
21 and the Clayton County Board of Registration and
22 Elections.
23 I think there may be somewhat of a slight, I
24 guess, misunderstanding. But some of this is
25 correct of what the investigators revealed.

1 There were drop boxes that were secured by
2 election staff at 7 p.m.
3 What happened that particular day is that we
4 had several techs that were out -- half of the
5 staff was out too -- for health reason too
6 because they -- they quit shortly before
7 November 3rd, I think, the Thursday or Friday
8 before. So we had several of the techs going to
9 help do tabulation and help close precincts.
10 So there was no pick up of the drop boxes on
11 November 3rd. However, on November 4th, staff
12 went out to each of the locations, each of the
13 eight locations, to pick up the ballots.
14 And we have video surveillance showing when
15 that occurred and the approximate times of that.
16 So I'm not sure if this -- if this report is
17 based on the inability to show that the drop
18 boxes were picked up on November 3rd or the
19 ability to show that there are forms on
20 November 4th.
21 That said, we have -- we have documents for
22 November 4th. However, we were trying to see if
23 we could get all of those documents. It seems
24 that there are a couple or a few that we don't --
25 can't put our hands on. So in this sense, we

1 **MR. REED:** There are -- we have forms for --
2 there are eight locations. We have forms right
3 now that we could put our hands on on three of
4 those. It appears that there are five that -- we
5 are -- we had a second election going on at the
6 same time to fill the unexpired term for John
7 Lewis. So we're checking to see whether the drop
8 box forms were located in that.
9 So that's why we're saying that we don't
10 necessarily believe that there were no forms.
11 It's just that we can't put our hands on them
12 right now.
13 **MR. MASHBURN:** Okay. All right. So this is
14 Matt Mashburn. I'll make a motion to refer this
15 to the attorney general's office with the
16 instruction that if y'all provide the form, I
17 will (indiscernible) favorably a consent order
18 that dismisses it when you come back.
19 **MS. SULLIVAN:** We have a motion.
20 I'll second. I'll second that motion.
21 Is there any further discussion?
22 All in favor, please say aye.
23 **THE BOARD MEMBERS:** Aye.
24 **MS. SULLIVAN:** And there are none opposed
25 and that motion passes.

1 would ask if there is a recommendation to -- to
2 bind this over to the attorney general, that at
3 least we'd have the opportunity to provide those
4 documents to the attorney general and perhaps
5 have this matter dismissed.
6 **MS. SULLIVAN:** Thank you, Mr. Reed. You
7 will certainly be able to provide any further
8 documentation in the event that this case is
9 referred to the attorney general's office.
10 Is there anyone else signed up to speak?
11 **MR. NORTHEN:** Ms. Dozier, if she would
12 like --
13 **MS. SULLIVAN:** Ms. Dozier, would you like to
14 speak?
15 **MS. DOZIER:** Good morning. If anyone has
16 any questions, I'm open to answering any
17 questions that you may have.
18 **MS. SULLIVAN:** Okay. Thank you for being
19 here, Ms. Dozier.
20 Do any of the board members have any
21 questions for the investigator or Mr. Reed or
22 Ms. Dozier?
23 **MR. MASHBURN:** Hello. This is Matt
24 Mashburn. They found the form now? There's not
25 a form that's missing any longer?

1 Earlier we were considering case 2020-155
2 when Ms. Thompson was not able to speak.
3 We're going to try this one more time,
4 Ms. Thompson, if you would to address the board.
5 Hopefully we can give you the opportunity now.
6 You should be able to unmute yourself and address
7 the board if you would like at this time.
8 **MR. NORTHEN:** Ms Thompson is unmuted.
9 **MS. SULLIVAN:** Ms. Thompson, you are
10 unmuted. You may go ahead and speak.
11 It appears that we are still having
12 technical difficulties.
13 Ms. Thompson, we will -- we will take a
14 break at lunch. I certainly do want you to have
15 an opportunity to address the board if you would
16 like to do so. Maybe during lunchtime we can
17 resolve any technical difficulties and address it
18 this afternoon.
19 The next case on the agenda is SEB case
20 2020-171, Taylor County.
21 **MS. JONES:** Investigation division reveal --
22 reviewed multiple complaints regarding the
23 November 3, 2020 general election. The
24 allegation was -- Ms. Daniel alleged that a
25 candidate for District 2 board of education, Mary

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1 Bentley, turned in absentee ballots for voters.
2 Ms. Daniel said that the information was shared
3 by the Taylor County Elections Supervisor, Mindy
4 Bass, that it was illegal for candidates to pick
5 up absentee ballots while campaigning and turn
6 them in to the registrar's office.
7 Allegation 2, Ms. Daniel alleged that on
8 November 3, 2020, at 11 p.m., 13WMAZ reported
9 candidate Mitchell Harrison had won the
10 District 2 board of education seat. However, at
11 11:15, state representative Patty Bentley entered
12 the Taylor County registrar's office and reported
13 the election was not over and there were still
14 200 uncounted votes.
15 Ms. Daniel said candidate Mary Bentley ended
16 up winning the District 2 board of education seat
17 by 198 absentee ballot votes.
18 Allegation 3, Ms. Campbell alleged her
19 father went in to -- went in to vote during the
20 advanced voting period and observed an elderly
21 black female drop off approximately 30 absentee
22 ballots. Campbell said the female left the
23 ballots on the desk after being instructed to do
24 so by election staff member. Ms. Campbell said
25 the female left no names -- left and no names

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1 by GBI Special Agent Lee Brooks. However, there
2 was no evidence to support violations of Georgia
3 election law for allegations two through six.
4 Agent Brooks for the GBI interviewed Taylor
5 County Board of Education member Mary Bentley who
6 was a candidate for the Taylor County District 2
7 Board of Education seat during the November 3,
8 2020 election.
9 In the interview, Ms. Bentley, through her
10 own admission, said she assisted voters with
11 filling out their absentee ballots. Ms. Bentley
12 said she knew the individuals she assisted but
13 does not mention them being family members.
14 Taylor County Election Supervisor Mindy Bass
15 reviewed the absentee ballot envelopes in the
16 presence of Agent Brooks. The only ballot
17 located where Mary Bentley signed as having
18 assisted was her husband Rogers Bentley.
19 It's our recommendation that Mary Bentley be
20 bound over to the attorney general's office for
21 violation of O.C.G.A. 21-2-385(b), procedure for
22 voting by absentee ballot, which she admitted
23 helping voters fill out their absentee ballots
24 during the November 3, 2020 general election.
25 **MS. SULLIVAN:** It's my understanding

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1 were checked or questions asked about the
2 relationship between the voters and the female.
3 Allegation 4, Ms. Campbell alleged multiple
4 individuals received unsolicited absentee
5 ballots. Campbell said the individuals were not
6 elderly or disabled. She said she was sure the
7 individuals received absentee ballots and not
8 applications. She knew they were absentee
9 ballots because she received one herself.
10 Allegation 5, Ms. Campbell alleged the news
11 reported Taylor County had uncounted ballots.
12 Ms. Campbell said she contacted Taylor County
13 elections supervisor Mindy Bass to inquire about
14 the uncounted ballots. Ms. Bass told her she
15 didn't know where the ballots were but had to
16 find them by 5 p.m. And so the count was
17 actually 15 more ballots than had been reported
18 by the news.
19 Allegation 6, Ms. Bass reported a candidate
20 turned in upwards of 40 absentee ballot
21 applications for voters in her district.
22 Ms. Bass said the candidate did assist some of
23 the voters in completing their applications.
24 All in all, investigation revealed that all
25 in all witnesses and respondents were interviewed

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1 Ms. Bentley is on the line.
2 Ms. Bentley, you may go ahead and speak if
3 you would like to.
4 **MS. BENTLEY:** Okay. Can you hear me?
5 **MS. SULLIVAN:** Yes, ma'am.
6 **MS. BENTLEY:** Okay, good. I'm Mary Bentley.
7 And during the November 2020 election, I, Mary
8 Bentley, assisted my husband Rogers Bentley with
9 his ballot because he had misplaced his glasses
10 and was unable to read the small print on the
11 ballot. But he's actually the only person I
12 assisted with a ballot.
13 **MS. SULLIVAN:** Thank you. So the only
14 person is -- your position is that your husband
15 was the only person you assisted with filling out
16 an absentee ballot?
17 **MS. BENTLEY:** Yes.
18 **MR. MASHBURN:** So agent -- agent -- this is
19 Matt Mashburn. So, Ms. Bentley, Agent Brooks
20 reports that you said that you assisted around 10
21 to 15 voters with filling out their absentee
22 ballots and placed some of the absentee ballots
23 in a mailbox at the local post office.
24 **MS. BENTLEY:** I pla --
25 **MR. MASHBURN:** So you say that Agent Brooks

1 is wrong.

2 **MS. BENTLEY:** I placed some of the ballots
3 in the post office for sure, but I didn't assist
4 them with it.

5 **MR. MASHBURN:** Okay. So you touched a
6 ballot that wasn't a family member and wasn't a
7 family member's ballot you had in your
8 possession; right?

9 **MS. BENTLEY:** I -- I -- in the post -- in
10 the office, yes. I didn't assist with it.

11 **MR. MASHBURN:** Okay, thank you.

12 **MR. NORTEN:** The next person from this case
13 is Mindy Bass.

14 **MS. SULLIVAN:** Ms. Bass, you may go ahead.

15 **MS. BASS:** Good morning. This is Mindy
16 Bass, the elections superintendent for Taylor
17 County. I just wanted to kind of confirm that
18 Ms. Bentley did not turn in any ballots to me. I
19 had gone over with her about the rules regarding
20 applications which I had got confirmation from
21 former elections director Christopher Harvey
22 about the candidates passing out absentee
23 applications which was completely fine and
24 getting them back to me. As long as she didn't,
25 you know, help with the ballots, that was okay.

1 So it took us about 23 hours to get that
2 figured out. That's why we had so many uncounted
3 ballots at that time. We were able to get them
4 scanned. But we actually had 470 absentee
5 ballots that were not counted on election night
6 due to that issue. Out of -- we had about 600 or
7 700 total.

8 We were able to read the ones that were sent
9 out automatically by the rollover list from
10 the -- from the printers. But the ones that we
11 sent out, we had issues with. That was the only
12 reason that the numbers came in so odd. And --

13 **MR. MASHBURN:** All right. Do you --

14 **MS. BASS:** -- once we were able to re --

15 **MR. MASHBURN:** You didn't have -- I'm sorry
16 to interrupt you, but -- so you did not have a
17 situation where you had 200 late-counted ballots
18 that broke a hundred and ninety-eight to two;
19 right?

20 **MS. BASS:** I -- I believe that exact --
21 those exact numbers were only the ballots from
22 District 2, not the total amount of ballots that
23 I had to count. So I think that was just the
24 ballots that were coming in from District 2 which
25 would have given that discrepancy. But, yes,

1 And that was the information that I passed on
2 to -- to Ms. Bentley.

3 **MS. SULLIVAN:** Thank you.

4 Do any of the members of the board have any
5 questions for Ms. Bass or Ms. Bentley or the
6 investigator?

7 **MR. MASHBURN:** I have a question for
8 Ms. Bass. With -- in our notebooks, under
9 allegation 2, we have this report from WMAZ that
10 there were 200 uncounted votes. And I read it --
11 I read it that a hundred and ninety-eight of
12 those two hundred broke for one candidate, but I
13 don't -- I don't think that's -- I think I
14 misread that.

15 Can you share some insight on what that's
16 all about?

17 **MS. BASS:** Absolutely. On election night,
18 we were having a -- a big problem with our
19 absentee ballots being read by the scanner. We
20 were working with Dominion. We were working with
21 the CES, trying to figure out why the scanner was
22 not reading out ballots. And it turns out that
23 when we printed our ballots, they were being
24 printed too small and we did not realize that,
25 obviously, until election night, trying to scan.

1 they were that wide of a range.

2 **MR. MASHBURN:** Okay. And just to confirm,
3 you didn't tell anyone that it was legal for
4 candidates to pick up absentee ballots while
5 campaigning; right?

6 **MS. BASS:** Correct. I -- I said, you
7 know -- and I've still got the e-mail from Chris
8 Harvey that I -- I passed that information on
9 that it's -- it's okay for the applications, not
10 the ballots.

11 **MS. SULLIVAN:** What's the pleasure of the
12 board?

13 **MR. MASHBURN:** Move that this be referred to
14 the attorney general's office.

15 **MS. SULLIVAN:** We've got a motion. Is there
16 a second?

17 **MS. LE:** This is Anh. I'll second.

18 **MS. SULLIVAN:** Is there any further
19 discussion?

20 All in favor, please say aye.

21 **THE BOARD MEMBERS:** Aye.

22 **MS. SULLIVAN:** Are there any opposed? There
23 are none opposed. That motion passes.

24 The next case is 2020-180.

25 **MS. JONES:** Investigation revision --

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1 division received multiple complaints regarding
2 the residency status of Fulton County voters
3 during the 2020 general election.
4 Deeanna and Floyd Woodham were not residents
5 of Fulton County when they voted in the 2020
6 general election.
7 Someone requested and returned an absentee
8 ballot on behalf of Kyle Newman without his
9 knowledge during the Fulton County 2020 election.
10 Diane Bailey requested and returned an
11 absentee ballot for her daughter Courtney Bailey
12 without her knowledge during the Fulton County
13 2020 general election.
14 William Shoemaker and Todd Cooper are
15 Florida residents and they voted in the Fulton
16 County and Walton County, Florida general
17 election.
18 An absentee ballot issue to Alan Dale (ph)
19 was delivered to a Fulton County address where he
20 does not reside.
21 The investigation revealed that there was
22 insufficient evidence to confirm a violation for
23 allegations three and five.
24 Allegation 1, Deeanna Woodham sold her
25 Fulton County home and moved to Cobb County in

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1 his absentee ballot in Georgia. When asked why
2 he voted in Georgia after moving to New York, he
3 said he could not obtain a New York driver's
4 license and therefore he could not register to
5 vote in New York. So he decided to vote in
6 Georgia.
7 Allegation 4, William Shoemaker and Todd
8 Cooper voted in Fulton County, Georgia and Walton
9 County, Florida general elections. According to
10 ElectionNet, Shoemaker and Cooper are registered
11 to vote in Georgia. Their address of record is
12 943 Peachtree Street, apartment 1914, Atlanta.
13 In October 2020 and December 2020, they
14 requested absentee ballots for the Fulton County
15 2020 general and runoff elections. The ballots
16 were mailed to their address of record. They
17 returned their ballots to the election office and
18 they were counted.
19 Walton County election office provided
20 copies of Shoemaker and Cooper's electronic
21 Florida voting records. According to the
22 records, both men registered to vote in February
23 of 2020 and voted in person on October 30, 2020
24 in Walton County, Florida. Their address of
25 record is 27 Sugarland Lane, Santa Rosa Beach,

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1 June 2020. However, she cast her ballot in
2 Fulton County.
3 Allegation 2, on September 15, 2020, Kyle
4 Newman requested an absentee ballot for the
5 Fulton County 2020 election. The ballot was
6 mailed to his address of record, located at
7 1112 Kirkwood Avenue, Atlanta. The ballot was
8 canceled on October 14, 2020 and reissued and
9 mailed to Newman at 667 Evergreen Avenue,
10 Brooklyn, New York. The ballot was returned to
11 the election office and counted.
12 On 12/1/2020, Newman requested an absentee
13 ballot for the Fulton County 2020 general runoff
14 election. The ballot was mailed to Brooklyn as
15 well. The ballot was return to the election
16 office and counted.
17 Investigations conducted an interview with
18 Kyle Newman. He confirmed that he has lived in
19 New York since August 2020. He said that he
20 attended Georgia State University from 2018 to
21 2020 but he declined to provide exact dates of
22 attendance and would not provide details about
23 where he lived between August 2019 and
24 August 2020.
25 He confirmed that he requested and returned

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1 Florida.
2 It's our recommendation that Deeanna Woodham
3 be bound over to the A.G.'s office for
4 21-2-218(F), address change and correction.
5 Kyle Newman be bound over to the A.G.'s
6 office for violation of 21-2-573, absentee voting
7 by an unqualified elector, and 21-2-562,
8 fraudulent entry.
9 And William Shoemaker and Todd Cooper be
10 bound over to the A.G.'s office for violation of
11 21-2-573, absentee voting by an unqualified
12 elector.
13 The Fulton County Board of Registration and
14 Elections, Ralph Jones, former chief registrar,
15 be bound over to the A.G.'s office for 21-2-73,
16 preservation of primary and election records when
17 the election office was unable to find the 2020
18 general election application or absentee ballot
19 and signed oath envelope for Kyle Newman.
20 **MS. SULLIVAN:** Thank you, Ms. Jones.
21 **MR. NORTHEN:** We have one person here for
22 public comment. That is David Lowman.
23 **MS. SULLIVAN:** Mr. Lowman, you may go ahead.
24 **MR. LOWMAN:** Good morning. This is David
25 Lowman with the office of the Fulton County

1 attorney.
2 I would ask that because these -- the type
3 of violation that Mr. Jones at the Fulton County
4 (indiscernible) was different than the others
5 involved in this case and because there have been
6 procedure changes that you are well aware of, I
7 believe, in the Fulton County Department of
8 Registration and Elections, I would ask that his
9 case be -- have a letter of instruction issued
10 instead of being bound over.

11 And I do believe I have Ms. Mariska Bodison
12 from Fulton County Elections on the line to
13 answer any questions or to add additional
14 information if need be.

15 **MS. SULLIVAN:** Do any of the board members
16 have questions for Mr. Lowman?

17 **MR. MASHBURN:** I move that we -- I move
18 to -- unless there's anybody else that wants to
19 be -- that needs to be heard, I move that we
20 accept the recommendations and bind all these
21 cases over to the attorney general's office.

22 **MS. SULLIVAN:** We have a motion to accept
23 the recommendation and bind these allegations --
24 cases over to the attorney general's office. Is
25 there a second?

1 former elections supervisor, be bound over to the
2 attorney general's office for violation of
3 21-2-381(b)(2)(A), by mailing an absentee ballot
4 to an address other than the temporary address
5 listed by the elector on the application.

6 **MS. SULLIVAN:** Thank you, Ms. Jones.

7 I believe we have some people here to speak
8 regarding this case.

9 **MR. NORTHEN:** The first person is Carla
10 Heard.

11 **MS. SUMMERLIN:** That would be Cindy
12 Summerlin. We're both showing as Carla Heard as
13 logged in. And I'm not sure why. I think it was
14 because the e-mail was forwarded with the Zoom
15 link.

16 But my name is Cindy Summerlin and I am the
17 acting chair for the Baker County Board of
18 Elections.

19 **MS. SULLIVAN:** Thank you. Would you like to
20 address this board regarding this case?

21 **MS. SUMMERLIN:** I do. Our county attorney
22 is present also: Mr. Russell Britt. And I
23 believe he wanted to speak first.

24 **MS. SULLIVAN:** Okay. We'll unmute
25 Mr. Britt.

1 **MS. LE:** Anh Le. I'll second it.

2 **MS. SULLIVAN:** Any further discussion at
3 this time?

4 All in favor, please say aye.

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** Are there are none opposed
7 and that motion passes.

8 The next case 2020-182, Baker County.

9 **MS. JONES:** On November 6, 2020,
10 investigations was forwarded a complaint alleging
11 that Baker County elections office intentionally
12 sent an absentee ballot to the wrong address.

13 The investigation revealed that Ryan Coker,
14 the former Baker County election superintendent
15 mailed an absentee ballot to the wrong address.
16 John Ansley (ph), the elector, requested an
17 absentee be mailed to an address in Las Vegas,
18 Nevada. And instead it was mailed to an address
19 in Newton, Georgia.

20 The clerk admitted it was a mistake and it
21 was not done with malice or intent, though the
22 elector was unable to vote in the November 2020
23 general election as a result.

24 Our recommendations is that the Baker County
25 Board of Elections and Ryan Coker, elections --

1 **MR. NORTHEN:** You may unmute yourself now.

2 **MS. SULLIVAN:** Mr. Britt, you may unmute
3 yourself.

4 **MR. BRITT:** All right. Can y'all hear me?

5 **MS. SULLIVAN:** We can.

6 **MR. BRITT:** All right. Thank you, Madam
7 Chair and members of the board.

8 I'm Russell Britt and I represent Baker
9 County as its appointed county attorney.

10 And as Ms. Summerlin mentioned, she is on
11 the call today too. She's the acting chairperson
12 for the Baker County Board of Elections and she
13 may have a few comments following mine.

14 Now, as the investigator noted, this case
15 involves a complaint that the elections office
16 intentionally sent an absentee ballot to the
17 wrong address for the November 3, 2020 election.
18 However, the local board's investigation revealed
19 that Ryan Coker, the now former elections
20 supervisor, did not mail an absentee ballot to
21 the wrong address. He actually entered the
22 correct address in the vendor system operated by
23 Runbeck.

24 However, the vendor mailed the ballot to the
25 primary address instead of the requested

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1 temporary address. This information demonstrates
2 that Coker did not intentionally send the ballot
3 to the wrong address and did not violate the
4 applicable state statute per se.
5 And we do have those documents to show that
6 it was entered into the system correctly.
7 Nonetheless, the Baker County Election Board
8 recognizes that an error may have occurred when
9 the ballot was returned undeliverable and Coker
10 failed to timely remedy the vendor error before
11 the election. That, of course, assumes that such
12 remedy was possible prior to the election.
13 That said, Coker's employment with the
14 county ceased following the subject election.
15 And the current election supervisor Ms. Carla
16 Heard began in January of 2021 and was later
17 certified as the supervisor in March on -- in
18 March of 2021. An error that occurred with her
19 predecessor was reviewed with Ms. Heard to ensure
20 that such error would not occur in the future and
21 that she will be cross-checking any returned
22 absentee ballots against the requested mailing
23 address to ensure that it was sent to the correct
24 requested mailing address.
25 Furthermore, Ms. Heard is being proactive in

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1 **MR. BRITT:** And if there are no questions
2 for me, I would like to turn it over to
3 Ms. Summerlin if she has any further comments.
4 **MS. SULLIVAN:** Ms. Summerlin, you may go
5 ahead.
6 **MS. SUMMERLIN:** Okay.
7 **MS. SULLIVAN:** If you would like to.
8 **MS. SUMMERLIN:** Yes. Well, I think he
9 covered that very well. But after the former
10 supervisor's departure when we learned of -- of
11 the allegation, that is -- that is when the --
12 the local office and the board started looking
13 into the matter even further -- and we did find
14 documentation that we can provide to the board
15 that shows that Ryan did, in fact, enter the
16 address as requested by the voter and it was
17 Runbeck that actually sent it to the default home
18 address.
19 We did have difficulty in reaching our
20 liaison at that time. And with Ryan being new,
21 that probably was not on the top of the stack,
22 you know, until we did, you know, get the return
23 call from the liaison, which I don't believe we
24 ever did. But needless to say, he is no longer
25 with us and we are taking many measures -- we

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1 her ongoing training as supervisor, such as
2 calling in on state election board meetings,
3 including this one, to learn from other cases all
4 across the state on what not to do.
5 Therefore, because the local investigation
6 revealed that the initial error was caused by a
7 vendor and not the former elections supervisor
8 and while the former election supervisor may have
9 had an opportunity to remedy the vendor error, he
10 failed to do so. But he is nonetheless no longer
11 employed with the county.
12 And because the new elections supervisor has
13 been advised of the issue, is ensuring that such
14 a mistake will not happen in the future, and is
15 otherwise conducting proactive, ongoing training,
16 the board of elections and registration
17 respectfully asks that this case instead be
18 dismissed or in the alternative that the board
19 receive a letter of instruction for this matter
20 that ultimately involves a former counter --
21 county employee.
22 Thank you.
23 **MS. SULLIVAN:** Thank you, Mr. Britt.
24 Do any of the board members have any
25 questions for Mr. Britt?

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1 have a very active board and we're taking several
2 measures and our new supervisor Carla is excited
3 to get as much training as possible.
4 And I think if you look at the records for
5 these recordings, she attends many of these to
6 use that as a -- a learning tool, you know, to
7 know what not to do for future.
8 And we do have this particular example
9 posted, not with the person's name, of course,
10 but with the scenario so that we know how to
11 follow procedure should that ever happen again.
12 So I do request with Mr. Britt that it
13 either be dismissed or a letter of instruction.
14 Thank you.
15 **MS. SULLIVAN:** Thank you, Ms. Summerlin.
16 Is there anyone else who is signed up to
17 speak? No, there is not.
18 **MR. NORTEN:** Unless Carla Heard is on the
19 line and wishes to speak.
20 **MS. SULLIVAN:** Does Ms. Heard wish to speak
21 to the board today?
22 **MS. SUMMERLIN:** She had not indicated, but
23 she is on the call. So if she wants to unmute
24 ...
25 **MS. SULLIVAN:** You're welcome to speak if

1 you would like to, Ms. Heard.
2 Thank you, Mr. Britt and Ms. Summerlin for
3 being here today, Ms. Heard as well. We
4 certainly do think it's a great idea for election
5 officials to attend these meetings. There's
6 always a learning opportunity presented. And we
7 think that shows great dedication. Appreciate
8 all the mitigating efforts that have been made in
9 this case.

10 I would make a motion to refer this to the
11 attorney general's office, but I think that all
12 of those things will be taken into consideration
13 as the attorney general's office works with the
14 county to resolve this case.

15 So I will make that motion. If there is a
16 second.

17 **MR. MASHBURN:** I'll second it. And kind of
18 a piece of the puzzle that's missing here is
19 whether there's recourse against the vendor.
20 Then I would invite the county to -- and the
21 county attorney to look into.

22 But I second the motion.

23 **MS. SULLIVAN:** Okay. Is there any further
24 discussion?

25 All in favor, please say aye.

1 **THE BOARD MEMBERS:** Aye.

2 **MS. SULLIVAN:** There are none opposed. So
3 that motion passes.

4 And the next case is 2020-187, Fayette
5 County.

6 **MS. JONES:** Allegation 1 is that Steve Tyrel
7 (ph) alleged that he sent in an absentee ballot
8 application weeks prior to the deadline.
9 However, he received his ballot too late and his
10 vote was not recorded.

11 Allegation 2 was that Stacy Goldbutch (ph)
12 alleged that when she was working as a polling --
13 at a polling precinct, noticed that those that
14 came in with an absentee ballot to turn in showed
15 in the system as in-person voted in advance. She
16 advised that these people told them that they
17 only requested the ballot and had not voted. She
18 said that they then voted on a provisional
19 ballot. Her concern is that these provisional
20 ballots were not counted.

21 Garrett Lane Peters is stationed in Germany
22 and advised he attempted to request an absentee
23 ballot via a postcard application, via phone, and
24 e-mail. He noted that he e-mailed Agnes Bridges
25 directly but never received any contact back and

1 did not get his absentee ballot.

2 The investigation revealed that allegations
3 1 and 2 were not substantiated.

4 Allegation 3, Agnes Bridges with Fayette
5 County elections advised that the complainant's
6 federal postcard application was not received by
7 her office for this complaint. So no absentee
8 ballot was sent. Complainant's voter record
9 indicates that his voter record was transferred
10 to Fayette County on 9/15/2020 because of the
11 federal postcard application they received via
12 e-mail.

13 Recommendation is that Fayette County Board
14 of Elections and Voter Registration; Floyd Jones,
15 Fayette County elections director; and Agnes
16 Bridges, chief registrar be bound over to the
17 A.G.'s office for violation of 21-2-381(b) (2)
18 regarding their failure to properly process the
19 application.

20 **MS. SULLIVAN:** Thank you, Ms. Jones.

21 **MR. NORTHEN:** First person to speak on this
22 case is Brian Hill.

23 Mr. Hill, if you unmute yourself, you should
24 be able to speak.

25 **MR. HILL:** Good morning, honorable --

1 **MS. SULLIVAN:** Go ahead, Mr. Hill.

2 **MR. HILL:** Hey, ma'am. Good morning,
3 honorable elections board and chairman. I'm
4 going to let our county attorney Patrick
5 Stough -- he's on here. He's going to speak on
6 this. Thank you.

7 **MS. SULLIVAN:** Thank you.

8 **MR. NORTHEN:** All right. Counselor, you
9 should be able to unmute yourself and speak at
10 this time.

11 **MR. STOUGH:** Good morning, honorable Board.
12 And thank you for this opportunity to speak
13 before you. My name is Patrick Stough. I'm
14 the -- with the county attorney's office for
15 Fayette County and I'm also representing the
16 board of elections.

17 I don't know if she's on this call, but
18 Agnes Bridges, our former registrar, may have
19 some more information about these allegations.

20 I'm not going to speak to allegations 1 and
21 2 because it sounds like they were not
22 substantiated. But I will speak to allegation
23 number 3. It's my understanding that elections
24 staff states that they never received the
25 complainant's application for an absentee ballot.

1 The investigative report that was provided
2 to Fayette County is unclear as to whether or not
3 there was any evidence that such an application
4 was received. As a result, we respectfully
5 request that this case be dismissed as I don't
6 know what evidence exists that there was any
7 violation.

8 And I'm happy to answer any questions, or
9 Mr. Hill or Ms. Bridges, if she is on the call,
10 can also answer any further questions.

11 **MS. SULLIVAN:** Do any of the board members
12 have any questions for Ms. Jones or Mr. Stough?

13 **MS. GHAZAL:** This is Sara Ghazal. I would
14 just like to clarify with the investigation.
15 The -- the federal postcard application is an
16 application for an absentee ballot as well as a
17 registration; is that -- is that not correct?

18 **MS. JONES:** Yes.

19 **MS. GHAZAL:** So there was, in fact -- and
20 the fact that the voter's registration was
21 transferred to the county as a result of this
22 application is -- is to me an indication that
23 there was, in fact, a -- an absentee ballot
24 application on record.

25 **MS. JONES:** That's my understanding. And

1 limits of Ray City. The complainant found this
2 out on October the 12th and talked with the
3 elections supervisor of Berrien County and she
4 would take care of it. On November 5, 2020, the
5 complainant determined that it had not been
6 resolved.

7 The investigation revealed that the
8 investigation -- there's -- I'm sorry. The
9 investigation revealed that there's evidence to
10 suggest that at least 12 Berrien County voters
11 that reside in the county had voted in error in
12 the November 3, 2020, City of Ray city municipal
13 election.

14 The Berrien County elections office was made
15 aware of the issue by a candidate who was running
16 for a city council seat in October of 2020. The
17 list of voters who were in the wrong municipal
18 precinct was given to the poll manager but could
19 only prevent six of them from voting in the wrong
20 district. All of the voters lived on one street,
21 Johnson Street, which runs through both the city
22 and the county.

23 Melanie Ray created a list of voters and
24 requested the place -- that the polling locations
25 do a manual override so the voter could get the

1 also Brian Hill provided an e-mail that he was
2 able to obtain from their -- I guess their IT
3 department was able to obtain an e-mail that
4 verified that she, in fact, did receive an e-mail
5 from the complainant.

6 **MS. GHAZAL:** Thank you. I have no more
7 questions.

8 **MS. SULLIVAN:** Are there any additional
9 questions?

10 Is there a motion?

11 **MS. LE:** This is Anh Le. I move to send
12 this to the attorney general's office for further
13 review.

14 **MR. MASHBURN:** Second.

15 **MS. SULLIVAN:** A motion and a second. Is
16 there any further discussion?

17 All in favor, please say aye.

18 **THE BOARD MEMBERS:** Aye.

19 **MS. SULLIVAN:** And there are none opposed.
20 That motion passes.

21 The next case is 2020-202, City of Ray.

22 **MS. JONES:** The voter registration list that
23 the complainant paid \$50 for for the August 25,
24 2020 election listed 21 people that live on
25 Johnson Street who do not live within the city

1 correct county ballot. But the number of voters
2 had either already -- but a number of voters had
3 either already voted by absentee ballot that was
4 accepted, advanced in person, or voted on
5 election day in error.

6 Ms. Ray stated that her office, along with
7 Ray City City Clerk's Office has put new
8 safeguards in place to correct the districting
9 issue.

10 Recommendation is that Berrien County Board
11 of Elections and Registration; Melanie Ray,
12 elections supervisor; City of Ray City; and
13 Denise Ray, city clerk be bound over to the
14 A.G.'s office for violation of 21-2-224(e),
15 registration deadlines and restrictions on voting
16 in primaries, official list of electors, and
17 21-2-226(b), duties of the county board in
18 determining eligibility of voters, maps of
19 municipal boundaries, and notice of
20 ineligibility.

21 **MS. SULLIVAN:** Thank you, Ms. Jones.

22 **MR. NORTHEN:** The first person to speak on
23 this is Chad Corlee. Mr. Corlee does not appear
24 to still be on the call.

25 Rebekah Ditto is now able to unmute

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1 themselves and speak on this case if they'd like.
2 **MS. DITTO:** Good morning.
3 **MS. SULLIVAN:** Good morning.
4 **MS. DITTO:** We are here on behalf of the
5 Berrien County Board of Elections. And with me
6 I've got elections supervisor Melanie Ray. We
7 just wanted to -- we agree with the findings and
8 we apologize for the error. It was not brought
9 to Ms. Ray's attention until October the 12th at
10 which time advanced voting had already started.
11 Ms. Ray then looked into the matter, was
12 able to identify additional voters than what
13 Mr. Bennefield spoke with her about. I think --
14 **MS. SULLIVAN:** I think we may have -- go
15 ahead. Sorry. Go ahead.
16 **MS. DITTO:** Yes. We were working with the
17 districting maps at that time by hand. Since
18 then, there have been steps to put in place. We
19 do have electronic software to assist us with
20 that process. Ms. Ray was the only Berrien
21 County employee present in that office. She now
22 does have an assistant to help with that.
23 In our diligence, looking back to see if
24 this had occurred before, typically Ray City
25 elections would occur on the odd-number years.

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1 Any questions for Ms. Ditto at this time?
2 We have one more signed up to speak.
3 **MR. NORTHEN:** It appears that Chad Corlee is
4 on the line with Denise Ray.
5 Ms. Ray, your account has been unmuted. Go
6 ahead and speak at this time.
7 **MR. CORLEE:** Okay. This is Chad Corlee,
8 attorney for the City of Ray City. Sorry for the
9 confusion. We have logged in under Ms. --
10 Ms. Ray's ID. And I am here with her.
11 The issues in this case, I think, as
12 Ms. Ditto said, revolve -- you know, revolve
13 around a misnomer of streets, and that issue has
14 been taken care of. We're -- we're dealing with
15 Johnson Street here and Johnson Street Extension.
16 In 2020, the firm did review a city street
17 list, maintenance checklist, that included
18 Johnson Street on it. Now, various maps of the
19 City of Ray City and Berrien County show that
20 Johnson Street is referred to such inside the
21 city limits. The same maps, including such as
22 the -- the official Georgia DOT map of Berrien
23 County refer to -- to it as Johnson Street
24 Extension after it leaves the city limits. And
25 even Berrien County's tax map refers to it

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1 This was a special election seat.
2 None of these voters who were registered
3 incorrectly as city -- Ray City voters have
4 voted, by our records, ever in any other
5 election. Five of the ballots were absentee
6 ballots that received the wrong one. And we did
7 have six individuals that voted advanced
8 in-person voting.
9 And, again, we were not even made aware, did
10 not realize the error had occurred until advanced
11 voting had already started.
12 And we're available for any questions. We
13 would respectfully request a letter of reprimand.
14 We have voluntarily done a full audit of the
15 streets in Ray City, corrected the area as the
16 investigation notes. The addresses at question
17 were already fixed. We even found additional
18 voters -- two additional voters than what
19 Mr. Bennefield brought to our attention. We have
20 started going through the redistricting training.
21 We've got the software, the staff in place to
22 handle the upcoming redistricting.
23 And we are available for any questions from
24 the board.
25 **MS. SULLIVAN:** Thank you.

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1 instead as -- as Johnson Extension Road as it
2 leaves the city limits and goes out in the
3 county.
4 This is consistent, I think, with the way
5 everyone in Ray City and this part of Berrien
6 County refer to those -- both roads, both
7 formally and informally. And we're actually
8 dealing with less than, I think, 1.1, 1.2 miles
9 from where Johnson Street Extension or -- or
10 Johnson Extension Road leaves the city limits and
11 terminates at -- at Highway 129.
12 The list of streets that the city clerk
13 reviewed in 2020 do not include Johnson Street
14 Extension on the list. But it did include a
15 street number of 1490 which necessarily would
16 have included some residences, incorporated from
17 residents that were on Johnson Street Extension.
18 This could've been caught, should've been
19 caught, but it was an honest -- very honest
20 mistake. The -- the city clerk, Ms. Denise Ray,
21 was not made aware of it during the election.
22 She was only made aware of it after the election.
23 So the City of Ray City had no -- had no way of
24 dealing with it until after the election was
25 over. But as -- but as stated by Ms. Ditto, the

1 mistake has been corrected and some -- some
2 measures have been put in place to deal with
3 that.

4 The results of the election were -- were not
5 impacted. The -- the election results were an
6 eight-vote difference and we're dealing with
7 four -- no, we're dealing with six votes
8 incorrectly that may have been incorrectly cast.

9 In light of all that, we join in
10 (indiscernible) that the board issue a letter of
11 reprimand (indiscernible) or something of that
12 nature due to and in light of the honest mistake
13 and a stop-gap measure that's been put in place
14 and the correction of the error.

15 Just let us know if you have any questions.

16 **MS. SULLIVAN:** Thank you, Mr. Corlee.

17 Do any of the board members have questions
18 for Mr. Corlee?

19 Did Ms. Ray want to speak?

20 **MR. CORLEE:** No, ma'am. I don't think so.

21 Not unless there's questions.

22 **MR. NORTHEN:** The last person for this case
23 is Wesley Bennefield.

24 **MS. SULLIVAN:** All right, Mr. Bennefield,
25 you may go ahead. Unmute. All right --

1 people that actually voted in that race extra and
2 it will make a difference.

3 I'm not looking to that. What I want to do
4 is straighten it out so this never happens again.
5 The city clerk is supposed to verify the
6 addresses to the superintendent of elections, and
7 the superintendent of elections censors those
8 street addresses. And the city clerk is supposed
9 to verify those streets. What I would like to
10 have done in the future, if the state would look
11 at it, is to take that out of the hands of the
12 city clerk and give it to the city council who
13 would be responsible for that.

14 Now, those people did vote, but I go back
15 to -- I have voters registration lists back to
16 2017 and it shows eight people, four on each side
17 of the city limits, on Johnson Street, showing
18 they were eligible to vote. And I couldn't tell
19 you whether they voted or not in 2017, but
20 they're eligible to vote. And could they have
21 voted? Yes, they could have, just like anybody
22 else did because they're on this list to vote.

23 And then in 2020, it came up again. That's
24 the election I ran in for city council. And then
25 in the 2021 vote, which we had all this

1 **MR. NORTHEN:** Mr. Bennefield, you're on.

2 **MR. BENNEFIELD:** Can you hear me now?

3 **MS. SULLIVAN:** Yes.

4 **MR. BENNEFIELD:** Okay. I've looked at a
5 couple of these voters in the past years and
6 Mr. Corlee is wrong about the date. This dates
7 back to 2017 where there was -- and he's right.
8 Absolutely it's Johnson Street. It runs from
9 Highway 137 until you come to the -- what we call
10 the Fourth Street Extension and there's a number
11 of houses on there that (indiscernible).

12 When I pulled the list in 2020 for the
13 election of 2021, there was -- it showed that
14 there were 55 houses on that street, and there
15 was actually only 35 houses on that street that
16 was eligible to vote.

17 And so yes, it does. According to
18 Mr. Kelly, there was 24 people eligible to vote
19 outside of the city limits of Ray City. And
20 there were 12 people that actually did vote,
21 according to Mr. Kelly. So that makes a
22 determination. And that race was decided by five
23 votes. I got a hundred and sixty-eight and David
24 Schools got a hundred and seventy-two. So that
25 was five votes. In other words, there was 12

1 straightened out and I -- I did work with Ms. Ray
2 in the summer of 2021 to get this list
3 straightened out. And there was three people on
4 that Johnson Street that was on the list to be
5 able to vote. Whether they voted or not, I don't
6 know. But Ms. Ray and I did talk about that, and
7 I hope that that was taken care of.

8 But these are the things that -- that
9 happens within a city's elections that no one
10 sees. And the only reason why it was brought to
11 our attention is that a guy named Jack Castro
12 (ph) pulled these lists up by -- by street
13 addresses and when I counted the number of houses
14 on that street, I seen that it was 35 houses that
15 was in the city limits of Ray City and the other
16 20 was outside the city limits of Ray City.

17 But that was the only way we caught that
18 list because I did have the 2017 voters
19 registration list and those people outside the
20 city (indiscernible). But this is the things I
21 would like to correct for upcoming elections.

22 But if we could get that thing changed so it
23 doesn't put the pressure on the city clerk to
24 make that decision -- and I know I'm a -- I've
25 been in Ray City for practically all of my life

1 and I know where the city limits are in the city
2 limits for Ray City.

3 But as far as Johnson Street being called
4 Johnson Street Extension or whatever, that has
5 nothing to do with it. We've got a city limit
6 sign set up in both of those locations and it
7 plainly shows that that's the end of the city
8 limits there. And those people -- those other
9 eight people that voted on the west side of Ray
10 City, I don't know whether they knew they were
11 actually voting in the right district or not.
12 And I couldn't tell about the people on the east
13 side.

14 But those people have been living there all
15 their lifetime just about. It's one of these old
16 communities that's been around for a long time.
17 And I don't know when we actually sent out voters
18 registration lists or voters' responsibility to
19 the city -- to the county clerk, but at one time
20 we were doing our own votes in Ray City which it
21 was a bad situation then.

22 So if we can get this thing changed, it --
23 it could happen in anybody's city. It's where
24 these city limits streets run out of the city.
25 But there's about four or five streets in Ray

1 City that runs into the county. And this is the
2 only street where we have a problem at. Because
3 I researched all of the rest of them and there's
4 no problems on those streets.

5 **MS. SULLIVAN:** Thank you so much,
6 Mr. Bennefield.

7 **MR. BENNEFIELD:** Thank you.

8 **MS. SULLIVAN:** Do any of the board members
9 have any questions at this point? No.

10 Is there a motion?

11 **MS. GHAZAL:** I move that we accept the
12 recommendations and send this over to the
13 attorney general's office.

14 And I just want to thank everybody involved
15 for their diligence on this. It is so important
16 to get these lines right. So it's important that
17 the attorney general's office is involved to make
18 sure this doesn't happen again.

19 **MS. SULLIVAN:** Thank you.

20 Is there a second?

21 **MR. MASHBURN:** Second.

22 **MS. SULLIVAN:** Motion and a second. Any
23 further discussion?

24 All in favor, please say aye.

25 **THE BOARD MEMBERS:** Aye.

1 **MS. SULLIVAN:** And there are none opposed
2 and that motion passes.

3 We're going to take a break for lunch right
4 now. We will reconvene at 12:30. Thank you.

5 (Break taken)

6 **MS. SULLIVAN:** We will call this meeting
7 back to order. We are going to try one more time
8 to give Ms. Thompson an opportunity to speak
9 regarding Case 2020-155.

10 Ms. Thompson, the board has, you know,
11 already taken action on this case, but we will --
12 we'll give you a couple of minutes to address the
13 board at this time.

14 **MS. THOMPSON:** Okay. I'm unmuted. Can you
15 hear me?

16 **MS. SULLIVAN:** Yes, we can.

17 **MS. THOMPSON:** Okay. Fantastic. Thank you
18 so much. I'm so sorry for the trouble. We have
19 a tech team over here and they're trying.

20 So the -- the things that I wanted to
21 highlight to you in regards to the case with
22 Eddie Gresham -- so Eddie Gresham is a -- is --
23 was working for the Savannah TR as a consultant.
24 And that Savannah TR was employed -- and I have
25 the expenditure reports right here in front of

1 me -- by Shalena Cook Jones who was running for
2 district attorney for the Eastern Judicial
3 Circuit. And that's Chatham County. And she
4 employed Savannah TR, which was Moncello Stewart
5 and Eddie Gresham, all throughout her campaign,
6 on every expenditure report from the spring until
7 November.

8 Also there's another PR firm that was very
9 involved with an event on November 1st that
10 touted that you bring your "I voted" sticker and
11 then you're going to get free concert, free Q
12 chicken.

13 Also the other firm that she employed, very
14 involved, was MGreen Production, and also ATR
15 Consulting. All three employed by her.

16 So it's often that people, you know, are
17 just doing what they're told. People don't buy
18 thousands of dollars in free chicken for fun.

19 And a lot of the remarks that happened after
20 Eddie Gresham posted this were vetting people
21 to -- in a certain way to be able to discern if
22 they would get the free chicken. Some of the
23 questions were from Eddie. Eddie asked somebody,
24 a T Taney (ph): I then be forced to ask have you
25 missed two or more homecomings? Have you donated

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1 to SSU athletics? And are you associated in any
2 way with the hunger list?

3 And then people were answering: So I voted.
4 Can I -- what if I threw my sticker away? And
5 different questions. This is just one, asking
6 about if they would be the -- the kind of voter
7 to get the free chicken. And this was all on
8 the -- featuring the November 1st event.

9 So I just want to highlight some of those
10 things. And the very first time we were alerted
11 to this scheme was in early October. And it was,
12 we thought, a very racially charged post that
13 said -- it was posted by MGreen Production
14 director of marketing Ducan (ph) Oliver on
15 October 5th. It said: Keep that same energy
16 when it's time to vote. And it showed a lot of
17 black citizens walking around Popeye's in line to
18 vote.

19 And -- and there was so much jeering and so
20 many comments from the community as if this was
21 something they expected. Around election time
22 was this kind of -- what we viewed to be a --
23 kind of a racist perspective on the fine people
24 of Savannah. Being -- being thought that chicken
25 and voting were associated was mind blowing to --

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1 Pooler to Georgia -- I mean Pooler, Georgia to
2 280 Blue Moon Crossing in Pooler, Georgia on May
3 11th. But the information was not updated by the
4 Chatham County Registrar's Office to show her new
5 address until July 23, 2020.

6 Our recommendations are that the Chatham
7 County Board of Registrar's Office; Sabrina
8 German, chief registrar be bound over to the
9 attorney general's office for O.C.G.A.
10 21-2-218(c), cancellation of registration in a
11 former state or county, address changes and
12 corrections when Gabrielle Sprauve submitted the
13 change of a permanent address to the registrar's
14 office on May 11th but the registrar's office
15 failed to make the address changes until July 23,
16 2021 after being notified by the secretary of ...
17 (Audio interruption)

18 **MS. SULLIVAN:** ... to speak on this case?
19 **UNIDENTIFIED SPEAKER:** No further comment.
20 (Audio interruption)

21 **MR. CALLAWAY:** (in progress) if she went to
22 vote on election day, November 3, 2020, and she
23 was informed that she already voted.

24 Ms. Soles advised that she was informed that
25 she cast her ballot during advanced voting on

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1 for us to see. That was our first indicator.
2 And I believe that this might be a matter that's
3 happened for years in Savannah.

4 And I'm so thankful that so many wonderful
5 citizens noted it. And we've given the
6 secretary -- or the investigator, Callaway, a
7 vast amount of evidence and investigative work
8 that many citizens have put together. And we --
9 we are disgusted that people would be bought in
10 this way.

11 And it's also very associated with Savannah
12 State University and the Greek system there,
13 where they were having chicken events all through
14 the early voting season. And I sent him some of
15 that evidence as well.

16 That's all I have.
17 (no response)

18 **MS. THOMPSON:** Are you there? Hello?
19 (Audio interruption from 12:40 to 12:42
20 p.m.)

21 **MR. CALLAWAY:** (in progress) investigation
22 also shows that election documents received from
23 the Chatham County Board of Registrars Office
24 shows that Ms. Sprauve changed her voter
25 registration address from 104 Creekside Drive in

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1 October 19, 2020. Ms. Soles was concerned that
2 someone voted using her name.

3 Deborah Jean Soles presented herself at the
4 poll to vote during advanced voting. The voter
5 presented her driver's license and application
6 (indiscernible). The voter ...
7 (Audio interruption)

8 **THE COURT REPORTER:** I'm sorry. This is the
9 court reporter. Can you hear me?

10 **MS. SULLIVAN:** We can hear you.

11 **THE COURT REPORTER:** I'm showing -- okay. I
12 have missed most of that because the sound keeps
13 coming on and going off and it's muting. So if
14 y'all are on the Chatham County one, it was --
15 there was no sound for quite a while.

16 **MS. SULLIVAN:** If you'll just reflect that
17 in the record.

18 **THE COURT REPORTER:** Okay.

19 **MS. SULLIVAN:** Can you hear us now?
20 **THE COURT REPORTER:** Yes, I can.
21 And actually, every now and then, the little
22 microphone, showing mute, keeps coming on for
23 you. But I can hear you now.

24 **MS. SULLIVAN:** Okay. I'm not sure why
25 that -- I'm not sure why that's happening.

1 Hopefully it won't happen again.
2 We'll go ahead and proceed with Laurens
3 County.
4 **MR. CALLAWAY:** Thank you.
5 The investigation revealed Deborah Soles
6 presented herself at the poll during advanced
7 voting. The voter presented her driver's
8 license, an application was printed for her to
9 sign. The voter advised the poll worker that her
10 last name is now Wilkes and she wrote it on her
11 application. The voter signed her name as
12 Deborah Wilkes. The voter was issued a voter
13 access card and then she voted.
14 On November 3, 2020, Deborah Soles, with a
15 different D.O.B., 1958 instead of 1961, presented
16 herself at the poll to vote and she was informed
17 that she had already voted. Ms. Soles advised
18 the poll worker she had not voted but nothing
19 further was done. Ms. Soles was not offered to
20 vote on a provisional ballot and she was
21 disenfranchised from voting on the November 3,
22 2020 election.
23 There were two voters in Laurens County
24 registered as Deborah Soles. The first one is
25 Deborah Soles with a D.O.B. of 1958 and her

1 183-1-14-.02(11), page 3 of 6, advanced voting.
2 **MS. SULLIVAN:** Thank you, Mr. Callaway.
3 We do have someone here to speak regarding
4 this case.
5 **MR. NORTHEN:** Deborah Soles.
6 **MS. SULLIVAN:** Ms. Soles, you should be
7 muted -- unmuted if you unmute yourself.
8 **MS. SOLES:** Okay. I'm here. Can you hear
9 me?
10 **MS. SULLIVAN:** Thank you. Go ahead. Yes,
11 ma'am. We can hear you. Can you hear us?
12 **MS. SOLES:** Yes.
13 **MS. SULLIVAN:** Would you like to address the
14 board?
15 **MS. SOLES:** Yes. I thank y'all for hearing
16 my case and everything. And, yes, I was really
17 upset about the situation and if -- if I was
18 explained I could've had a provision ballot to --
19 to commit, I would have done that. But I didn't
20 understand that or even know about that.
21 And, you know, I was trying to let them know
22 for at least 15, 20 minutes that I did not vote
23 and I was waiting to vote for November 3rd. And
24 they said: No, you voted on the 19th. And I
25 said: No, I haven't. And they said: Did you

1 active -- her -- her status is active.
2 The second one is Deborah Jean Soles Wilkes
3 and her status was canceled in 2017.
4 On October 19, 2020, when Deborah Jean Soles
5 Wilkes presented herself to vote, her driver's
6 license was scanned and an application was
7 printed up for her to sign. When the voter
8 signed the application, she failed to notice the
9 date of birth and the address listed were not
10 hers. The voter was issued a voter access card
11 and she voted. The voter reported she wears
12 glasses but failed to bring them with her when
13 she voted and she had difficulty seeing the
14 ballot.
15 The registrar's office failed to catch the
16 discrepancies, and an ineligible voter, Deborah
17 Jean Soles Wilkes, was allowed to vote in the
18 election. And the eligible voter, Deborah Soles,
19 was disenfranchised.
20 Our recommendations are that the probate
21 judge, election supervisor Genola Jackson; the
22 Laurens County Board of Registrars; chief
23 registrar Susan Rooks; deputy registrar Ginger
24 Boland be bound over to the attorney general's
25 office for rules of the state election board

1 get mail-in ballots? And I got about seven or
2 eight mail-in ballots that was mailed to my house
3 and I never asked for mail-in ballots. And I
4 explained to them I didn't mail-in the ballots
5 nor have I voted early. And I was waiting to
6 November the 3rd to come in in person to vote.
7 **MS. SULLIVAN:** Thank you, Ms. Soles.
8 **MS. SOLES:** Thank you.
9 **MS. SULLIVAN:** Does anyone have any
10 questions or comments?
11 Is anyone else signed up to speech?
12 **MR. NORTHEN:** (indiscernible)
13 **MS. SULLIVAN:** She's not on, okay.
14 Does anyone have a motion?
15 **MR. MASHBURN:** Yeah. I -- I move that we
16 accept the recommendation and bind this over to
17 the attorney general's office and apologize to
18 Ms. Soles that she didn't get to vote. And
19 hopefully she can take comfort in the fact that
20 the board takes that seriously and reacts to it
21 seriously and moves this along.
22 And just additional comment for the counties
23 that are listening in, this causes great damage
24 when people aren't careful on the back end. And
25 I'm not making an example of Laurens County, I'm

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1 treating them exactly like every other county,
2 but this creates a dangerous problem because all
3 of these stories of people showing up at the
4 polls, being told that they've already voted
5 where they -- they almost always turn out to be a
6 human error and carelessness in the back office
7 when they get in the press -- they're now
8 reported as a conspiracy that there's this
9 massive fraud being undertaken of people doing
10 absentee ballots.

11 So the counties have just got to trickle
12 down on this and help with the impression of
13 election integrity because this problem almost
14 always is human error and not part of a
15 conspiracy. But it sounds like a conspiracy.

16 So this needs to go to the attorney general
17 and the counties have just got to trickle down on
18 this.

19 **MS. SULLIVAN:** I believe that was a motion.
20 **MR. MASHBURN:** A motion and a speech.
21 (indiscernible) --
22 **MS. SULLIVAN:** And I will -- I will second
23 that motion.
24 And thank you, Ms. Soles, for being here.
25 Is there any further discussion?

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1 address of 1143 Johnson Road in Senoia.
2 Lindale's written statement omits filing --
3 filling out the absentee ballot request and
4 sending it to the county elections office.

5 The handwriting on the AB application is
6 very similar to the handwriting of his notarized
7 statement. Lindale further stated that when the
8 ballot arrived at his home in Senoia on
9 10/19/2020, he voted the ballot, signed Brian's
10 name to the oath envelope and returned it to the
11 Coweta County elections office.

12 Lindale Spear also voted in his own name by
13 absentee ballot on 10/20/2020 for the 11/3/2020
14 general election.

15 Our recommendations are that Lindale Spear
16 be bound over to the attorney general's office
17 for O.C.G.A. 21-2-562(a)(1), fraudulent entries,
18 as well as O.C.G.A. 21-2-571, voting by giving
19 false information, and O.C.G.A. 21-2-572, repeat
20 voting in the same primary or election.

21 **MS. SULLIVAN:** It's my understanding no one
22 has signed up.
23 **MR. NORTEN:** Correct.
24 **MR. MASHBURN:** I move to bind this over to
25 the attorney general's office.

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1 All in favor, please --
2 **MS. GHAZAL:** I just -- I've just got a very
3 quick comment, and that is that Ms. Souls Wilkes
4 I hope has affirmatively reregistered to vote
5 because the facts suggest that her registration
6 had been canceled for inactivity.
7 So she -- I -- if she is listening or if
8 somebody can get a message across, folks need to
9 double-check their registration as well.

10 **MS. SULLIVAN:** Thank you.
11 We have a motion and a second. All in
12 favor, please say aye.
13 **THE BOARD MEMBERS:** Aye.
14 **MS. SULLIVAN:** And there are none opposed
15 and that motion passes.

16 The next case on our agenda is 2020-243,
17 Coweta County.
18 **MR. CALLAWAY:** On 12/4/2020, the
19 investigation division of the office of the
20 secretary of state opened an investigation
21 concerning a complaint regarding possible
22 absentee ballot fraud.
23 On 10/1/2020, Lindale Spear completed an
24 absentee ballot application for his son Brian
25 Spear and requested it to be sent to his home

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1 **MS. SULLIVAN:** I'll second that motion. We
2 have a motion and a second. Do we have any
3 further discussion?
4 All in favor, please say aye.
5 **THE BOARD MEMBERS:** Aye.
6 **MS. SULLIVAN:** Any opposed?
7 None. That motion passes.
8 The next case is 2020-244, Chatham County.
9 **MR. CALLAWAY:** Complainant Elizabeth Mogli
10 (ph) reports that a former resident of Georgia,
11 named David King, returned to Georgia to vote in
12 the November 3, 2020 general election. Ms. Mogli
13 states Mr. King sold his residence in Savannah,
14 Georgia years ago and moved out of the state.
15 David King --
16 The investigation revealed that David voted
17 in Georgia during the November 3, 2020 general
18 election. Mr. King is registered to vote in
19 Georgia in Chatham County and his status is
20 active. The residence address listed for
21 Mr. King is 19 E. 56th Street in Savannah,
22 Georgia and he sold the property on November 14,
23 2014. When Mr. King presented himself to vote,
24 he signed a voter certificate that listed his
25 address as 19 E. 56th Street, Savannah, Georgia,

1 but he no longer resided there. Mr. King had
2 been residing at 109 Clark King Road, Farmington,
3 Pennsylvania since 2015 and he owns the property.
4 He advised the residents -- he advised that his
5 residence is their summer home and he lives there
6 approximately four months out of the year.

7 Mr. King stated he owns a jewelry business
8 in Kathmandu and Nepal and he lives there
9 approximately four months out of the year. He
10 advised he resides for the remainder of the year,
11 four months, in Georgia by either staying in his
12 motor home or residing at friends' homes.

13 Mr. King advised that he considers the state
14 of Georgia his primary residence and he intends
15 to return. He stated he has in the proc -- been
16 in the process of selling the property in
17 Pennsylvania and he has subdivided some of the
18 land for sale. Mr. King advised they are then
19 coming back home to Georgia.

20 The recommendations are for David King to be
21 bound over to the attorney general's office for
22 O.C.G.A. 21-2-562, fraudulent entries.

23 **MS. SULLIVAN:** Thank you, Mr. Callaway.

24 No one has signed up to speak on this case.
25 Are there any questions for Mr. Callaway?

1 **MS. LE:** Mr. Mashburn, I'm just thinking out
2 loud here that the facts indicate that Mr. King
3 considered Georgia as his residence and he has
4 not taken action to the contrary when it comes to
5 voting in Pennsylvania. He is entitled to vote
6 somewhere. And he's chosen Georgia as the place
7 and he has connections here as the state of
8 residence.

9 As a friendly amendment, I'd like to propose
10 that I don't see a violation if that's the case
11 and would move to dismiss the case. But if I'm
12 missing something, I'm happy to entertain a
13 conversation.

14 **MS. SULLIVAN:** Okay. Well, Mr. King has
15 indicated he is available to speak. So I think
16 it might be a good opportunity for us to hear
17 from Mr. King.

18 **MR. NORTEN:** Mr. King, you should be able
19 to unmute yourself.

20 **MS. SULLIVAN:** Mr. King --

21 **MR. ALTMAN:** Hello, anybody --

22 **MS. SULLIVAN:** -- can you hear us?

23 **MR. ALTMAN:** Yeah. Can you hear us?

24 **MS. SULLIVAN:** Yes. Yes. We can hear you.

25 **MR. ALTMAN:** This is -- this is -- I think

1 Is there a motion?

2 **MR. MASHBURN:** Move that we accept the
3 recommendation and bind this over to the attorney
4 general's office.

5 **MS. SULLIVAN:** Is there a second?

6 **MS. LE:** I do have a question before I make
7 a motion or move on a motion.

8 Did Mr. King vote in Pennsylvania? He -- he
9 lives -- if I understand the facts correctly, he
10 says he lives -- he has a business in Kathmandu,
11 he lives in Pennsylvania part of the year, and he
12 lives in Georgia part of the year; is that right?
13 Even though he didn't own a property, he did ...

14 **MR. CALLAWAY:** That's correct. He stayed in
15 his motor home or he -- he stays with friends in
16 Georgia.

17 **MS. LE:** That's his residence.

18 **MR. CALLAWAY:** That's correct.

19 **MS. LE:** And he -- has he voted in -- has he
20 taken action in Pennsylvania that would establish
21 his residency there in any way? He has not. I
22 see it here, I'm sorry. Investigator conducted
23 inquiry to see if he has registered and he has
24 not.

25 **MR. CALLAWAY:** That is correct.

1 your system's trying to call us back. I
2 apologize for the noise.

3 This is not Mr. King. This is Gary Altman.
4 I'm his attorney here in Pennsylvania that
5 handled the estate issues. Mr. King is here.

6 **MR. KING:** Hi. I'm David King.

7 **MR. ALTMAN:** Yeah. I wanted to explain that
8 what Mr. King put in his report -- the
9 investigative report that we received is correct.

10 Georgia is his domicile and I think the lady
11 who just talked is correct. He had -- he was
12 forced to sell his Savannah house because he
13 could not maintain both houses after his brother,
14 who fell and actually kind of died unexpectedly,
15 had the summer place up here that this family's
16 had for a number of years.

17 There's been no intent to do anything
18 incorrect here. He has not double-voted.
19 Georgia is his domicile. He just does not stay
20 in Georgia more than a few months a year and he
21 has no fixed address in Georgia per se.

22 He was using his old house as a mail
23 address. The people kindly agreed to do that
24 so -- with a forward on and so forth so he didn't
25 miss out on any communications. But this is

1 simply a case here of domicile's correct, but he
2 doesn't -- he doesn't actually have a fixed, per
3 se, address in -- in Georgia, except Chatham
4 County where he used to live, which is where he
5 tends to come back. He does have vehicles
6 registered there. In fact, his spouse just
7 registered another vehicle there. He has
8 property still in Georgia, personal property --

9 **MS. SULLIVAN:** Okay. Mr. King. Mr. King,
10 I'm sorry to interrupt you. We have not been
11 able to hear you. We are having technical
12 difficulty. If you just give us five minutes,
13 we'll try to reconnect the phone and recognize
14 you again. I apologize for that.

15 **MR. ALTMAN:** Thank you.

16 When you tried to dial in, it overrode what
17 they were doing. And that's why that was trying
18 to call you back.

19 **MR. KING:** That was Laurel Ridge calling.

20 **MR. ALTMAN:** Oh, that was Laurel Ridge.
21 Okay. Well, then I don't know what they did --
22 what happened here.

23 **MS. SULLIVAN:** Okay. We are back. We are
24 back. I apologize for the technical difficulty.
25 Mr. King, we did not -- the phone cut out

1 He could not afford to maintain two houses which
2 is what he, in essence, was doing. His brother
3 had no money. In fact, his brother left a bunch
4 of debt.

5 So he sold the one in Savannah in order to
6 get this one squared away to get sold because it
7 needed some work. It also was -- was sort of
8 a -- it isn't an old farm but it's sort of like
9 that situation. He sold off about two-thirds of
10 it already, and he's -- he's got the other part
11 of it set and ready to get listed and sold at
12 this point.

13 COVID, as he said in his letter to you,
14 messed things up quite a bit. He's elderly
15 and -- and has some issues. But Georgia is his
16 domicile.

17 We did hear the one lady discuss about he's
18 entitled to vote some places so that's kind of
19 the point. He didn't vote up here. He hasn't
20 registered up here. He's always considered
21 Georgia his home. And he was using his old
22 house -- the people that bought it kindly let him
23 use it as a -- as a postal address. But as he
24 said in his letter to you guys, he -- he spends a
25 bunch of time in Nepal when he can travel, which

1 about the time you started speaking. So if you
2 would not mind starting over, that would be
3 great. Can you hear me?

4 **MR. KING:** Hi. Hi. This is David King.
5 Can you hear me?

6 **MS. SULLIVAN:** Yes, we can. Please go
7 ahead.

8 **MR. KING:** May I let my advisor, Gary
9 Altman, address your questions, please?

10 **MS. SULLIVAN:** Yes, that is fine.

11 **MR. KING:** Thank you.

12 **MR. ALTMAN:** Okay. Did you hear anything at
13 all?

14 **MS. SULLIVAN:** We really did not, no. If
15 you'll start from the top, that would be great.

16 **MR. ALTMAN:** Okay. My name is Gary Altman.
17 I'm an attorney, here in Fayette County,
18 Pennsylvania. I was working with Mr. King's
19 brother and Mr. King after his brother died sort
20 of unexpectedly. He fell and it kind of
21 precipitated his demise unfortunately. But
22 that's kind of what happened here.

23 His brother died. He was living at the old
24 family summer home up here in the mountains. And
25 David had to come up and take care of business.

1 he has not even been able to do actually, and
2 time in Georgia, and then time up here as well.
3 It -- it's sort of a, you know, a
4 three-residence-type place. He just doesn't have
5 a specific fixed residence, so to speak, in
6 Georgia. But he does consider it his domicile.

7 I would state, you all, there's been no
8 intent to do anything incorrect here. He's
9 perfectly willing if y'all want to issue a letter
10 to go ahead and deregister in Florida -- or
11 deregister in Georgia and then get himself a
12 fixed address, so to speak, and then reregister,
13 if that would work.

14 But he has not voted twice, no intent to
15 violate the law, and I don't -- I don't see a
16 legal violation here, except I do see a -- as you
17 have pointed out, a residency issue. But his
18 domicile is Florida (sic) and I can -- I can
19 verify that because I've been working with him
20 now for several years to get this cleaned up up
21 here in Pennsylvania so that he can get back to
22 Georgia.

23 **MS. SULLIVAN:** Thank you, Mr. Altman.

24 Do any of the board members have any
25 questions?

1 **MR. MASHBURN:** My motion failed for lack of
2 a second.

3 **MS. SULLIVAN:** Okay.

4 **MR. MASHBURN:** So I'm bringing a new motion
5 that we accept the counselor's recommendation and
6 issue a letter of instruction. And here, we
7 recognize that there's an issue in that you're --
8 you're required to have an address, and if you
9 don't really have an address, well, what should
10 you put?

11 The general assembly might have to look at
12 this and address this issue, but we don't want
13 Mr. King to be the one to be caught up in a -- in
14 an issue that needs to be addressed by the
15 legislature. That's not his problem.

16 So the problem that I had with it is that he
17 wrote on this certificate that he lived in a
18 place that he didn't live. But the corresponding
19 issue to that is he's entitled to vote somewhere
20 and so the -- you know, if he doesn't have a
21 permanent address, what should he do? So I am
22 persuaded that my motion was not the best and
23 rebring it as a -- accepting a letter of
24 instruction.

25 **MS. SULLIVAN:** Okay. Is there a second?

1 office's storage room in the basement of the
2 Sumter County courthouse. Ms. Phillips reported
3 it to Mr. Howard and then he reported it to the
4 secretary of state's office. When the locked
5 ballot bag was opened, there were 30 sealed
6 ballots in salmon envelopes, designated as
7 emergency ballots. And 20 sealed provisional
8 ballots in salmon envelopes were inside and they
9 were never tabulated.

10 The recommendations are the Sumter County
11 Board of Elections and Registration; Randy
12 Howard, election supervisor -- Sumter County
13 Board of Elections and elections supervisor Randy
14 Howard violated O.C.G.A. 21-2-419(b), validation
15 of provisional ballots when 20 provisional
16 ballots from the early advanced voting were not
17 validated in the November 3, 2020 general
18 election in Sumter County. The provisional
19 ballots were misplaced and not found until after
20 the election was certified. We recommend 20
21 counts.

22 Sumter County Board of Elections and
23 elections supervisor Randy Howard violated SEB
24 Rule 183-1-12-.11(c), page 10, conducting
25 elections, when on the first day of early

1 **MS. GHAZAL:** Second.

2 **MS. SULLIVAN:** Motion and second. Any
3 further instruction -- I mean discussion?

4 All in favor, please say aye?

5 **THE BOARD MEMBERS:** Aye.

6 **MS. SULLIVAN:** And there are none opposed in
7 that. Letter of instruction will be issued in
8 this case to Mr. King.

9 The next case is 2020-249, Sumter County.

10 **MR. CALLAWAY:** Sumter County elections
11 director Randy Howard reported to the secretary
12 of state's office on December 8, 2020 that he
13 found a bag containing about 50 ballots from
14 early voting that had gotten misplaced behind
15 some boxes and never counted. Twenty were
16 provisional ballots and 30 were emergency ballots
17 that were found after the election was certified.
18 The ballots were from the November 2020 general
19 election early advanced voting period.

20 The investigation revealed the provisional
21 ballot bag was found by Sumter County elections
22 office deputy clerk Lois Phillips on December 8,
23 2020 while she was in the process of securing
24 election documents from the November 2020 general
25 election. The bag was inside of the election

1 advanced voting, 30 voters were issued emergency
2 ballots and instead of placing them in a scanner
3 in the same manner that printed ballots in the
4 polling place were scanned, they were placed in
5 the provisional ballot bag. The emergency
6 ballots were misplaced and not found until after
7 the election was certified, 30 counts.

8 Sumter County Board of Elections and
9 elections supervisor Randy Howard violated SEB
10 Rule 183-1-12-.18(3), page 16, provisional
11 ballot, when 20 provisional ballots from the
12 early advanced voting were not tabulated from the
13 November 3, 2020 general election in Sumter
14 County. The provisional ballots were misplaced
15 and not counted until after the election was
16 certified, 20 counts. Sumter County Board of
17 Elections and elections supervisor Randy Howard
18 violated SEB Rule 183-1-12-.20, page 24, use of
19 emergency paper ballots, when voting machines are
20 inaccessible. When 30 emergency ballots from the
21 first day of early advanced voting were not
22 scanned into the ballot box in the November 3,
23 2020 general election in Sumter County, the
24 emergency ballots were misplaced and not found
25 until after the election was certified, 30

1 counts.
2 **MS. SULLIVAN:** Thank you, Mr. Callaway.
3 It is my understanding the Sumter County
4 attorney is on the line.
5 You may go ahead.
6 **MS. HOOKS:** Yes. This is Hayden Hooks for
7 the Sumter County Board of Education -- I'm
8 sorry, the board of elections.
9 We don't dispute the fact that they
10 presented -- it's my understanding these ballots
11 were all cast on the first day of early voting.
12 And if y'all will remember, in the 2020 cycle
13 there were significant problems with the
14 secretary of state system that caused some
15 capacity problems and the board just couldn't get
16 people registered and signed in.
17 And so all of these ballots were cast during
18 that chaotic process. And so unfortunately
19 because it was such a rough day, a mistake was
20 made in the handling of those ballots. As you
21 had identified a minute ago, Mr. Howard did
22 self-report this error to Mr. Harvey.
23 I don't know -- because the election had
24 been certified, the -- the ballots could not be
25 counted at that time. Mr. Howard did review the

1 But at this time, do any of the board
2 members have any questions that they'd like to
3 address?
4 I'll make the motion that we refer this
5 matter to the attorney general's office.
6 **MR. MASHBURN:** Second.
7 **MS. SULLIVAN:** Is there any further
8 discussion?
9 **MS. GHAZAL:** No. I'll vote in favor of it.
10 I'm not quite sure Ms. Hooks' correlation between
11 the secretary of state's office function versus
12 the ballot being found by her county a month
13 later than election day. I'm not sure if there's
14 a connection there but also I'll vote in favor of
15 the motion. Thank you.
16 **MS. SULLIVAN:** All in favor, please say aye.
17 **THE BOARD MEMBERS:** Aye.
18 **MS. SULLIVAN:** There are none opposed. That
19 motion passes unanimously.
20 Sumter County does have another case on the
21 agenda a little bit further down. But we're
22 going to go ahead and hear it now.
23 2021-11, Sumter County. That is Tab Number
24 75 in our material.
25 **MR. CALLAWAY:** Deborah Clark Sikes (ph)

1 envelopes and determined that based on the
2 precincts of all of these voters, none of these
3 votes would have had an impact on any election
4 that was on the ballot in 2020.
5 The board recognizes that this is a serious
6 incident and deeply regrets that it occurred.
7 Mr. Howard, you know, feels terrible that this
8 happened, and they've taken steps to prevent this
9 from happening again. And we ask that you
10 consider those steps and the fact that Mr. Howard
11 self-reported the error when you determine the
12 appropriate sanction.
13 Mr. Howard is on the line, and if you have
14 any questions for him, he's prepared to answer
15 them.
16 **MS. SULLIVAN:** Thank you, Ms. Hooks.
17 This board obviously takes this complaint
18 very seriously. There's 50 voters
19 disenfranchised in this election. We appreciate
20 you for being here today.
21 Are there any questions that -- we
22 appreciate that there has been measures taken to
23 make sure this does not happen again. I do
24 believe that this board will refer this to the
25 attorney general's office for further action.

1 reported a delay in voting at the Brown's Mill
2 voting precinct in Americus, Georgia. Ms. Sikes
3 reported that she arrived at the precinct at
4 7:30 a.m. and did not vote until 8 a.m.
5 Ms. Sikes states a poll worker told her the
6 wrong computer had been sent to the precinct.
7 Ms. Sikes stated there were people in front and
8 behind her in line that had left.
9 The investigation revealed that -- it showed
10 the poll -- opening of the polls at the
11 recreation department on -- in Brown's Mill
12 voting precinct in Sumter County were delayed
13 because of a mixup of the Poll Pads for the two
14 precincts. The delay was 30 to 45 minutes before
15 voting was open to the voter.
16 Provisional ballots were offered. However,
17 the elections supervisor reported the recreation
18 department precinct had four provisional ballots
19 while Brown's Mill precinct had three provisional
20 ballots.
21 The Poll Pads were picked up from the
22 courthouse the night before the election.
23 Mr. Howard stated the Poll Pads were distributed
24 by a Dominion technician. The mixup in the
25 distribution was a result of the Poll Pads not

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1 being properly marked. Mr. Howard stated the
2 problem would be corrected by affixing laminated
3 tags and plastic tags to the Poll Pads.
4 Our recommendations are that Sumter County
5 Board of Elections and Registration and Randy
6 Howard, supervisor of elections, be bound over to
7 the attorney general's office for board rule
8 183-1-12-.08(4), page 7, when he failed to ensure
9 the proper -- when he failed to ensure the proper
10 equipment was delivered to the appropriate
11 polling location.
12 **MS. SULLIVAN:** Thank you.
13 Ms. Hooks, would you like to address the
14 board regarding this claim --
15 **MS. HOOKS:** Sure.
16 **MS. SULLIVAN:** -- complaint?
17 **MS. HOOKS:** Sure. I believe the facts are
18 accurate as you reported. As Mr. Howard had
19 reported to the investigator, it -- it was a
20 Dominion representative, not a mem -- employee of
21 the board who distributed the pads and at that
22 time they were labeled only by poll number.
23 And since that time, Mr. Howard has labeled
24 all of the pads with the precinct name so that
25 they'll -- they'll be more easily identified and

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1 attorney general's office.
2 **MR. MASHBURN:** Second.
3 **MS. SULLIVAN:** Is there any -- motion and a
4 second. Do we have any further discussion?
5 All in favor, please say aye.
6 **THE BOARD MEMBERS:** Aye.
7 **MS. SULLIVAN:** Being there are none opposed,
8 that motion passes.
9 Thank you, Ms. Hooks.
10 Going back up in the agenda to where we left
11 off, the next case is 2020-250, Coffee County.
12 **MR. CALLAWAY:** We have three separate
13 complaints within this case.
14 Complaint 1, on December 4, 2020, the Coffee
15 County Board of Elections and Registration sent a
16 letter advising they could not certify the
17 electronic recount numbers for the November 3,
18 2020 general election.
19 In the letter, they claimed that the
20 Dominion voting system was unable to repeatedly
21 duplicate credible election results. Instead
22 Coffee County Board of Elections and Registration
23 voted to certify the votes cast in the election
24 night report.
25 Complaint 2, a video surfaced on YouTube

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1 has instructed all the poll managers to ensure
2 that they have the correct equipment before the
3 scheduled time to open the polls.
4 As -- as indicated in the report,
5 provisional and emergency ballots were available
6 for voters to use while the Poll Pads were
7 transported to the correct precincts. But my
8 understanding is that Ms. Sikes, the complaining
9 voter, declined to vote provisionally. However,
10 she did return to her precinct later in the day
11 and cast her vote in the election.
12 And so we ask that you take account of the
13 measures that have been taken since this time and
14 the fact that no voters were prevented from
15 voting by this error and dismiss the complaint or
16 issue a letter of instruction.
17 And, again, Mr. Howard is on the line if you
18 have any questions for him.
19 **MS. SULLIVAN:** Do any of the board members
20 have any questions for Ms. Hooks? Or for
21 Mr. Howard?
22 Would any of the members like to make a
23 motion?
24 **MS. GHAZAL:** Move that we accept the
25 recommendations and bind this over to the

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1 where it showed Coffee County election supervisor
2 Misty Martin discussing the ways in which the
3 election software could be manipulated.
4 Complaint Number 3, Ms. Britney (ph) Jackson
5 said she submitted a request for her absentee
6 ballot on December 1, 2020, however, did not
7 receive the ballot until December 26, 2020.
8 Ms. Jackson said she was unable -- she was able
9 to mail the ballot back the same day it was
10 received but felt her vote would not be counted
11 due to how late it was received. Ms. Jackson
12 felt this was an effort by Coffee County to
13 suppress her vote.
14 The investigation revealed under Complaint
15 1, Ms. Martin failed to keep the ballots in
16 batches after they were scanned which is the
17 reason the count discrepancy could not be
18 identified and resolved. After the interview,
19 investigators assisted Coffee County with
20 organizing the ballots into batches of 100.
21 The final count was 13,347 advanced and
22 election day ballots and 1,930 absentee and
23 provisional ballots. The total combined ballots
24 total 15,277 ballots which match the original
25 Coffee County election results listed on the

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1 secretary of state election night reporting page.
2 Ms. Martin also claimed the ballot scanner
3 was not working properly and would stop on every
4 few ballots. Ms. Martin claimed she did not know
5 the scanner needed to be cleaned periodically.
6 Both Dominion senior project manager Tom Sheahan
7 (ph) and Dominion senior manager Scott Tucker
8 said the scanner's cleaning protocol was included
9 in the training provided to the counties.
10 Investigations accessed the Firefly website
11 and located the ICC scanner use printout which
12 covers the cleaning procedures.
13 Under Complaint 2, Ms. Martin, along with
14 the Coffee County Board -- along with Coffee
15 County Board of Election member Eric Ching (ph)
16 made two videos, claiming the Dominion systems
17 election software could be manipulated.
18 Ms. Martin said the video was made after she
19 made her board aware that a blank ballot could be
20 altered and voted during the adjudication
21 process. Ms. Martin never once during the video
22 explained the intended use of the adjudication
23 process. The video is very misleading. It seems
24 that she proposed -- it seems its purpose was
25 simply to create doubt and public mistrust in the

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1 Recommendations: Coffee County Board of
2 Elections and Registration and Misty Martin,
3 former elections supervisor, be bound over to the
4 attorney -- attorney general's office for SEB
5 Rule 183-1-12-.05(3), security of voting system
6 components at county elections office in
7 designated county storage areas when they failed
8 to keep the room where the election management
9 system was located locked at all times when it
10 was not directly under the supervision of the
11 election supervisor.
12 **MS. SULLIVAN:** It's my understanding that
13 neither Misty Martin nor anyone from Coffee
14 County is here today.
15 Are there any questions for Mr. Callaway?
16 **MS. GHAZAL:** I've got one question with
17 regard to Count 3. Is there -- do we know
18 exactly how much time elapsed between the time in
19 which the county received the abs -- the absentee
20 application and when it was sent out? If the
21 voter suggested there were three and half weeks
22 between when the -- when it was submitted, I
23 don't know whether or not the -- whether the
24 county timely processed that application.
25 **MS. SULLIVAN:** I was mistaken. Ms. Ditto is

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1 Dominion -- in Dominion voting systems.
2 Investigations received -- reviewed the two
3 videos and noticed what looked like a password
4 taped to the bottom of the computer screen
5 Ms. Martin was using. Investigations paused the
6 video and took some pictures of the password
7 which could be clearly read. It was later
8 discovered that the password was used to access
9 Dominion voting systems.
10 Ms. Martin said everyone at the office used
11 a single password to access the Dominion voting
12 system and the door to the office where the
13 computer was located remained open throughout the
14 workday.
15 Ms. Martin said there was another door that
16 remained locked so the public -- so public
17 individuals could not just walk in. Ms. Martin
18 claimed she was unaware a separate password was
19 needed for every user.
20 Complaint 3, an ENet inquiry on Britney
21 Jackson showed her ballot was received by the
22 Coffee County elections office on January 4th and
23 her vote was counted. At the time of the
24 elections, Jackson was living at a temporary
25 address in Tennessee.

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1 here, representing Coffee County. So she might
2 be able to address that question.
3 **MS. GHAZAL:** Very good, thank you.
4 **MR. NORTHEN:** Ms. Ditto, you should be able
5 to unmute yourself.
6 **MS. DITTO:** Thank you. Good afternoon.
7 I'm here for the --
8 **MS. SULLIVAN:** Good afternoon.
9 **MS. DITTO:** -- Coffee County Board of
10 Elections and Registration.
11 Ms. Martin is no longer employed by Coffee
12 County. It's our understanding from the three
13 complaints that the only violation that is now
14 being alleged is a violation of regulation
15 183-1-12-.05(3).
16 We do not agree that we violated that
17 regulation. Even given the facts that it stated
18 in the findings in the report and in the
19 potential violation the -- the election
20 management system was located -- there are three
21 separate locked doors that anybody from the
22 public that would not have been the election
23 supervisor or his or her designee, three separate
24 doors that someone from the general public, not a
25 designee, would have to go through in order to

1 reach the election management system. It was
2 under -- anytime that that door, which is right
3 off of the election supervisor's office, was open
4 or unlocked, it would've been under the
5 supervision -- the elections management software
6 would be under the supervision of Ms. Martin or
7 her designee at that point in time. There is no
8 violation of this regulation.

9 And I'm happy to answer any questions.

10 **MR. MASHBURN:** This is Matt Mashburn. I
11 have a question. Do you agree or disagree that
12 Ms. Martin posted a video where the working
13 password was visible?

14 Counselor, did you hear me? Did you hear
15 me?

16 **MS. SULLIVAN:** Do you hear us, Ms. Ditto?
17 We cannot hear you if you are speaking.
18 Ms. Ditto?

19 **MR. NORTEN:** Ms. Ditto, you should be able
20 to unmute -- unmute yourself.

21 **MS. SULLIVAN:** Ms. Ditto, are you there?

22 **MS. DITTO:** Hello.

23 **MS. SULLIVAN:** Yes. Can you hear us?
24 Ms. Ditto?

25 **MS. DITTO:** I'm not able to hear you.

1 **MR. MASHBURN:** Yes. Matt Mashburn. Matt
2 Mashburn. Do you agree or disagree that
3 Ms. Martin posted a video where a password -- a
4 working password was visible?

5 **MS. DITTO:** I believe she did post the
6 video. I'm not sure if at the time it was
7 working because the password is specific to the
8 election. But I do not feel that's a violation
9 of the regulation that was cited in the
10 investigative report.

11 **MR. MASHBURN:** Okay. Now, I would also -- I
12 have a second question and that is our report
13 that we were provided shows that all employees
14 utilized the same password. Is that -- do you
15 agree or disagree with that?

16 **MS. DITTO:** It's my understanding that each
17 of the employees had their own password to log
18 onto the computer and then they would've used the
19 same password. Coffee County was only given one
20 password to get onto the Dominion server.

21 **MS. SULLIVAN:** Any further questions? Would
22 a member like to make a motion?

23 **MS. LE:** I move to refer this case to the
24 attorney general's office for further review and
25 inspection. I think passwords are part of -- an

1 **MS. SULLIVAN:** You cannot hear us?

2 **MS. DITTO:** Did we use this system last
3 time?

4 **MS. SULLIVAN:** Ms. Ditto, can you hear me?
5 All right, we're going to try to redial in.
6 (Pause)

7 **MS. SULLIVAN:** Okay. We are back.
8 Hopefully you can hear us now. Ms. Ditto, are
9 you still on the line? Can you hear us?

10 **MR. NORTEN:** Ms. Ditto, you should be able
11 to unmute yourself.

12 **MS. SULLIVAN:** Ms. Ditto, can you hear us?
13 Ms. Ditto, can you hear us now?

14 **MS. DITTO:** Hello.

15 **MS. SULLIVAN:** Ms. Ditto, can you hear us?
16 Can you hear us? Hello? Can you hear us?

17 Is the court reporter here? Can the court
18 reporter hear us?

19 **THE COURT REPORTER:** Yes, I can hear you.

20 **MS. DITTO:** I can hear y'all now. This is
21 Ms. Ditto. I apologize.

22 **MS. SULLIVAN:** Okay. Ms. Ditto, I believe
23 that Mr. Mashburn had a question for you when we
24 lost you.

25 **MS. DITTO:** Sorry about that.

1 integral part of a security system and I think --
2 I think this case should be looked at more
3 closely and see how Coffee County is handling the
4 security of our elections system over there.

5 **MS. SULLIVAN:** Is there --

6 **MR. MASHBURN:** Second.

7 **MS. SULLIVAN:** Motion and a second. Is
8 there any further discussion?

9 All in favor, please say aye?

10 **THE BOARD MEMBERS:** Aye.

11 **MS. SULLIVAN:** And there are none opposed.
12 That motion passes.

13 The next case is 2020-258 Fulton County.

14 **MR. CALLAWAY:** The complainant alleges they
15 received information from Fulton County at their
16 address that indicated that the previous owner is
17 using their address as their voter address and
18 has requested an absentee ballot that has been
19 mailed to an address in Maryland.

20 The investigation revealed that the
21 complainant advised that he purchased and moved
22 into a residence located in Sandy Springs,
23 Georgia in 2018. He noted that the respondent,
24 Ms. Fissaha, was the previous owner who he
25 believes moved out of the state. However, she

1 used his address to request an absentee ballot
2 which was voted.

3 The investigation revealed that Ms. Fissha
4 did not move out of state but to an address
5 within the same county. The investigation found
6 information that indicated Ms. Fissha lived in an
7 apartment located at 28 Parkgate Drive in
8 Atlanta, Georgia.

9 Our investigators traveled to the apartment,
10 attempted to contact someone there with no
11 success and left a business card on the door.
12 The investigator then met with apartment staff
13 who confirmed that Ms. Fissha is the owner of the
14 apartment and has lived there for approximately
15 two years.

16 The investigation revealed that a man named
17 Assefa Fissha is the owner of the residence in
18 Maryland where the absentee ballot was sent, that
19 Ms. Fissha spends time there and Atlanta.

20 Our recommendations are Meron Fissha be
21 referred to the attorney general's office for
22 21-2-562(a)(1), fraudulent entry, four counts,
23 when she voted in the 2018 election on 11/6/2018
24 at an in-person polling location; on 9/29/2020,
25 when she requested an absentee ballot under her

1 Investigator Frances Watson, who I found, by the
2 way, to be extremely professional and helpful in
3 trying to get to the bottom of the situation.

4 It was suspected at first that Ms. Fissha
5 was living out of state, but that's not the case.
6 She's a software engineer for a local airline and
7 she would fly regularly up to Maryland to take
8 care of her brother, who's the person that was
9 mentioned in the report, and keep flying back.

10 So that -- that issue is off the table now.
11 It's simply an issue of whether she failed to
12 update her voter information when she moved out
13 of the house that she sold and moved into an
14 apartment that's about a mile away.

15 And she was wrong to not update her voter
16 information, but Ms. Watson and I had to look at
17 it in some detail and it was only some of the
18 very down-ticket races that she was voting in the
19 wrong precinct. And she did that and she
20 should've updated her registration.

21 I spoke to Ms. Watson and she agreed that
22 she would recommend a letter of instruction and
23 that she had had that approved by counsel for the
24 state election board. Frankly, I'm a little bit
25 taken aback by the recommendation that it be

1 old address; on 10/27/2020, when she requested an
2 absentee ballot under her old address; and on
3 11/24/2020, when she requested an absentee ballot
4 under her old address, Georgia election law
5 O.C.G.A. 21-2-218(c), when she failed to notify
6 the elections office of her new address.

7 **MS. SULLIVAN:** I believe we have someone to
8 speak on this case.

9 **MR. NORTEN:** Mr. Bruce Maloy, you should be
10 able to unmute yourself.

11 **MR. MALOY:** Yes. Good afternoon. This is
12 Bruce Maloy. Can you hear me?

13 **MS. SULLIVAN:** We can.

14 **MR. MALOY:** Okay.

15 **MS. SULLIVAN:** Good afternoon. Go ahead.

16 **MR. MALOY:** (inaudible) the opportunity
17 to address you here. And also I want to take
18 responsibility. Ms. Fissha had two separate
19 issues: One with the Fulton County Election
20 Board and one with the state election board. And
21 I failed to send a notice of appearance to the
22 state election board.

23 So you actually took this up at an earlier
24 meeting but you tabled it and I was able to get
25 involved after that and dealt extensively with

1 referred to the attorney general. I think that
2 overstates the seriousness of what she did here.
3 And I still think that a letter of instruction to
4 her is more than sufficient in a situation like
5 this. She understands now exactly what can
6 happen if you're voting in the wrong precinct.
7 But again because it was (indiscernible) by the
8 idea -- the issue that it was a -- would be
9 another precinct, I think, frankly, just -- just
10 didn't occur to her.

11 And so I would urge you to have a letter of
12 instruction and not a referral to the attorney
13 general's office. Thank you.

14 **MS. SULLIVAN:** Thank you, Mr. Maloy.

15 Ms. Watson is no longer with the secretary of
16 state's office.

17 **MR. MALOY:** I'm sorry to hear that.

18 **MS. SULLIVAN:** Yeah. Thank you.

19 Do any of the board members have any
20 questions for Mr. Maloy? It appears that
21 additional information may have been gathered
22 since this initial report was prepared.

23 **MS. GHAZAL:** This is -- this is Sarah
24 Ghazal. There had been a couple of questions
25 that I had posed that it seems like we still

1 don't have any of this information.
2 But, Mr. Maloy, perhaps you can help fill in
3 some of these blanks. One of the questions that
4 I had previously was whether or not Ms. Fisssha
5 had filed a -- an updated address with the postal
6 service because generally these -- the NCOA
7 process should in fact result in updating voter
8 records as well. So do you happen to know
9 whether or not she filed an updated address
10 through the postal system?

11 **MR. MALOY:** That's my belief is that she
12 had. She was not still generally receiving mail
13 at this -- at this address. What happened is she
14 got one of these unsolicited requests for a
15 absentee ballot and a third-party organization, I
16 guess, was going through the list of those
17 requests and see -- and saw that hers had not
18 been returned yet. And so that -- and that
19 organization sent mail to the old address, the
20 house that had been sold. And that's how this
21 got kicked off, if you will.

22 But I believe that she had put in a change
23 of address with the U.S. Postal Service and she
24 had had a change of address to have her mail sent
25 up to Maryland temporarily as well. I'm sorry, I

1 **MR. MALOY:** -- house was 2018.

2 **MS. LE:** Right. Okay. She moved out of the
3 address in question in 2018. And then she voted
4 in November 2020 and January 2021; correct?

5 **MR. MALOY:** Correct.

6 **MS. LE:** And that was using the address of
7 the 2018 address -- correct? -- when she voted.

8 **MR. MALOY:** Yeah. She -- she hadn't changed
9 any address.

10 **MS. LE:** Okay. Thank you.

11 **MR. MASHBURN:** And she's not registered --
12 she's not registered in Maryland and has never
13 voted in Maryland.

14 **MR. MALOY:** Not registered in Maryland,
15 never voted in Maryland.

16 **MS. GHAZAL:** In an effort to treat similarly
17 situated voters similarly, I move that we issue a
18 letter of instruction and also advise Ms. Fisssha
19 to ensure that her registration has been updated
20 to her new address.

21 **MR. MALOY:** Understood. That's been done.

22 **MS. GHAZAL:** Thanks.

23 **MS. SULLIVAN:** We have a motion. Is there a
24 second?

25 **MS. LE:** I see a slight distinction between

1 take that back. I'm mistaken about that. She
2 had not done that. This did not come up in the
3 national change of address database. I misspoke.

4 **MS. GHAZAL:** Could you clarify, did -- her
5 new address in Fulton County or are you talking
6 about the address -- the temporary address in
7 Maryland? Can you clarify that?

8 **MR. MALOY:** Yeah. She was having somebody
9 pick up her mail at the apartment in Georgia.

10 **MS. GHAZAL:** Okay. So -- but she had
11 forwarded her mail through the -- the change of
12 address process to the new Fulton County apart --
13 address.

14 **MR. MALOY:** I believe that that's correct.
15 Yes.

16 **MS. GHAZAL:** Thank you.

17 **MS. LE:** This is Anh Le. Did she also
18 vote -- excuse me, let me backtrack. She moved
19 out of this address in 2018; is that correct?

20 **MR. MALOY:** Correct. Well --

21 **MS. LE:** And then she -- did she --

22 **MR. MALOY:** -- actually sold in 2018. She
23 was going through a divorce. She moved into an
24 apartment in 2017. The sale of the --

25 **MS. LE:** So she moved out of this --

1 this case and our previous case in that
2 Ms. Fisssha moved out. She sold her home and
3 moved out. The complainant has no relationship
4 with her. And there is a code section out there
5 that says that, you know -- she actually has
6 another home in Georgia that she didn't update
7 the address with and that's the code section
8 cited in our report, the 21-2-562 and 21-2-218.

9 So I think there is a slight distinction
10 here that does make this different than our last
11 case. The distinction being that my
12 understanding of the facts in the previous case
13 is that the voter moved to Pennsylvania, never
14 intended that to be his home, has always kept
15 Georgia as his home, doesn't use an address that
16 he --

17 **MR. MALOY:** She didn't have an address.

18 **MS. LE:** Right. He didn't sell this
19 property that has no relationship to, whereas
20 here we have an address. This person just never
21 updated --

22 **MS. SULLIVAN:** And voted -- also voted in
23 elections that they were not --

24 **MS. LE:** -- and knowingly --

25 **MS. SULLIVAN:** -- entitled to vote in.

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1 **MS. LE:** And -- and by representative's
2 admission that, you know, the two down-ballot
3 elections were otherwise not eligible for.
4 So for that reason, Ms. Ghazal, I
5 respectfully declined to support the motion.
6 **MR. MALOY:** The -- the only thing I'd say in
7 response to that is to emphasize to you that --
8 to use an expression, the distance between the
9 house and the -- that was sold and the apartment
10 that she's living in, you could throw a rock and
11 hit it. And so it just didn't occur to her that
12 she was in a different precinct and it was
13 causing that problem.
14 But she -- she failed to update her voter
15 registration information. She updated her car
16 title with Fulton County for the title tax
17 process, but she didn't update her voter
18 registration.
19 **MS. SULLIVAN:** Thank you, Mr. Maloy. I
20 believe that this motion fails for lack of a
21 second, but I certainly think all of this
22 information that you shared can be taken into
23 consideration by the attorney general's office.
24 And then that's that --
25 I'll make -- actually, I'll make that motion

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1 the director, Ms. Roberts, who advised the
2 investigator that the person involved is named
3 Kimberly Hoehstetter and provided contact
4 information for her. She said the sheriff's
5 office was called to the scene when
6 Ms. Hoehstetter became loud and disruptive, but
7 they did not make her leave. She stated that
8 after the sheriff's deputies left, there were no
9 further incidents with Ms. Hoehstetter.
10 Investigation received a notarized statement
11 from the poll manager, Kathy Connell, who advised
12 that Ms. Hoehstetter was poll watcher -- was a
13 poll watcher at a polling location and tried to
14 sit in an area where board members were sitting.
15 When asked to remain in the assigned area, she
16 became loud and boisterous, causing a
17 disturbance. She stated that she called the
18 elections supervisor and the sheriff's office was
19 notified and responded.
20 The investigator contacted Kimberly
21 Hoehstetter. She advised that she was a poll
22 watcher and was advised by Kathy Connell to
23 remain seated in an area where she felt it was
24 too far away from the registration table which
25 she wanted to observe. She stated that when she

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1 in determining, you know, what -- what sanctions
2 should be appropriate here. So we will ask the
3 attorney general's office to take that -- to take
4 all of that information that you shared into
5 consideration. So --
6 **MR. MASHBURN:** I think all of my colleagues
7 have made cogent and well-founded remarks that I
8 think are very well -- well stated. But I second
9 that motion.
10 **MS. SULLIVAN:** Is there any further
11 discussion?
12 All in favor, please say aye.
13 **THE BOARD MEMBERS:** Aye.
14 **MS. SULLIVAN:** Any opposed?
15 **MS. GHAZAL:** Nay.
16 **MS. SULLIVAN:** One opposed. That motion
17 passes.
18 The next case is 2020-269, Pickens County.
19 **MR. CALLAWAY:** The complainant, a poll
20 watcher, alleges that while in the Pickens County
21 poll location, a poll worker tried to push her
22 out of the doors. The police were called but she
23 was allowed to stay.
24 The investigation revealed -- investigations
25 contacted Pickens County elections and spoke to

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1 moved closer -- when she moved to a closer seat,
2 she was advised to sit back in the designated
3 area and an argument ensued between Ms. Connell
4 and herself. She advised that she presented the
5 rules to Ms. Connell and was told that they,
6 Pickens County, were following board rules which
7 established a sitting area for poll workers -- or
8 poll watchers. She stated that she stepped
9 outside before the sheriff's office arrived and
10 then when they left, allowed her to remain inside
11 where no further incidents occurred.
12 Ms. Hoehstetter advised that when the
13 argument ensued, another poll watcher, found to
14 be Tracey Wright, activated a pen camera recorder
15 and captured part of the incident. The video was
16 played for the investigator.
17 Recommendations: Kimberly Hoehstetter be
18 bound over to the attorney general's office for
19 O.C.G.A. 21-2-408(d) when she gave -- when she
20 began arguing with the poll manager, Kathy
21 Connell, inside the enclosed space. This
22 disturbance interfered with the conduct of the
23 election which caused the poll officers to feel
24 the need to call the sheriff's office in an
25 attempt to keep peace.

1 Tracey Lee Wright be bound over to the
2 attorney general's office for O.C.G.A.
3 21-2-408(d) when she began using a personal
4 video-audio recorder inside the enclosed space
5 while her -- while her and the recorder was done
6 in such a way it did not tell voters or any
7 outside -- or any audio outside -- or anything
8 else for audio between Kimberly Hoechstetter and
9 Kathy Connell.

10 **MS. SULLIVAN:** Thank you.

11 My understanding we have a few people who
12 would like to speak.

13 **MR. NORTHEN:** We have two for public
14 comment: Michael Carver, Kimberly Hoechstetter.

15 Michael Carver, you should be un -- able to
16 unmute yourself.

17 **MS. SULLIVAN:** Mr. Carter (sic), go ahead.
18 Mr. Carter, can you hear us? You can unmute
19 yourself and speak now.

20 **MR. CARVER:** Hello, can you hear me?

21 **MS. SULLIVAN:** Yes, we can.

22 **MR. CARVER:** Okay.

23 **MS. SULLIVAN:** Please go --

24 **MR. CARVER:** I was -- I just wanted to go
25 ahead and indicate that I'm a witness to some of

1 summary. I know that's not what was just
2 reported a few minutes ago, but that's what's on
3 the written summary. And that the investigator
4 when he contacted me, told me that it was being
5 filed on my behalf but that the complainant has
6 never responded to any -- any attempts whatsoever
7 for him to get in touch with him. So I don't
8 even know if the case needs to be dismissed based
9 on that or not.

10 I was involved in another incident that took
11 place -- and because of all of the confusion
12 surrounding the investigation, I did provide an
13 affidavit to the board along with an affidavit
14 from a material witness. And that was Mr. Carver
15 that had just spoken a second ago.

16 And that details during early voting,
17 December 14th, as poll watchers we were
18 prohibited from doing our jobs and were directed
19 by the Pickens County Board of Elections and the
20 poll manager to remain seated in the corner of
21 the room which prohibited us from monitoring.

22 Julianne Roberts, who was also cited on the
23 investigation summary, was not on sight when this
24 event occurred so I don't know how she could've
25 witnessed what happened.

1 this. My name was brought up, as I understand
2 it, as part of the investigation, but I'm not the
3 primary. So I don't know if you want to give
4 Ms. Kimberly Hoechstetter or Tracey Wright first
5 dibs on this.

6 **MS. SULLIVAN:** That will be fine. We'll let
7 Ms. Hoechstetter speak.

8 **MR. NORTHEN:** Ms. Hoechstetter, you should
9 be able to unmute yourself.

10 **MS. HOECHSTETTER:** Okay. Can you hear me?

11 **MS. SULLIVAN:** Yes.

12 **MS. HOECHSTETTER:** Okay. Madam Chair and
13 the board, I'd like to thank you for allowing me
14 the opportunity to be heard today.

15 I received notice of this hearing about two
16 weeks ago, and I wasn't given access to the
17 complaint or the information that I'm accused of
18 but only, like, the investigation summary. And
19 the problem is the summary of the case states
20 that it is a poll-worker issue that took place at
21 the January 5th runoff election.

22 For the record, I have never been a poll
23 worker, nor was I there on January 5th. The
24 summary also cites that the complainant made a
25 complaint for a poll worker, which is on the

1 During early voting on December 14th, I
2 worked as a poll watcher. At about 9:40 a.m., I
3 could see that there was a commotion taking place
4 in the corner. And they were making us sit in
5 the corner of the room. We couldn't even go
6 over -- across the room to look at the counter to
7 count -- to keep -- you know, monitor the number
8 of votes. They were really -- the board of
9 elections had told us that we had to stay in this
10 corner of the room.

11 But at about 9:40, I could see there was a
12 commotion taking place at the registration table
13 with a voter. I could barely hear the poll
14 worker tell the voter that their address did not
15 match the registration. So that I could hear
16 better, I got up and I quietly moved about -- it
17 was about eight steps along the wall to get close
18 to the registration. And I sat against the wall
19 with one of the chairs that was already there to
20 listen and observe how that situation was going
21 to be handled.

22 The other poll watcher that was on site at
23 that time Tracey Wright also came with me to
24 observe as I attempted to listen to the poll
25 watchers tell the voter to scratch out and change

1 their address on the form to match their
2 registration records. Within seconds -- and I
3 mean literally seconds -- the poll manager who
4 interrupted my ability to monitor what was
5 happening and sharply demanded that Tracey and I
6 go back to the corner of the room. Tracey and I
7 responded and tried to explain that we were there
8 as election officials, that we were entitled to
9 observe, and that we could not hear from the
10 corner and we were trying to monitor.

11 I wasn't even given the opportunity to share
12 my observance at the registration table with the
13 poll manager because during this exchange, it
14 took her literally less than 15 seconds -- her
15 first thing was not to ask what we were doing,
16 but her -- it took her, like, 15 seconds to say:
17 If you don't move and do what I'm telling you to
18 do, I'm going to call the sheriff.

19 She then abruptly told eight -- there was
20 about eight people in the polls at the time --
21 eight voters that were there, that she was
22 bringing everything to a halt and she stood there
23 and used her cell phone to call someone. Kathy
24 told the person on the other end of the line that
25 board of elections member Paul Lindsey had left

1 there -- that we were free to move about the
2 polls and to do our jobs and the matter quickly
3 dissolved. It just went away.

4 Mr. Carver has provided his testimony which
5 I -- I sent in -- I believe it was last Friday.
6 Because I didn't know if you were going to call
7 this a poll-worker incident or a poll-watcher
8 incident. And I -- I do believe that
9 nomenclature matters. But Mr. Carver did provide
10 his testimony. And I think, as you know, he's
11 still on the call.

12 From that point forward and for the
13 remainder of the election cycle, poll watchers
14 were allowed to monitor as we had been
15 instructed.

16 So from that -- from that day forward, after
17 the sheriff left, the whole environment changed.
18 It was quite a hostile environment earlier, prior
19 to that incident. But afterward everything was
20 fine and everybody could go around and monitor
21 and it was -- there were no more issues.

22 I am of the understanding -- and I'm sure
23 that Mr. Carver will testify to this -- that
24 Paul, the elections -- board of elections
25 manager, did apologize to him the next day for

1 the building and that he told her if she had any
2 issues to call the sheriff and have us all
3 removed.

4 At that point, Tracey and I agreed that I
5 would go outside to my car and get my phone and
6 call the GOP to report what was happening. As I
7 turned to walk away, I heard Kathy Connells (sic)
8 tell the person on the phone that I was leaving
9 and that everything was fine and the situation
10 was over. That entire incident, from beginning
11 to end, was, like, less than two minutes.

12 After making my calls to report the incident
13 to the local and state offices, I received a text
14 from Carolyn Childers with the GOP who informed
15 me that Craig Stallings who is the GOP chairman
16 had called sheriff Donnie Craig and -- on our
17 behalf and told him that we were being hassled
18 and not able to monitor at the polls.

19 I then returned to the enclosed space and I
20 continued to monitor for the rest of my shift and
21 stayed there for the rest of the morning.

22 Two full hours later, during an incident
23 between board member Paul Lindsay and Mike
24 Carver, another poll watcher, the sheriff did
25 come. And they told the board that we were

1 not knowing the law better.

2 I also think it's worth noting that during
3 the time this incident was being investigated,
4 the state Congress was in the process of passing
5 HB682 which Governor Kemp signed. This bill
6 completely removed and replaced the entire
7 Pickens County Board of Elections, Julianne
8 Roberts and Kathy Connell, effective July 1st of
9 this year.

10 So any potential reprimand the state board
11 would decide to send to those individuals because
12 of their attempts to interfere with our ability
13 to monitor would need to be sent to Julie who now
14 works for the board of elections in Cherokee
15 County.

16 Again, with all of these facts in mind, I'm
17 requesting that this whole thing be dismissed.
18 Or if you decide that it's really about poll
19 watchers and not poll workers, that maybe a
20 letter of instruction be sent to the new board of
21 elections so that something like this never
22 occurs again in Pickens County.

23 And I'm open to answering any questions that
24 you might have.

25 **MS. SULLIVAN:** Thank you.

1 Mr. Carver, would you like to address the
2 board briefly?
3 **MR. NORTHEN:** Mr. Carver, you should be able
4 to unmute yourself.
5 **MS. SULLIVAN:** Mr. Carver?
6 **MR. CARVER:** I'm here. I'm sorry.
7 **MS. SULLIVAN:** Yeah. Would you like to add
8 anything?
9 **MR. CARVER:** I'd -- I'd like to ask the
10 board if they've received my affidavit and had an
11 opportunity to review it.
12 **MS. SULLIVAN:** I believe it was in the
13 materials. If you would like to briefly address
14 what was in your affidavit, please feel free to
15 go ahead.
16 **MR. CARVER:** Well, I'd -- certainly. I
17 would first like to start out that I want to make
18 sure that we're talking about the same dates here
19 because I don't want to be a witness to
20 something. My date is specifically around
21 December the 14th. But through the investigative
22 summary, I didn't hear a date. It's just the
23 January 5th general election. So I can't tell
24 from the investigation summary if they're talking
25 about the incident that occurred on December the

1 home at -- back at the early location. And what
2 I had was a copy of 21-2-408. I was going to
3 just supply that to -- copies of that to both
4 Tracey and Kimberly so they could provide that to
5 Paul Lindsey.
6 But before I could do that, Paul Lindsey had
7 approached me and stated similar to what I'd been
8 told earlier, that poll watchers must sit and
9 observe from the designated corner. I
10 respectfully -- and I want to say that,
11 respectfully disagreed and provided him a copy
12 with 21-4- -- I'm sorry, 21-2-408, and pointed
13 out there's a section in the statute that
14 designates the duties of a poll watcher.
15 Paul Lindsey blocked my egress out of the
16 designated area, the corner we were told to be
17 at. So I sidestepped him and began lawful duties
18 of a poll watcher. Paul informed Kathy Connell
19 to call the sheriff's office. At that time, only
20 Tracey Wright and I were present in the polling
21 location since only two poll watchers are
22 allowed.
23 At approximately 1120 hours on December 14,
24 2020, I walked outside and informed Kimberly to
25 reenter the polling location and waited for law

1 14th or on the general election of January 5th.
2 **MR. MASHBURN:** How about you tell us what
3 you know about December 14th.
4 **MR. CARVER:** Yes, sir. So I basically just
5 showed up early at the polling location to
6 deliver supplies to the poll watchers. Basically
7 it was badge clips. I wanted all of my
8 co-poll -- all watchers to have a way to mount
9 their credential badges.
10 I was informed when I arrived -- this
11 would've been both by Tracey and Kimberly that
12 poll watchers were not being allowed to walk
13 around in the enclosed space or view the
14 encounters, such as on the scanner and that Paul
15 Lindsey was saying that poll watchers must sit in
16 the designated corner.
17 I was also informed that the poll manager
18 had called the sheriff's office, but the sheriff
19 was informed they didn't need to respond. I
20 assumed this was over the disagreement on what
21 21-2-408(d) states: Poll watchers can be in
22 close space and observe the counting and
23 recording of votes.
24 At about ten after, I left the facility and
25 drove back to my home and then arrived back at

1 enforcement to arrive.
2 At approximately 11:30, law enforcement
3 arrived. Two deputies were on scene. I was
4 called into the polling location and was told by
5 one deputy that the three poll watchers needed to
6 leave the premises as we were causing a
7 disruption. I informed the officer we were not
8 being disruptive, but we did have disagreements
9 regarding not being allowed to complete our
10 duties.
11 I showed the deputy my poll watcher
12 credential letter, my official poll watcher
13 badge, and showed him the statute of 21-2-408(d).
14 He left for a moment and went to speak with the
15 board member Paul Lindsey. The deputy returned
16 and said he informed Paul that we were not
17 violating any law and that we can stay and
18 perform our duties per the law.
19 At 1138 hours, law enforcement left the area
20 and no other disagreements about poll watchers'
21 duties occurred that day or at any time in the
22 future.
23 At about 2 p.m. on the following day,
24 December the 15th, Paul Lindsey apologized to me
25 for the events of the day prior, stating he had

1 his facts wrong and should've known the law
2 better. The election supervisor Julianne Roberts
3 told the board --

4 **MS. SULLIVAN:** We're losing you, Mr. Carver.
5 I believe that we've lost you, but we do have
6 your affidavit in ...

7 **MR. CARVER:** Okay. And -- but basically
8 they -- the -- the board has been swapped out and
9 the election supervisor, as stated earlier, works
10 for Cherokee County Board of Elections now.

11 **MS. SULLIVAN:** Thank you.

12 And I believe Ms. Wright is also here and
13 would like to address the board.

14 **MR. NORTHEN:** Ms. Wright, you should be able
15 to unmute yourself.

16 **MS. SULLIVAN:** Ms. Wright, please go ahead.
17 If you unmute yourself, you should be able to
18 speak. Ms. Wright? If you would like to speak,
19 please go ahead now.

20 Do any of the board members have any
21 questions for Mr. Callaway or any other people
22 that have joined us on the phones?

23 **MR. MASHBURN:** As I understand it,
24 Mr. Callaway, you were in charge of training and
25 certifying the poll watchers; is that correct?

1 think that that's what the poll worker should've
2 done.

3 **MR. MASHBURN:** Yes. The poll watchers.

4 **MR. CARVER:** No. The poll watchers don't
5 designate or contact the -- the supervisor, to my
6 knowledge. We had a hotline that we were told to
7 call. Now, right, wrong, or different, that's
8 what we were all trained and told to do. We had
9 a GOP hotline to call for any issues. And as I
10 understand, this was reported. I don't know what
11 the end game of that happened, but that's what we
12 were informed to do.

13 **MS. HOECHSTETTER:** If I may speak as well,
14 this is Kimberly Hoechstetter again.

15 Mike is right. I -- I didn't mean to infer
16 that I wanted to look at any voter records at
17 all. All I was doing was sitting in the corner
18 and the registration table -- like I said, it was
19 only, like, maybe ten or fifteen feet away. I
20 only took maybe about eight steps and stayed -- I
21 quietly moved along the wall and sat down because
22 I couldn't hear what was transpiring.

23 I heard the poll worker say: Your address
24 doesn't match your registration. And that piqued
25 my -- you know, I wanted to hear. I wanted to

1 **MS. SULLIVAN:** You mean Mr. Carver?

2 **MR. MASHBURN:** Mr. Carver. Who trained
3 the -- who trained the poll watchers?

4 **MS. SULLIVAN:** Mr. Carver, were you -- is he
5 unmuted? Were you involved in training the poll
6 watchers?

7 **MR. CARVER:** No, I was not.

8 **MR. MASHBURN:** I'm -- I'm curious about his
9 statement about Hoechstetter, that it was her job
10 to check the electors lists. 41-2-408(d)
11 specifically prohibits poll watchers from
12 checking electors lists. So I can get clarity --

13 **MR. CARVER:** If I may, I don't -- I don't
14 know that she was checking electors lists. I
15 think what she was staying was that she heard a
16 dis -- a discrepancy and was just trying to find
17 out what was going on. Not looking at anything,
18 just using her ears.

19 **MR. MASHBURN:** Yeah. And then the other
20 question I wanted to ask was same statute.
21 21-2-408(d) also says any infraction or
22 irregularities observed by the poll watchers
23 shall be reported directly to the superintendent
24 and not to the poll manager.

25 **MR. CARVER:** That may be. I -- I would

1 get closer because I couldn't quite hear
2 everything that she was saying. So I just moved
3 a little bit closer. But, I mean, I no -- I no
4 sooner sat down in that chair to try -- and I
5 wasn't trying to get, like, up behind the poll --
6 the voter or anything. I was sitting against the
7 wall.

8 I just -- no sooner did I sit, then I got, I
9 mean, abruptly approached by Kathy Connell, who
10 said -- and -- and I think it's important to note
11 that what Kathy said was, you know: You will
12 either do exactly what we tell you to do and get
13 back in that corner or we're going to call the
14 sheriff and have you removed.

15 And when she did pick up the phone to call
16 someone, she said that board member Paul Lindsey
17 had instructed her -- whoever she was talking to
18 on the phone -- I assume it was Julie at that
19 point -- but when she was talking to that person
20 on the phone, she said: Paul told us that if
21 anything happens to call the sheriff and have
22 them removed, which to me -- I mean, if -- if
23 you -- there was no reason. I mean, I literally
24 was just sitting against the wall.

25 There was no -- it was -- it was -- I'm

1 telling you it was a very hostile environment.
2 It wasn't comfortable at all. We felt like we
3 weren't supposed to be there and we were supposed
4 to just sit in that corner and not walk around.
5 But I do want to clarify your question earlier
6 and make sure you understand that at no point was
7 I ever trying to look at voter -- the voter rolls
8 or information. I was just trying to hear how
9 they were going to handle it.

10 And quite honestly, while -- while the
11 exchange was taking place and Kathy was telling
12 me she was going to call the sheriff if -- Tracey
13 and I were both talking to her and telling her
14 that, look, we're just trying to do our job.

15 While she was saying she was going to call
16 the sheriff, I -- I heard -- intermittently
17 because I was still trying to listen, I heard the
18 poll worker tell the voter: Just scratch out
19 your name on the registration -- the registration
20 pad and put in -- or scratch out your address on
21 the registration pad and make it -- make it
22 match.

23 So that was the kind of stuff that I was
24 trying to, you know, monitor. And I thought that
25 was our job. I mean, this was the first time

1 told, to walk around.

2 His response was: I don't care what that
3 says. You're going to follow our rules and I
4 told you to sit in the corner.

5 So I don't know if that answers your
6 question but the enclosed space, based on our
7 understanding, is the polls. We're just not
8 allowed to go behind the enclosed area where the
9 voters -- if -- if you read -- if you go through
10 some of the statute, in my understanding unless I
11 misread something, is that whole area where the
12 voters actually cast their votes, we're not
13 allowed to go back there, nor were we allowed to
14 go stand, like, right behind the -- where they
15 were looking up the registration and that and
16 view any actual voter information.

17 So I personally -- I can't speak for anybody
18 else, but I personally was very careful not to
19 look at -- there was no chance to, honestly. The
20 only time I -- I was able to even get close to
21 anything was when I took eight steps to sit
22 against the wall and I still was far -- I was
23 10 feet away from the voter that was having
24 the -- the exchange with the worker at that time
25 over their address.

1 they were poll-watched, but I thought that was
2 our job as monitors, to make sure we watched that
3 kind of thing and monitored the -- the counts.
4 And we weren't even allowed to go across the room
5 to where the counter was. We had to -- they
6 were -- we were told we had to stay in the
7 corner.

8 **MS. SULLIVAN:** Okay. Thank you.

9 What is the pleasure of the board?

10 **MS. LE:** Ms. Hoechstetter, were you given an
11 enclosed space on -- I know that 21-2-408(d) says
12 that all poll watchers may be permitted behind an
13 enclosed space for purposes of observing the
14 conduct. Did they identify a space for you or
15 can you clarify that for me?

16 **MS. HOECHSTETTER:** Okay. Let me -- let me
17 go back to when I first got there that morning,
18 when we were told we had to sit in the corner.
19 Tracey Wright had a binder with her that had the
20 statute had it, it had all of the instructions
21 for working at the polls, and it had a schematic
22 of the room. And we called Paul Lindsey over and
23 we showed him what the -- what the -- the code
24 said, where the schematic of the room was, and
25 where we were allowed, based on what we were

1 Further, I think it's important to point
2 out, too, that the investigator, when he came
3 out -- I'm sure you guys were slammed after.
4 With everything that went on last year, I'm sure
5 you guys were totally slammed with, you know,
6 investigations. And he told me when he came
7 to -- to meet with me that he didn't normally
8 investigate these kind of cases, that it was
9 something that he didn't normally do.

10 And in the investigation summary, he cites
11 only partially part of 21-2-408. And he stops
12 just short of where it says that if anybody --
13 that nobody is allowed to get involved with
14 campaigning. And if -- it infers, at least the
15 way I'm reading it, that if a poll manager is
16 campaigning and they get warned and they don't
17 stop, that they should -- they should be removed.

18 So, first of all, nobody was campaigning. I
19 don't understand why Kathy -- I don't know if
20 Kathy was just totally confused when she did this
21 affidavit or if she flat out filed the false
22 affidavit because I don't know what the affidavit
23 actually said. I only know what the summary
24 says.

25 But those sheriffs came two hours after I

1 had my exchange with her. After Tracey and I
2 talked to her and I went outside and called the
3 GOP hotline and told them what was going on. It
4 was two hours before the sheriff came. So
5 this -- this whole thing infers that there was
6 this big dispute and, you know, I disrupted the
7 election. Kathy literally said, "Go sit in the
8 corner or I'm going to call the sheriff," and
9 picked up the phone. It was that quick and
10 that -- that bold and that demanding.

11 **MS. SULLIVAN:** Thank you.

12 Are there any of the board members prepared
13 to make a motion?

14 **MS. GHAZAL:** I move that we bind this over
15 to the attorney general's office for further
16 investigation and resolution.

17 **MS. SULLIVAN:** I'll second that motion. Is
18 there any further discussion?

19 All in favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There are none opposed. That
22 motion passes.

23 That goes to you.

24 Moving on, the next case on our agenda is
25 2020-273.

1 talking to people waiting in line to vote while
2 not voting themselves. The individuals were not
3 wearing name badges or identification designating
4 them as poll watchers and speaking at the polls.

5 The investigation revealed a statement
6 obtained from attorney Dara Lindenbaum with
7 Sandler Reiff Lamb Rosenstein & Birkenstock,
8 P.C., representing "When We All Vote," advised
9 that the mailer encouraged voters to vote early
10 and advertised events celebrating early voting.
11 The mailer did not intend nor imply that free
12 food or anything else of value was being provided
13 for voting.

14 Further, all events were open to the public,
15 not just voters, and the food was offered to all
16 attendees. There were no complaints nor
17 witnesses to these events occurring. And a
18 search of the event section of "When We All Vote"
19 website did not list any events that matched what
20 described -- was described on the mailer.

21 Two of our investigators both entered --
22 encountered individuals associated with the
23 organization "Vote Tripling," within a hundred
24 and fifty feet of the polling location, asking
25 voters exiting polls to text three friends to

1 **MR. CALLAWAY:** Again this is multiple
2 complaints in this one file.

3 The Georgia Secretary of State's Office
4 received a call from an unknown individual
5 regarding mailers that were sent to Georgia
6 residents. The mailer was sent from "When We All
7 Vote" and stated that starting on December 14th,
8 they would be at select early voting locations
9 with plenty of free food, music, masks, and hand
10 sanitizer.

11 On December 28th and 29th, 2020,
12 investigators with the Georgia Secretary of
13 State's Office made contact with the individuals
14 within the hundred-fifty-foot mark at two polling
15 locations, representing "Vote Tripling."

16 These individuals were speaking with voters
17 as they left polling locations from voting and
18 asking them to text three friends to remind them
19 to go vote. This was occurring within a hundred
20 and fifty feet of polling locations.

21 On December 29, 2020, a complaint was
22 received via e-mail from Katherine Hennessey
23 (ph), advising that two individuals -- a young
24 man and a young woman -- acting as poll watchers
25 were standing in a designated loading area and

1 remind them to vote. The incidents occurred in
2 Alpharetta, Georgia and in Tucker, Georgia.

3 Our investigators photographed an
4 instruction sheet in possession of one of the
5 females that stated that in Georgia you must
6 stand at least a hundred and fifty feet from the
7 outer edge of the polling space and twenty-five
8 feet from any voter standing in line to vote.
9 There should be clear election area and limit
10 signs and markers.

11 Investigator spoke with an area supervisor
12 from a vendor of "Vote Tripling" in which he
13 stated that all representatives of "Vote
14 Tripling" that canvass the polls are given
15 instructions to not be within a hundred and
16 fifty feet of the polling location.

17 A statement from "Vote Tripling" as well as
18 an instruction provided to canvassers of the
19 polls also states in Georgia you must stand at
20 least a hundred and fifty feet from the outer
21 edge of the polling space and twenty-five feet
22 from the people standing in line to vote. There
23 was sufficient evidence to prove an election code
24 violation occurred.

25 And on Complaint Number 3, we were unable to

1 identify the individuals described in the
2 complaint to determine if individuals in question
3 were poll watchers and were part of the -- they
4 were not part of the poll manager -- and poll
5 watchers have been verified by a list when they
6 were provided and they would be wearing
7 identification. There was no video available.
8 According to the complaint, both would have been
9 wearing masks.

10 In addition, based on the statements
11 provided by the complainant, it did not appear
12 that either of the individuals interfered with
13 the voters or attempted to solicit any votes.
14 There weren't any other complaints regarding
15 these individuals.

16 The recommendation is for Kieno Smith to be
17 bound over to the attorney general's office for
18 O.C.G.A. 21-2-414(a)(1), restrictions on
19 campaigning activities when asking voters to text
20 three friends and remind them to vote within the
21 hundred and fifty foot outer edge of the polling
22 place.

23 **MS. SULLIVAN:** Thank you.

24 I understand there's one person that would
25 like to speak on this case.

1 I think it's important to separate this case
2 out from any of the other matters that you're
3 considering that are tied up into this 2020-273
4 and that the case against "When We All Vote" be
5 immediately dismissed.

6 I'm happy to answer any questions.

7 **MS. SULLIVAN:** Ms. Lindenbaum, you're not
8 associated with Kieno Smith; is that correct?

9 **MS. LINDENBAUM:** That's correct.

10 **MS. SULLIVAN:** Okay. I believe that all of
11 the -- the recommendation is to dismiss all of
12 the complaints in this case involving "When We
13 All Vote." I know you were concerned about
14 notice. Is there -- I assume you don't object to
15 that recommendation.

16 **MS. LINDENBAUM:** I certainly do not.

17 **MS. SULLIVAN:** Okay. I apologize that you
18 did not get proper notice. Thank you for letting
19 us know.

20 **MS. LINDENBAUM:** Thank you.

21 **MR. MASHBURN:** I move that we accept the
22 recommendation that Kieno Smith be referred to
23 the attorney general's office.

24 **MS. SULLIVAN:** I'll second that motion.

25 Is there any further discussion?

1 **MR. NORTHEN:** Dara Lindenbaum, you should be
2 able to unmute yourself and speak.

3 **MS. LINDENBAUM:** Yes. Can you hear me?

4 **MS. SULLIVAN:** Yes.

5 **MS. LINDENBAUM:** Thank you for having me.
6 Again, my name is Dara Lindenbaum and I represent
7 "When We All Vote" which is an initiative of
8 Civic Nation.

9 I do want to note that we did not receive
10 any notice that this hearing was taking place.
11 I -- I -- and that this matter would be on the
12 agenda. I only am here because I called the
13 SEB's office repeatedly to try to find out if
14 this matter was going to be on the agenda and
15 they were able to confirm it.

16 So for the reasons just discussed, the
17 mailer in question and events fully complied with
18 both the letter and spirit of the Georgia code.
19 The mailer advertised events to celebrate early
20 voting with no implication that attendance at the
21 events and the availability of free food -- free
22 food was conditioned on voting. The events
23 themselves were open to the public and free food
24 was provided to all in attendance, voters and
25 nonvoters alike.

1 All in favor, please say aye.

2 **THE BOARD MEMBERS:** Aye.

3 **MS. SULLIVAN:** In that none oppose, that
4 motion passes. Thank you.

5 The next case is 2020-296, Henry County.

6 **MR. CALLAWAY:** On December 31, 2020, the
7 secretary of state's office received two
8 complaints.

9 Allegation 1, Mr. Larry Morey alleged that
10 Henry County Board of Elections and Registration
11 forwarded multiple absentee ballots to its own
12 address.

13 Allegation Number 2, Mrs. Christine Law (ph)
14 stated that she was a poll watcher and monitor
15 for the audit conducted by the Henry County Board
16 of Elections. Ms. Law stated that a male and a
17 female worker were counting ballots in stacks of
18 thirty instead of ten and that the ballots were
19 on two different types of paper.

20 The investigation revealed under Allegation
21 1 the investigation did not find evidence to
22 support a violation of Georgia election code.

23 Ms. Ameika Pitts, Henry County election
24 supervisor stated that it was possible that
25 duplicated ballots were mailed to Mr. Rawlinson

1 (ph) due to human error in printing of the
2 labels. The elector was sent three and turned in
3 two and voted one. The two that were turned in
4 were spoiled.

5 Allegation 2, Ms. Ameika Pitts, Henry County
6 election supervisor, said that the complainant
7 could be referring to the electronic UOCAVA
8 ballots that are printed by the voter on a
9 personal printer, using the type of paper they
10 wish to print it on. Once the ballot is opened
11 by the election officials, it is then transposed
12 onto a paper ballot by the vote review panel.
13 The ballots will be in bundles up to 100.

14 The recommendations are as follows: Ameika
15 Pitts be bound to the attorney general's office
16 for Georgia election code 21-2-381(2)(a), making
17 application for absentee ballots, when multiple
18 absentee ballots were sent to Larry Morey. This
19 is contrary to the statute that states a ballot
20 shall be mailed and not ballots plural.

21 **MS. SULLIVAN:** Thank you.

22 I understand we have one person who would
23 like to speak to the board about this case.

24 **MS. PACHUTA:** Yes. Can everyone hear me?

25 **MS. SULLIVAN:** Yes. Can you identify

1 yourself.

2 **MS. PACHUTA:** This is Karen Pachuta. I'm
3 counsel for Henry County and the board of
4 elections and registration and also the staff
5 members.

6 I believe if there any questions for the
7 director, Ameika Pitts, she is available, if we
8 have questions.

9 I do want to clarify though that Larry Morey
10 did not receive any absentee ballots. He did not
11 request absentee ballots and he did not receive
12 any absentee ballots. He did not vote in the
13 January 2021 election.

14 Our understanding is that he was filing a
15 complaint on behalf of his mother-in-law who
16 allegedly received multiple ballots. She did
17 request an absentee ballot for the January 2021
18 election, was -- and returned one ballot that was
19 counted received on January 5th.

20 When Ms. Pitts, the director, spoke
21 originally to the secretary of state
22 investigator, she had no direct knowledge that
23 multiple ballots were mailed. She did, you know,
24 concede that it -- it was possible that perhaps a
25 staff member printed the label page twice, staff

1 were multitasking.

2 The general election was handled by the
3 third-party vendor. But for the runoff, staff
4 was handling. She -- you know, she admits it --
5 it's possible that an extra sheet of labels was
6 printed that could have sent an extra ballot to
7 Ms. Rawlinson (ph). She is just guessing at that.
8 Only one was returned. So, again, you know --
9 and we haven't actually seen the extra ballots.
10 I don't know if they've been shown to the
11 secretary of state.

12 I know there was some confusion with voters
13 that received the applications for absentee
14 ballots from third parties. And a lot of times
15 voters would call, you know, saying why did they
16 get these, you know, ballots when actually they
17 were applications.

18 So, again, to the extent to the secretary of
19 state has not spoken to Mrs. Rawlinson directly,
20 has only spoken to her son-in-law Mr. Morey, who
21 did not receive any absentee ballots, I would
22 object in the fact that that is, you know,
23 secondhand knowledge.

24 And then, you know, while Ms. Pitts conceded
25 the possibility of human error, we, you know --

1 we don't know if that occurred. There have been
2 no other complaints. We haven't heard of anyone
3 else receiving multiple ballots.

4 We would ask the board to find that there's
5 insufficient evidence that a violation occurred
6 and dismiss this action, or in the alternative,
7 that a letter of instruction be issued.

8 **MR. MASHBURN:** Did the investigator -- this
9 is Matt Mashburn. Did the investigator see the
10 multiple ballots?

11 **MR. CALLAWAY:** In the investigative report,
12 it stated that -- Mr. Morey stated that
13 Mrs. Stewart wrote "spoil" on two of the absentee
14 ballots and attempted to keep them in her
15 possession.

16 There's nothing that I'm seeing that our
17 investigators personally saw those absentee
18 ballots because they were taken to the elections
19 office. Based on the report, Ms. Judy
20 Rawlinson -- they were sent to her. Mr. Morey
21 stated that he took the absentee ballots to
22 Mrs. Joy Stewart, early voting manager for Henry
23 County.

24 **MR. MASHBURN:** Counselor, have y'all
25 interviewed Ms. Stewart? Counsel for Henry --

1 for Henry County?
2 **MS. PACHUTA:** I have not. I have the
3 director, Ms. Pitts, on the board.
4 My understanding -- if I could have
5 Ms. Pitts clarify this -- is that Mr. Morey did
6 did complain to the manager but did not leave
7 them. So I -- I don't -- we don't have copies
8 and he did not allow anyone there to take -- to
9 make any copies.
10 **MS. SULLIVAN:** Okay.
11 **MR. MASHBURN:** So we've got a factual
12 dispute between Mr. Morey and Ms. Stewart?
13 **MS. PITTS:** Hello, Board.
14 **MR. MASHBURN:** (indiscernible)
15 **MS. PITTS:** This is -- excuse me, may I
16 speak? This is Ameika Pitts, the director.
17 **MS. SULLIVAN:** You may speak. Go ahead.
18 **MR. MASHBURN:** Sure.
19 **MS. PITTS:** I hope all is well with you all.
20 To my remembrance, this -- our investigator did
21 get a statement from Ms. Stewart. I would have
22 to get them -- I wouldn't have those documents to
23 show at this moment, but I do remember her giving
24 a statement where he did come in and said that he
25 had received the ballots or whatnot from his

1 back there, there was no difference in any of the
2 three. Wrote on two of the ballots "spoiled."
3 Since then, the lady that did that has left
4 and went to Butts County. I don't know why. The
5 three were not in the log and I want to know why.
6 And I don't care if it's a Republican or
7 Democrat. That makes no difference to me. But I
8 want to know why three ballots just alike come to
9 one person to vote.
10 And -- and I really don't like for people
11 to -- to not tell the truth about what I said and
12 what I did. I want the truth to be told, okay?
13 **UNIDENTIFIED FEMALE SPEAKER:** You have the
14 other two ballots in your possession.
15 **MR. MOREY:** What?
16 **UNIDENTIFIED FEMALE SPEAKER:** You have the
17 other two ballots in your possession.
18 **MR. MOREY:** I still have those ballots in my
19 possession. I have them right now. And the
20 reason I wouldn't let her keep them is because
21 she wrote on them, and she didn't have a right to
22 do that. She -- she denied that they did it to
23 start with. And I said: Ma'am, here's the --
24 here's the postmarks right here. You sent them
25 to -- to my address. And then I said: And I

1 mother-in-law, not himself.
2 **MS. SULLIVAN:** Mr. Morey, I believe, is on
3 the phone.
4 I'm going to unmute you at this time. You
5 can address the board, Mr. Morey.
6 **MR. NORTHEN:** Mr. Morey, you should be able
7 to unmute yourself.
8 **MS. SULLIVAN:** You should be able to speak
9 now if you unmute yourself.
10 **MR. MOREY:** (inaudible)
11 **MS. SULLIVAN:** I believe that there is a bad
12 connection. If you could --
13 **MR. MOREY:** Can you hear me? This is Larry
14 Morey.
15 **MS. SULLIVAN:** Yes, sir, we can -- we can
16 hear you now.
17 **MR. MOREY:** Can you -- can you hear me now?
18 **MS. SULLIVAN:** Yes, sir, we can hear you.
19 **MR. MOREY:** Okay.
20 **MS. SULLIVAN:** Can you hear us?
21 **MR. MOREY:** I -- I received the three
22 ballots from -- at my home for Ms. Rawlinson. I
23 took them to the voting office. She took them
24 and went back to Ms. Pitts' office. And they
25 came back. When they took those three ballots

1 want to know why you did it and now why you wrote
2 spoiled on them that you didn't have a right to
3 do.
4 And I want you to -- I want your committee
5 to answer the simple question, why she did it and
6 why was those three ballots sent to Judy
7 Rawlinson. That's my question.
8 **MR. MASHBURN:** And -- and Ms. Rawlinson is
9 your mother-in-law?
10 **MR. MOREY:** She's my mother-in-law. I take
11 her -- when she goes to vote, I take her to
12 explain -- we go through all of the amendments
13 before we go -- leave the house, and I take her
14 up there and she goes in and votes, has done it
15 for years. She's an elderly woman and, you know,
16 that's just the way it is.
17 **MR. MASHBURN:** Hey, I'm sorry to -- I'm
18 sorry to interrupt you but what I'm going to do
19 is I'm going to make a motion to continue this
20 and send an investigator out to you to get those
21 ballots. Is that sensible?
22 **MR. MOREY:** I -- I'm -- and I have no
23 problem with that, sir.
24 **MR. MASHBURN:** All right. I'm going to --
25 now, he's going to have a badge and a gun. He's

1 a real law-enforcement. So don't be intimidated,
2 okay?

3 **MR. MOREY:** I promise you I'm not
4 intimidated. The facts need to be the facts.
5 And -- and everybody up to this point on that end
6 is just not telling the truth. And -- and, you
7 know, that's just not -- that's just not right.

8 **MR. MASHBURN:** I don't mean to cut you -- I
9 don't mean -- I don't mean to cut you short --

10 **MR. MOREY:** What --

11 **MR. MASHBURN:** I don't mean to cut you short
12 but I'm going to make a motion that we continue.

13 **MR. MOREY:** Send you the ballots. I -- I'll
14 do that.

15 **MS. SULLIVAN:** All right. We've got a
16 motion to continue this case.

17 **MS. LE:** I'll second it.

18 **MS. SULLIVAN:** Any further discussions?
19 All in favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There are none opposed. That
22 motion passes.

23 The next case is 2021-004, Dawson County.

24 **MR. CALLAWAY:** On 1/4/21, the Georgia Office
25 of the Secretary of State's Investigations

1 Division received a complaint regarding
2 double-voting attempts, here, in the Dawson
3 County 2020 general and runoff elections.

4 According to the complaint, Connie Cho (ph)
5 requested and returned two absentee ballots by
6 mail for the general election. She also returned
7 an absentee ballot by mail and then appeared in
8 person to vote during the runoff election.

9 Investigation revealed investigations
10 conducted an interview with the voter, Ms. Cho.
11 She stated she was enrolled in a work-study
12 program in New York during this election cycle.
13 She confirmed that she originally requested an
14 absentee ballot be mailed to her Dawson County
15 address of record but later requested that it be
16 mailed to New York where she was attending
17 school.

18 The only ballot that she received and
19 returned was the general election ballot that was
20 initially mailed to her Dawson County home and
21 forwarded to her New York address by her mother.
22 She decided to vote in person for the runoff
23 election while visiting relatives in Georgia
24 because she did not receive that request ballot
25 in the mail. And she was ... if she suspected

1 anyone of intercepting and returning the ballots
2 that were mailed to her New York address and she
3 stated that she didn't think so.

4 Investigations conducted an interview with
5 poll worker Beverly Ragsdale. She was informed
6 that we were investigating the circumstances
7 surrounding the issuance of Cho's in-person
8 application for absentee ballot which resulted in
9 double-voting during the runoff election.

10 After explaining what happened, she
11 confirmed that she worked at the Dawson County
12 2020 general runoff election but she did not
13 recall that particular incident with Ms. Cho.
14 She explained her process for issuing ballots to
15 voters with outstanding absentee ballots and
16 stated that she was not sure why she would have
17 issued one -- issued Cho a ballot if her ballot
18 had already been marked as received in
19 ElectionNet. She viewed her action of issuing a
20 ballot to a voter who had already returned an
21 absentee -- returned an absentee ballot as an
22 oversight.

23 Investigations conducted an interview of
24 poll worker Britney Payne (ph). She recalled the
25 situation with Cho and stated the incident with

1 her general election ballot was a fluke. She
2 remembered being in telephone contact with Cho
3 and Cho expressing her concern that her ballot
4 may not reach the election office in time due to
5 ballot being issued to her Georgia address
6 because she was living in New York at the time.
7 Ms. Payne confirmed with Cho that she would
8 cancel the ballot -- the first ballot and reissue
9 a new one to her New York address.

10 When Payne received both ballots at the
11 election office, she was under the assumption
12 that Cho was trying to ensure at least one of her
13 ballots was received, knowing that only one was
14 active in the system. She did not suspect Cho of
15 attempting to double-vote which is why she did
16 not report the incident.

17 The recommendations are as follows: Beverly
18 Ragsdale, former Dawson County poll worker, be
19 bound over to the attorney general's office for
20 State Election Board Rule 183-1-14-.09, voted
21 absentee ballots, when she failed to verify if
22 Cho had returned an absentee ballot prior to
23 issuing a second ballot here, resulting in a
24 double-vote during the Dawson County 2020 general
25 runoff election.

1 **MS. SULLIVAN:** I believe we have one person
2 that would like to speak to the board.

3 **MS. PACHUTA:** Yes, Board Members. This is
4 Karen Pachuta again. I also represent Dawson
5 County and their board of elections and voter
6 registration and the staff member.

7 We are aware that Ms. Cho has denied
8 completing and returning her absentee ballot.
9 The county is -- we're assuming there's a
10 separate secretary of state investigation into
11 that matter. We have not received any updates on
12 that.

13 For the runoff election, Ms. Cho requested
14 an absentee ballot on November 11th that was
15 mailed on November 19th, and she returned it on
16 December -- or it was returned on December 10th.
17 She claims that she did not return that.

18 On December 31st, Ms. Cho arrived at the
19 advanced voting precinct. When she checked in,
20 she was flagged as having an absentee ballot
21 issued and was sent to another station where they
22 would go through the process of canceling any
23 absentee ballots.

24 Beverly Ragsdale was working at that
25 station. She'd been working in the Dawson County

1 elections office as a temporary part-time
2 starting in March 2020 and then became a poll
3 worker during the advanced voting period in
4 September. She -- I spoke to her and she
5 explained procedure was to check ENet. If the
6 absentee ballot had not been returned, then have
7 the voter complete the affidavit, cancel the
8 outstanding ballot, and allow the person to vote
9 in person.

10 On December 31st, there were 834 in-person
11 advanced voters. So Ms. Ragsdale, you know, when
12 the investigator spoke to her in -- I believe it
13 was October of this year, she does not have any
14 independent recollection, you know, of this
15 specific event or why she would not have seen in
16 ENet that a vote had already -- an absentee
17 ballot had already been returned on
18 December 10th.

19 Ms. Cho did sign the affidavit, stating that
20 she had not received her ballot and had not
21 returned a ballot and requested the new ballot,
22 allowing her to vote in person. And
23 Ms. Ragsdale, you know, gave her the card and
24 allowed her to vote.

25 Staff did -- other staff in the office did

1 realize approximately 15 minutes later as the
2 system was updating. At that point, it was too
3 late. Staff spoke to Ms. Cho about the
4 double-voting. Ms. Cho was adamant that she had
5 not returned that absentee ballot.

6 Again there was another incident in the
7 general election with an absentee ballot Ms. Cho
8 had canceled, one ballot that she had not
9 received. Or she said that she had not received
10 and requested a new one to -- at her New York
11 address. Both were returned, although one had
12 already been canceled. So that did not count.

13 Glenda Ferguson, she is on the phone and
14 available for questions. She is the director for
15 Dawson County and has been with Dawson since
16 2003. This is the first time any matter has --
17 in Dawson County that she is aware of since she
18 has been there that has come before the state
19 elections board.

20 She acknowledges, you know, that somewhere
21 an -- you know, an error occurred, that it
22 should've been caught and, you know, to have
23 Ms. Cho aware that her ballot -- absentee ballot
24 had been returned already so that she could not
25 vote again.

1 Ms. Ferguson did try to research it later,
2 when the investigation came up, in ENet, but the
3 voters moved counties. So she could -- she could
4 no longer access the record.

5 Ms. Ragsdale has no plans at this time to
6 continue work as a poll worker. You know, it
7 appears there may be potential fraud by a
8 third-party as Ms. Cho, you know, denies having
9 returned those absentee ballots, both in the
10 general and in runoff elections. So we do hope
11 that that is being investigated by the secretary
12 of state's office.

13 If the board does find there's sufficient
14 evidence that a violation by staff occurred, we
15 would ask that the board recognize the exemplary
16 history of Dawson County, you know, not having
17 been before this board in at least 20 years and
18 issue a letter of instruction.

19 **MS. SULLIVAN:** Do any of the board members
20 have any questions for Ms. Pachuta or
21 Ms. Ferguson?

22 What is the pleasure of the board?

23 **MR. MASHBURN:** I think it's admitted that
24 two ballots got issued in the name of the same
25 voter; right? The question is whether or not it

1 was the same person or some unknown third-party
2 who got the second ballot. But it's unquestioned
3 that two ballots got issued in the same name;
4 right?

5 **MS. SULLIVAN:** That appears to be correct.

6 **MR. MASHBURN:** So that would be -- that
7 would be an error on the part of the county for
8 which sufficient probable cause exists to send
9 this to the attorney general's office.

10 I'd make a motion to refer this to the A.G.

11 **MS. SULLIVAN:** I'll second that motion.

12 Is there any further discussion?

13 All in favor, please say aye.

14 **THE BOARD MEMBERS:** Aye.

15 **MS. SULLIVAN:** And there are none opposed.

16 That motion passes.

17 I noticed that Ms. Cho is not cited as a
18 respondent here, but it appears that she may have
19 voted twice in this election. So I would ask
20 that the board go back and -- I mean the
21 investigations team go back and look to see if we
22 have a -- a potential violation there.

23 **MR. CALLAWAY:** Yes, ma'am.

24 **MS. SULLIVAN:** Thank you.

25 The next case on our agenda is SEB 2020-109.

1 **MS. JONES:** On December 28, 2020, we
2 received a complaint regarding a food truck at
3 Northside Library, a poll location located at
4 3295 Northside Parkway, Northwest, Atlanta,
5 Fulton County, Georgia.

6 The food truck personnel were giving out
7 free food items. This occurred during early
8 voting for the special runoff election,
9 January 5, 2021.

10 The investigation revealed the investigator
11 went to the location and measured the distance
12 from the edge of the library to the food truck.
13 The distance was 92 feet.

14 The first person associated with the food
15 truck identified himself as Mark and advised that
16 if a person voted, they can get free hot
17 chocolate, coffee, or doughnuts.

18 The second person, a Mr. Schamerhorn,
19 advised that a person did not have to vote to get
20 the free items. They were trying to get as many
21 people to vote as possible.

22 The off-duty officer at the poll location
23 verified the food truck staff had consulted with
24 poll workers about where to set up. They were in
25 the parking lot originally and had to move as

1 they were taking up too many parking spaces. The
2 officer advised he did not observe anything he
3 felt was campaigning at the food truck.

4 The poll manager advised that he did not
5 observe anything that he felt was campaigning or
6 a violation by the food truck.

7 **MR. CALLAWAY:** The recommendation is as
8 follows: Travis Evan Schamerhorn be referred to
9 the attorney general's office for O.C.G.A.
10 21-2-570 in that he did, while working as an
11 employee on a food truck, parked in an
12 (indiscernible) polling location while providing
13 food and beverage, items of value to voters and
14 campaigning by soliciting individuals to text
15 three friends now and posting on the food truck
16 along with other links to campaign.

17 **MS. SULLIVAN:** And we have no one here to
18 address the board.

19 Do the board members have any questions for
20 Mr. Callaway?

21 Motion -- go ahead, Mr. Mashburn.

22 **MR. MASHBURN:** I mean, it strikes me as
23 campaigning. I mean, this strikes me as
24 campaigning and it's within a hundred and fifty
25 feet. So I think that probable cause exists to

1 believe a violation has occurred.

2 I move to forward it to the attorney
3 general's office.

4 **MS. SULLIVAN:** I'll second that motion.

5 Is there any further discussion?

6 All in favor, please say aye.

7 **THE BOARD MEMBERS:** Aye.

8 **MS. SULLIVAN:** And there are none opposed.

9 That motion passes.

10 At this time, let's take a ten-minute break.
11 2:40, we'll come back at 2:50, promptly.

12 (Break taken)

13 **MS. SULLIVAN:** Okay, we are back and we are
14 starting with 2021-26.

15 **MR. CALLAWAY:** This has civil allegations in
16 the case file. In January 2021, it was reported
17 that the individuals were showing as registered
18 to vote at UPS stores in Fulton County.

19 The investigation revealed in Allegation 1
20 Frederick Corey Prevost owns property in Mineral
21 Bluff, it appears. He has family at the address
22 that he had his absentee ballot mailed to in
23 Vermont.

24 According to ElectionNet, he had registered
25 at a UPS store mailbox in Alpharetta, Georgia.

1 The Vermont SOS voter registration records were
2 checked and he was found not to be registered in
3 that state.

4 The investigator interviewed Mr. Prevost who
5 advised that he was in Vermont, visiting his
6 mother over the holidays. He advised that he
7 lives at 775 Georgetown Chase in Roswell with his
8 daughter. And she's the respondent in Allegation
9 Number 2.

10 He advised that he consist -- constantly
11 travels, so he uses the UPS store mailbox as his
12 mailing address. He advised that the property he
13 owns in Mineral Bluff, Georgia is property that
14 he rents out to others. He additionally advised
15 that his daughter was visiting her sister in
16 North Carolina and had her absentee ballot sent
17 there.

18 Investigation confirmed that these two
19 addresses, home address and P.O. boxes addresses,
20 are not the same as the voting precinct.

21 Allegation Number 2, investigations
22 interviewed Julia Prevost who advised that she
23 uses the UPS store mailbox as her mailing
24 address. She advised that she lives with her
25 father at 7775 Georgetown Chase, Roswell, Georgia

1 of State to confirm this information and noted
2 that the California absentee ballot was not
3 return and counted. All contact attempts for the
4 respondent have been met with negative results.

5 Recommendations are as follows: In
6 Allegation 1, Frederick Corey Prevost be bound
7 over to the state attorney general's office for
8 O.C.G.A. 21-2-217(a) (1), rules for determining
9 residency.

10 Allegation Number 2, Julia Prevost be bound
11 over to the attorney general's office for
12 O.C.G.A. 21-2-217(a) (1), rules for determining
13 residency.

14 Allegation Number 3, Terica Kindred be bound
15 over to the state attorney general's office for
16 O.C.G.A. 21-2-561, false registration; O.C.G.A.
17 21-2-573, absentee voting by unqualified
18 electors, two counts; O.C.G.A. 21-2-217, the
19 residence of any person shall be held to be that
20 place in which such person's habitation is fixed
21 without any present intention of removing
22 themselves therefrom.

23 She violated this law by failing to register
24 at her new address within the same county that
25 she moved to approximately two years ago. She

1 and was visiting her sister in North Carolina
2 where she had the absentee ballot sent.

3 The investigation confirmed that the two
4 addresses, home address and P.O. box address, are
5 not in the same voting precinct.

6 Allegation Number 3, Terica Kindred
7 possessed a UPS store mailbox. She has a recent
8 address history at the address where the absentee
9 ballot was sent, which is 1811 West 43rd Place,
10 Los Angeles, California. It was also noted that
11 she has a driver's license out of California
12 which shows the same address.

13 A check with the California secretary of
14 state's voter registration records shows that
15 Ms. Kindred is registered to vote in California
16 and had a California absentee ballot sent to the
17 same address that her Georgia absentee ballot was
18 sent to for the same election 11/3/2020. The
19 California absentee ballot was issued on
20 10/5/2020. The Georgia absentee ballot for that
21 11/3/2020 general election and the 1/5/2021
22 runoff election were accepted.

23 It should also be noted that she renewed her
24 Georgia voter registration on 10/19/2020.
25 Investigations contacted the California Secretary

1 then requested to vote an absentee ballot using
2 that old address.

3 **MS. SULLIVAN:** Thank you.

4 I believe we have a couple of people here
5 who would like to address the board.

6 **MR. NORTEN:** Frederick and/or Julia
7 Prevost. You may --

8 **MR. PREVOST:** Hi. It's Frederick Corey
9 Prevost. You have my name spelled wrong, by the
10 way. There's an "e" between the "d" and the "r."

11 I am temporarily living in Roswell but my
12 legal address is that UPS store on Crabapple
13 Road. The -- it's my -- it's on my driver's
14 license. It's on my passport. It's on
15 everything legal that I was told I was allowed to
16 use that address.

17 So I don't know what else to tell you. I --
18 I'm not voter fraud. I'm not doing anything
19 illegal. I find it --

20 And I don't know who this Terica -- this
21 third name on -- on there. Julia is my daughter,
22 obviously. She lives with me, while, though, she
23 has moved now to Seattle, Washington. She'll be
24 no longer voting in Georgia at all.

25 But the -- the 12460 Crabapple Road is my

1 legal address. And -- and for the sake of
2 getting license plates and driver's license
3 and -- and tickets or any legal correspondence,
4 it goes to my P.O. box so it doesn't get lost or
5 stolen.

6 I had an absentee ballot mailed to me while
7 I was up in Vermont, taking care of my parents,
8 but that was a temporary trip and happened to be
9 during the election. And I am back in Georgia
10 right now, in Roswell.

11 **MS. SULLIVAN:** So, Mr. Prevost, you -- you
12 live in Roswell; correct?

13 **MR. PREVOST:** I do. I'm -- I'm in -- I'm at
14 the Georgetown Chase address 80 percent of the
15 time. I do own property up in Mineral Bluff,
16 Georgia, but it is a rental property and I don't
17 have anything mailed there for obvious reasons.
18 I don't want anyone getting my legal stuff or my
19 credit card bills or anything else up there. But
20 I live in Roswell with my girlfriend.

21 **MS. SULLIVAN:** And I think the reason that
22 you've been cited in this case is because under
23 O.C.G.A. 21-2-217(a)(1), your residence is the
24 place where you live, not -- and cannot be a UPS
25 box.

1 **MR. PREVOST:** It's probably -- it's
2 closer -- definitely closer to the mailbox for
3 sure. The -- the mailbox is at the Kroger -- the
4 Kroger Crabapple Shopping Center at Rucker and
5 Crabapple. And the -- yeah, I would say the
6 Milton Public Library is probably a mile and a
7 half up the road through two traffic circles.

8 **MR. MASHBURN:** So that -- go ahead. Go
9 ahead.

10 **MS. GHAZAL:** Mr. Prevost, can you confirm
11 with me that the Roswell address is in Fulton
12 County?

13 **MR. PREVOST:** It's definitely in Fulton
14 County. It's two blocks off of Canton Street in
15 Roswell, Georgia.

16 **MS. GHAZAL:** So the residence and the -- and
17 the registered address are both in Fulton County.

18 **MR. PREVOST:** That's correct. And I'm
19 assuming because my legal address is in
20 Alpharetta that you guys want me voting in the
21 Alpharetta district. So, you know, I -- I go out
22 of my way to not vote in Roswell elections or any
23 of that stuff because of I'm not registered
24 there. And I've never voted in any other state
25 in the last 30 years.

1 **MR. PREVOST:** Okay. Well, I don't -- I
2 don't see that as being something that needs to
3 be referred to the attorney general. I mean, I
4 was told I could use that as my legal address for
5 everything. Like I said, it's on my passport,
6 driver's license, tax returns, everything. I pay
7 taxes in the state of Georgia and that's where
8 everything goes.

9 So I'd be happy to change it to my Roswell
10 address if necessary, but the reason why I do
11 that is it's -- it's a girlfriend situation. And
12 quite honestly, I'm not sure how permanent that
13 would be either. And I don't want to change my
14 address every time. So I -- I've been using that
15 12460 address for 15 years.

16 **MR. MASHBURN:** When -- this is Matt
17 Mashburn. When you vote in person, where do you
18 go?

19 **MR. PREVOST:** The precinct is usually the
20 elementary school on -- I don't -- I want to say
21 Providence Road, but it's near the CVS and it's
22 been at the Milton Public Library a couple of
23 times as well.

24 **MR. MASHBURN:** So is -- is that closer to
25 where you live or is that closer to your mailbox?

1 **MR. MASHBURN:** Right. So we want -- so we
2 want you to be voting for, like, a -- a local
3 commissioner or a local school board where you
4 live rather than where your mailbox is. That's
5 the whole purpose.

6 **MR. PREVOST:** I -- I understand that. I
7 understand that now, obviously, because, like I
8 said, I was told that the -- the P.O. box can be
9 my legal address. But truth be said, you know, I
10 don't know if -- I'm not trying to be a naysayer
11 and negative about my personal relationships, but
12 we're both extremely independent people and I
13 didn't want, you know -- something should happen
14 to us, I didn't want mail continuing going there
15 or whatever. But I would be happy to register at
16 my Mineral Bluff address. That's fine.

17 **MR. MASHBURN:** Well, I think -- I think I
18 agree with you that I don't see a purpose in --
19 in you going to the attorney general's office
20 over -- over your dating situation. So --

21 **MR. PREVOST:** Love is a crime sometimes,
22 but, yeah.

23 **MR. MASHBURN:** So I -- I'm willing to -- I'm
24 willing to -- to issue a letter of instruction
25 now that we're clear on the reason why the

1 statute is in place is to make sure that the
2 local government is responsive to the people who
3 live there.

4 **MR. PREVOST:** Makes sense.

5 **MR. MASHBURN:** And so I'm willing to -- in
6 your case, I'm willing to move for a letter of
7 instruction.

8 **MR. PREVOST:** Would that suitable for my
9 daughter as well? Because she was under the same
10 instructions, mostly by her father.

11 **MR. MASHBURN:** I think that's what Sara
12 said.

13 **MS. GHAZAL:** Yep, exactly. A friendly
14 amendment.

15 **MR. PREVOST:** I don't know who that third
16 person you mentioned, Terica -- I have no idea
17 who that is. Why is that tied to -- to my case
18 at all?

19 **MR. MASHBURN:** Y'all were probably in the
20 same location, I -- where your mailboxes are
21 probably in the same location.

22 **MR. PREVOST:** Oh, okay. Okay. I -- because
23 I don't know that person at all. I don't know if
24 it's the same -- I don't know if it was a
25 previous box holder of the same one or just the

1 **MS. SULLIVAN:** Ms. Kindred, you may speak.
2 Thank you.

3 **MS. KINDRED:** Hello. Can everyone hear me?
4 Hello?

5 **MS. SULLIVAN:** Yes.

6 **MS. KINDRED:** Okay, perfect. So my name is
7 Terica. I was born in Los Angeles, California.
8 When I turned 18, I registered to vote in
9 California, but I haven't voted since the 2008
10 general election.

11 It was stated in the findings that I'm a
12 current California citizen with a current
13 California driver's license. And that finding is
14 incorrect.

15 At the end of 2010, I moved out to Atlanta.
16 I bought a car in 2011 and I surrendered my
17 California driver's license in 2011. And I
18 haven't renewed another license in California
19 since. And I do have documentation from the
20 department of motor vehicles, proving this fact.
21 And I got that on November 29, 2021.

22 Currently, I hold an active Georgia real
23 estate brokers license. I'm a Georgia -- I have
24 a Georgia lenders license. During 2020, I even
25 had a W-2 position at a local mortgage bank in

1 same address in the same suite.

2 **MS. SULLIVAN:** It's unrelated. It's
3 unrelated to you, sir.

4 **MR. PREVOST:** Okay. Okay.

5 **MS. SULLIVAN:** So we have a motion that's
6 been amended to issue a letter of instruction to
7 Mr. Frederick and Miss Julia Prevost.

8 **MS. LE:** Second.

9 **MS. SULLIVAN:** And a second. Any further
10 discussion?

11 Well -- okay, well, while that motion is
12 pending, we have some more people that need to
13 speak. Who -- who else wants to speak?

14 **MR. NORTHEN:** Ms. Kindred.

15 **MS. SULLIVAN:** Okay. So we will take
16 Ms. Kindred -- we'll go ahead and vote on this
17 case and we'll take Ms. Kindred's complaint next.

18 So was there any further discussion? All in
19 favor, please say aye.

20 **THE BOARD MEMBERS:** Aye.

21 **MS. SULLIVAN:** There's none opposed. That
22 motion passes.

23 Now we will hear from Ms. Kindred and
24 address the allegations with respect to her.

25 **MR. PREVOST:** Thank you, all.

1 Suwanee. I have over 20 full-time real estate
2 agents working for my real estate brokerage and a
3 host of independent contractors for my
4 development company. So I'm not a current
5 California citizen and I do not have an active
6 California license.

7 It was also stated that I renewed my voter
8 registration and received an absentee ballot from
9 California and then requested an absentee ballot
10 from Georgia. In 2013, I got a UPS store to
11 receive packages and also to keep a stable
12 address. I also worked with the public and I
13 didn't want them to have my address for safety
14 concerns and privacy. So I registered to vote
15 with that address in 2016.

16 The state of Georgia didn't communicate with
17 the state of California regarding my new voting
18 registration. So as of today, my initial
19 California voting registration for almost 20
20 years ago is still active even though I haven't
21 casted a ballot in California for over ten years.

22 I did receive an absentee ballot in 2020
23 from the state of California because they were
24 part of a handful of states that sent absentee
25 ballots to all active registered voters during

1 COVID-19. I didn't request that ballot nor did I
2 use it.

3 When I renewed my Georgia driver's license
4 in 2020, my registration to vote was also renewed
5 through DDS. And I use my UPS store address on
6 my driver's license and it's also the same as my
7 initial registration. So I kept everything the
8 same.

9 In 2020, I did go to 1811 West 43rd Place.
10 That's my mother's house. It's been her home for
11 over 40 years. I was in L.A. so we could help
12 each other during COVID. I was not able to
13 attend the election in person due to the pandemic
14 and shelter-in-place. So I requested an absentee
15 ballot. I received that ballot at my mom's
16 house, which I was temporarily located at the
17 time.

18 So I'm humbly asking the state election
19 board to know it was never my intention to
20 falsely register in 2016 with the UPS store
21 address. I didn't understand the law. I didn't
22 know that I was doing something wrong. It's the
23 address I literally use for everything important
24 in my life. My current driver's license is the
25 same. And so I used it to register as well.

1 in their database. You can Google it.

2 **MR. MASHBURN:** I don't think it's your fault
3 that California did something absolutely insane.

4 **MS. KINDRED:** Got it, yeah.

5 **MS. LE:** Did you --

6 **MS. KINDRED:** I mean, I didn't know why I
7 got it. I actually called them and they said
8 they were part of a -- COVID-19.

9 **MR. MASHBURN:** So I -- I move to dismiss it.

10 **MS. LE:** This -- this is Anh Le. I have a
11 question. Did you notify California --

12 **MS. KINDRED:** One time --

13 **MS. LE:** -- of your Georgia residency?

14 **MS. KINDRED:** So I thought when I
15 surrendered my license -- I thought that was done
16 with California ten years ago, 2011. And then
17 when I got the inspection -- or when I got you
18 guys's letter, I called the department of motor
19 vehicles because when they said I had an active
20 California license, I was like, okay, identity
21 fraud.

22 So when I called them, they confirmed that I
23 did not have an active license. And I still have
24 the old expired one from 2011. But I didn't know
25 I -- I've been filing taxes for ten years, you

1 So I'm asking for the case to be dismissed
2 or a letter of instruction to be issued to change
3 the address from my -- from the UPS store to
4 another address.

5 **MR. MASHBURN:** Okay. This is Matt Mashburn.

6 So the state of California sent you a live
7 ballot that you didn't ask for?

8 **MS. KINDRED:** Correct.

9 **MR. MASHBURN:** Right?

10 **MS. KINDRED:** Correct.

11 **MR. MASHBURN:** While you were a Georgia
12 resident; right?

13 **MS. KINDRED:** Correct.

14 **MR. MASHBURN:** So California's mailing live
15 ballots out to Georgia residents so they can vote
16 in California; right?

17 **MS. KINDRED:** California is mailing out
18 ballots to all active voters. If you go on the
19 secretary website for the state of California, I
20 am seen as an active voter -- I'm seen as an
21 active registration. I never -- I -- it
22 didn't -- didn't change.

23 When I registered to vote in 2016, nothing
24 changed in California. But they sent out ballots
25 to every active voter, like every active person

1 know, in Georgia. I didn't know -- I thought it
2 was automatic that I was now a Georgia resident.

3 I didn't know -- I don't -- I didn't know
4 what to say to California. I don't even know who
5 to contact.

6 **MS. LE:** Okay.

7 **MS. GHAZAL:** Mashburn, is your -- is your --

8 **MS. SULLIVAN:** I'll recog -- I'll recognize
9 you for a motion at it -- I did not recognize you
10 for your previous motion, if you would like to
11 make a motion.

12 **MR. MASHBURN:** I'm -- I'm interested in the
13 other comments of the board. But I just don't --
14 I don't see it's her fault that California did
15 something that was nuts.

16 **MS. GHAZAL:** I'm surprised that California
17 hasn't updated their voter list on a regular
18 basis. But that's not our jurisdiction nor our
19 law.

20 **MS. LE:** I -- I would suggest that some of
21 our colleagues down at the secretary of state's
22 office perhaps reach out to colleagues in
23 California and suggest that they -- they join
24 ERIC.

25 **MR. MASHBURN:** Agreed. Agreed.

1 **MS. GHAZAL:** As a -- as a measure here, the
2 only violation that I see is a technical
3 violation of registering at a -- a UPS store
4 rather than a physical residence.

5 **MR. MASHBURN:** Yeah.

6 **MS. GHAZAL:** And I think in that -- for that
7 case, I move that we issue a letter of
8 instruction.

9 **MR. MASHBURN:** You're right, yeah. That's
10 right, yeah.

11 **MS. SULLIVAN:** I'll second that motion.

12 **MR. MASHBURN:** That's right.

13 **MS. SULLIVAN:** Is there any further
14 discussion?

15 All in favor, please say aye.

16 **THE BOARD MEMBERS:** Aye.

17 **MS. SULLIVAN:** Any opposed? None opposed
18 and that motion passes.

19 Thank you for being here.

20 The next case is 2021-61, Cherokee County.

21 **MR. CALLAWAY:** On February 12, 2021, in the
22 Georgia Secretary of State's Office of
23 Investigations, I received an e-mail from Anne
24 Dover, director of the Cherokee County Elections
25 and Voter Registration, advising that Howard

1 contained a copy of the nonfelon affidavit signed
2 by Howard Bryant, Jr., absentee ballot envelope,
3 and signed oath, as well as ENet information for
4 Howard Bryant, Jr.

5 A complaint dated February 11, 2021 was
6 received via mail and online from Janette K.
7 Lawrence. According to the complainant, she had
8 requested an absentee ballot for the January 5th
9 general runoff election and received a ballot but
10 ruined it. The complainant had marked both
11 candidates for one senate seat and no mark for
12 the second senate seat.

13 The complainant said that she followed the
14 directions and wrote "spoiled" on both the ballot
15 and the ballot envelope and returned it to the
16 county elections office. When the complainant
17 later checked the status of her ballot online, it
18 was listed as received and accepted according to
19 BallotTrax. Her ballot was accepted and her vote
20 had been counted. A letter was also sent to
21 Cherokee County elections office.

22 Complainant also stated -- the complaint
23 also contained the e-mail confirmation reporting
24 the incident to the secretary of state's office,
25 BallotTrax registration, BallotTrax notification

1 William Bryant, Jr., who was on felony status,
2 registered to vote on November 2020, using online
3 voter registration portal.

4 Howard Bryant, Jr. was issued an absentee
5 ballot on December 1, 2020, placing a challenge
6 to voter status on December 18, 2020 and deleted
7 as a felon on January 28, 2021. Howard Bryant,
8 Jr. was mailed a letter stating: Your right to
9 vote has been challenged. And given time to
10 prove their status prior to being deleted, the
11 absentee ballot was received by the Gwinnett
12 County elections office on December 20, 2020 and
13 received by Cherokee County on December 28, 2020.

14 Anne Dover stated that she assumed that an
15 employee in their office checking in ballots saw
16 that Howard Bryant, Jr. was a -- a challenge
17 voter, changed challenge voter status, and sent
18 him a nonfelon affidavit.

19 Howard Bryant, Jr. completed and signed the
20 nonfelon affidavit which was received on
21 January 5, 2021. The ballot was not counted and
22 the local state probation office was contacted to
23 verify Howard Bryant, Jr.'s felony status.

24 According to probation, Howard Bryant, Jr.
25 was serving two felony convictions. The e-mail

1 that her ballot had been accepted.

2 On January 2, 2021, a complaint was received
3 by the secretary of state's office from Terence
4 Brown. According to Brown, he requested an
5 absentee ballot to be sent to his apartment in
6 Washington D.C. as he is student -- as he is a
7 student and away from his home. The ballot
8 request -- requested was sent to his home address
9 in Georgia and at the time he was unable to
10 travel back to Georgia to vote in person.

11 On February 25, 2021, a complaint was
12 received by the secretary of state's office from
13 Gino Rizzi (ph). According to Rizzi, he had seen
14 physical proof of a former classmate's -- and now
15 resides -- now is a resident of Houston, Texas
16 area post on her Facebook of her flying to
17 Atlanta at the end of October to vote in the
18 Georgia general election in November and
19 returning back to Houston for several days after
20 the election.

21 The investigation revealed Howard William
22 Bryant, Jr. had been on active felony probation
23 with the Georgia Department of Community
24 Supervision with his most recent sentence date of
25 July 27, 2018 for possession of a firearm by a

1 convicted felon and sentenced to four years on
2 probation.

3 On November 18, 2020, Howard William Bryant,
4 Jr. registered to vote through the online
5 registration portal.

6 On December 1, 2020, Howard William Bryant,
7 Jr. was issued an absentee ballot and placed into
8 a challenge voter status on December 18th and
9 mailed a letter from the Cherokee County
10 elections office advising him of his status.

11 On December 28, 2020, Cherokee County
12 elections office received a ballot for Howard
13 William Bryant, Jr. in which he signed the oath
14 section.

15 On January 4, 2021, Howard William Bryant,
16 Jr. went to Cherokee County elections office and
17 signed a nonfelon affidavit, confirming he was
18 not currently serving a felony sentence.
19 Cherokee County elections officer advised that
20 Howard William Bryant, Jr. was still on active
21 probation and his voted was not counted.

22 According to Howard William Bryant, Jr., he
23 had received numerous solicitations by mail and
24 phone and was under the impression that he was
25 eligible to vote. Howard William Bryant, Jr.

1 Daniel with the office of Tennessee Secretary of
2 State's Office advised a voter had been brought
3 to their attention of possibly voting in
4 Tennessee and Georgia.

5 The voter's name is Johnny Wilson and he may
6 have voted during the November 3, 2020 general
7 election in Tennessee and Georgia.

8 On March 31st, Brittany Daniel reported a
9 second voter was brought to their attention as
10 possibly voting in Tennessee and Georgia during
11 November 3, 2020 general election. The electors
12 name is Raison (ph) Heather Brooks, and she is a
13 registered voter in both Tennessee and Georgia.

14 The investigation revealed the Johnny Wilson
15 that resided in Georgia and the Johnny Wilson
16 that resided in Tennessee were two different
17 individuals. They shared the same date of birth,
18 first and the last name.

19 ENet in Georgia shows Raison Heather Brooks
20 voted in Georgia during the absent -- advanced
21 voting on October 16, 2020. Fulton County
22 searched all their applications for one requested
23 by Raison Heather Brooks but they were unable to
24 locate it.

25 Investigator reviewed Raison Heather Brooks

1 also stated that he never checked his
2 probation -- with his probation officer or anyone
3 within the Georgia Department of Corrections.

4 **MS. SULLIVAN:** Thank you.

5 No one has requested to speak on this case.

6 **MR. CALLAWAY:** The recommendations are for
7 Howard William Bryant, Jr., in Allegation 1,
8 dismiss allegations 2, 3, and 4.

9 And Allegation 1 bound over to the attorney
10 general's office for 21-2-573, absentee voting by
11 unqualified elector. Also O.C.G.A. 21-2-216(b),
12 qualifications of electors.

13 **MR. MASHBURN:** So there's three counts on
14 Complaint 1; right?

15 **MR. CALLAWAY:** That's correct.

16 **MR. MASHBURN:** All right. I move to send
17 all three to the attorney general.

18 **MS. SULLIVAN:** Second that motion.

19 Is there any further discussion?

20 All in favor, please say aye.

21 **THE BOARD MEMBERS:** Aye.

22 **MS. SULLIVAN:** There's none opposed. That
23 motion passes.

24 Next case is 2021-86.

25 **MR. CALLAWAY:** Executive assistant Brittany

1 and she reports she moved back to Tennessee as a
2 permanent resident in July of 2020. Ms. Brooks
3 denied voting in Georgia during the advanced
4 voting on October 16, 2020. Ms. Brooks advised
5 she would contact the Fulton County elections
6 office and cancel her registration in Georgia.

7 On July 14, 2021, investigators received a
8 statement from Ms. Brooks -- the officer provided
9 a statement from the office manager, DeeAnn (ph)
10 St. John. Ms. St. John reports Ms. Brooks was at
11 work on October 16, 2020 from eight in the
12 morning until five in the afternoon.

13 At this time, it cannot be sustained that
14 Raison Heather Brooks voted in Georgia during the
15 general election. Fulton County provided the
16 voters list for the October 16, 2020 and the
17 investigator did not find Raison Heather Brooks's
18 name on the list. It appears Fulton County
19 mistakenly gave Heather Brooks credit for voting
20 and she did not vote in Georgia.

21 Our recommendations are as follows: Fulton
22 County Board of Registration and Elections;
23 Richard Barron, elections supervisor; Ralph
24 Jones, chief registrar be bound over to the
25 attorney general's office for O.C.G.A.

1 21-2-215(i), main office of board of registrars;
2 business hours; registration cards and papers
3 when they failed to enter credit for voting to
4 the appropriate person and Raison Heather Brooks
5 was given credit in error.

6 **MS. SULLIVAN:** I believe we have some people
7 here to speak regarding this case.

8 **MR. NORTHEN:** David Lowman.

9 **MS. SULLIVAN:** Mr. Lowman, would you like to
10 speak?

11 **MR. LOWMAN:** Yes.

12 **MS. SULLIVAN:** Please go ahead.

13 **MR. LOWMAN:** Again, David Lowman with the
14 Office of the Fulton County Attorney.

15 Through research on the issue, Fulton County
16 Department of Elections has determined that the
17 advanced (indiscernible) advanced staff had been
18 trained on the correct procedure for the credit,
19 that the person that was involved in this
20 situation did not follow the correct procedure.
21 That person has been identified and has been
22 retrained on the correct procedure.

23 And in addition to this specific training,
24 more hands-on training for all advanced voting
25 staff has been given. And because there was this

1 dealing -- we found the same issue. So that --
2 that person was brought -- the complaint was
3 brought into that case and it turned out to be --
4 respondent turned out to be Fulton County.

5 **MS. SULLIVAN:** Understood. Thank you.

6 Do any of the board members have a question
7 for Mr. Lowman?

8 **MR. MASHBURN:** This is Matt Mashburn.

9 Am I getting this right? Somebody voted in
10 person in advanced voting as Ms. Brooks and
11 Ms. Brooks says it wasn't her? And we -- we
12 think that it's because somebody in the back
13 office just entered the wrong name? Or help me
14 out here.

15 **MS. SULLIVAN:** Mr. Lowman, are you able to
16 address that question?

17 **MR. NORTHEN:** Mr. Lowman --

18 **MR. LOWMAN:** Yes. It -- it's my
19 understanding that it was a data entry issue. It
20 was not that someone came down impersonating
21 another voter, but that the voter credit was
22 given to someone else in error, an entry of
23 credit for voting.

24 **MR. MASHBURN:** I move to refer this to the
25 A.G.'s office.

1 one count and this one issue, I would ask that in
2 light of the additional training and the changes
3 that have been made, that a letter of instruction
4 be issued on this -- in this case.

5 **MS. SULLIVAN:** I believe we have some other
6 people signed up to speak on this case.

7 **MR. NORTHEN:** Susan Rooks, you should be
8 able to speak by unmuting yourself.

9 **MS. SULLIVAN:** Ms. Rooks? Ms. Rooks, would
10 you like to speak regarding this case?
11 Ms. Rooks?

12 Is she unmuted?

13 **MR. NORTHEN:** She may unmute herself.

14 **MS. SULLIVAN:** If you unmute yourself, you
15 should be able to speak.

16 Is there anyone else signed up?

17 **MR. NORTHEN:** That's it.

18 **MS. SULLIVAN:** Ms. Rooks?

19 In our materials, this case is -- references
20 that the county and elector involved is Laurens
21 County. It references the certification in
22 Laurens County.

23 **MR. CALLAWAY:** That is correct. The reason
24 for that is it originated as a Laurens County
25 case and there was multiple complaints,

1 **MS. GHAZAL:** Second.

2 **MS. SULLIVAN:** We have a motion and a second
3 to accept the recommendation and refer this to
4 the attorney general's office.

5 Is there any further discussion?

6 All in favor, please say aye.

7 **THE BOARD MEMBERS:** Aye.

8 **MS. SULLIVAN:** And there are none opposed.
9 And the motion passes.

10 The next case is 2021-97.

11 **MR. CALLAWAY:** McIntosh County elections
12 director, Donna Gale, reported that when she went
13 to the clerk's office -- the clerk of superior
14 court's office to retrieve her absentee ballot
15 envelopes and cure affidavits, she learned that
16 apparently someone in the clerk's office had
17 (indiscernible) a shredding company to shred the
18 contents of one of her five boxes of the election
19 paperwork that had been stored there.

20 Documents she needed as well as other
21 documents were in the box that was erroneously
22 shredded. Donna properly placed her documents in
23 the clerk's office and the fault appears to
24 belong to someone in the clerk's office.

25 The investigation revealed an investigation

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1 into this complaint shows that McIntosh County
2 election office transferred five boxes of
3 election documents from the November 3, 2020
4 general election to the McIntosh County Clerk of
5 Court's office on December 7, 2020 for storage
6 purposes.
7 Election supervisor Gale went to the clerk's
8 office on March 23, 2021 to serve a court order
9 to make copies of all absentee ballot cure
10 affidavit forms and absentee ballot envelopes
11 that have had -- that had to have a cure
12 affidavit form to verify signatures that were
13 requested by the secretary of state's office.
14 Ms. Gale discovered that the documents that
15 were -- that were requested in one of the boxes
16 were mistakenly shredded while inside the clerk
17 of court's vault on February 19, 2021. The
18 shredding company was contacted by the clerk of
19 court's office to destroy the documents.
20 The lack of oversight by a clerk of court
21 employee resulted in the destruction of the
22 documents that could've been prevented if the
23 shredding process had been witnessed by the
24 employee to ensure the proper documents were
25 destroyed. Other documents in the box were also

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1 actually asked for that, based on one of our
2 investigations that was open.
3 **MR. MASHBURN:** Okay. So this -- so I make a
4 motion this go to the A.G.
5 **MS. SULLIVAN:** I'll second that motion.
6 Is there any further discussion?
7 All in favor, please say aye.
8 **THE BOARD MEMBERS:** Aye.
9 **MS. SULLIVAN:** There are none opposed. That
10 motion passes.
11 The next case is 2021-98.
12 **MR. CALLAWAY:** Troup County election office
13 reported that their office received voter
14 registration applications where the signatures of
15 the applicants were questionable. The
16 applications were submitted by a representative
17 of "The People's Agenda."
18 The investigation revealed -- the
19 investigation by "The People's Agenda" the
20 secretary of state identified Alexeev Harrison as
21 having submitted a voter registration application
22 for her mother Claire Harrison. Alexeev Harrison
23 admitted filling out and signing her mother's
24 name on a voter registration application
25 submitted to the Troup County elections office on

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1 destroyed. The clerk of court is at fault in
2 this matter.
3 The recommendations as follows: McIntosh
4 County superior court clerk's office; Cheryl
5 Harrison, clerk of superior court; Rebecca Todd,
6 deputy clerk of court be bound over to the
7 attorney general's office for O.C.G.A.
8 21-2-500(a), delivery of voting materials;
9 presentation to grand jury; and in certain case,
10 preservation and destruction; destruction of
11 unused ballots when on February 19, 2021 the
12 contents of a box containing election materials
13 from the November 3, 2020 election, McIntosh
14 County general election was mistakenly shredded
15 while in the custody of the McIntosh County Clerk
16 of Superior Court, one count.
17 **MS. SULLIVAN:** So it's my understanding that
18 there's people who were to speak on this case who
19 are no longer on this call.
20 Are there any questions for Mr. Callaway?
21 **MR. MASHBURN:** So a citizen was asking for
22 records or a court was asking for records that
23 they wanted to check on to verify something about
24 the election; correct?
25 **MR. CALLAWAY:** I believe it our office that

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1 March 11, 2021.
2 Alexeev Harrison said her mother is elderly
3 and she assisted in filling out her voter
4 registration application. Registered to Alexeev
5 Harrison mother -- Harrison's mother has been
6 registered -- been a registered Troup County
7 voter since 2008.
8 Claire Harrison had previously signed an
9 affidavit in Troup County election, attesting it
10 was not her signature on the application
11 submitted. An affidavit was signed by Claire
12 Harrison on March 25, 2021. Alexeev Harrison
13 admitted in a statement to investigators that she
14 filled out the voter registration application
15 form for her mother.
16 The investigation by "The People's Agenda"
17 and the secretary of state identified Pamela
18 Williams as having submitted a voter registration
19 application for Lily Brooks. Ms. Brooks, who was
20 already registered to vote in Troup County,
21 confirmed that Pamela Williams signed her vote --
22 voter registration application.
23 Ms. Brooks had previously signed an
24 affidavit for Troup County elections, attesting
25 that it was not her signature on the application

1 submitted. The affidavit was signed by Louise
2 Brooks on March 25, 2021.

3 Ms. Brooks informed the investigator that
4 Pamela Williams filled the form out due to
5 Ms. Brooks's change in residency. Louise Brooks
6 signed a brief statement acknowledging that
7 Pamela Williams filed her voter registration
8 application.

9 The recommendation is as follows: Alexeev
10 Harrison be bound over to the attorney general's
11 office for O.C.G.A. 21-2-562, fraudulent entries,
12 unlawful alteration or destruction of entries,
13 unlawful removal of documents, neglect or refusal
14 to deliver documents when she filled out a voter
15 registration application in the name of her
16 mother, Claire Harrison.

17 Alexeev Harrison admitted she filled out the
18 voter registration application for her sick and
19 elderly mother, Claire Harrison. Alexeev
20 Harrison alleged -- stated -- admitted to filling
21 out the recent voter registration application.

22 Pamela Williams be bound over to the
23 attorney general's office for O.C.G.A. 21-2-562,
24 fraudulent entries, unlawful alteration or
25 destruction of entries, unlawful removal of

1 Of the 40 suspected deceased voters, the
2 investigation confirmed two to be fraudulent.
3 The other 38 voters are either currently alive,
4 they cast their ballot prior to their death, or
5 their vote was a result of an election office
6 administrative error.

7 The allegations with actual violations are
8 as follows.

9 A vote was cast for deceased voter William
10 Nelson via absentee ballot during the Cherokee
11 County general 2020 election.

12 A vote was cast for deceased -- deceased
13 voter Leon Rowe via absentee ballot during the
14 Richmond County 2020 general election.

15 A vote was listed for deceased voter Mattie
16 McDaniel via absentee ballot during the Fulton
17 County 2020 general election. This was found to
18 be in error as a voter with a similar name
19 requested and voted a ballot but was listed in
20 the system for the deceased person.

21 A vote was cast for deceased voter Charles
22 Knight via absentee ballot during the Coweta
23 County 2020 general election.

24 Alleged that a vote was cast for a deceased
25 voter Steven Shaw via absentee ballot during the

1 documents, neglect or refusal to deliver
2 documents when she filled out a voter
3 registration application in the name of Louise
4 Brooks.

5 Louise Brooks was a registered voter in
6 Troup County and signed an affidavit, attesting
7 that she did not sign the recent applications to
8 present to the Troup County election office.
9 Louise Brooks confirmed Pamela Williams was the
10 author of the voter registration application.

11 **MS. SULLIVAN:** And we have no one here to
12 speak regarding this case.

13 **MR. MASHBURN:** Move to refer it to the
14 attorney general's office.

15 **MS. SULLIVAN:** I'll second that motion.

16 Is there any further discussion?

17 All in favor, please say aye.

18 **THE BOARD MEMBERS:** Aye.

19 **MS. SULLIVAN:** None opposed. That motion
20 passes.

21 Next case is 2021-110.

22 **MR. CALLAWAY:** In December of 2020, we
23 received a complaint regarding 40 possible
24 state-wide deceased voters during the 2020
25 general election.

1 Lowndes County 2020 general election. It was
2 later determined the county gave credit to the
3 incorrect Shaw who was deceased. The person
4 casting the ballot is the eligible voter and
5 alive.

6 In Allegation 1, a vote was cast for
7 deceased voter William Nelson via absentee
8 ballot. According to ENet, William Nelson was on
9 a roll -- a rollover list and he was
10 automatically issued an absentee ballot for the
11 Cherokee County 2020 general election. The
12 ballot was mailed to the address on record,
13 located at 321 Orchard Drive in Canton, Georgia
14 and returned to the election office on 9/24/2020.

15 On 1/2/21, the election office changed
16 Nelson's ENet profile from active to deceased.
17 According to Nelson's obituary, he died on
18 9/6/2020.

19 The investigators interviewed William's wife
20 Sharon Nelson. She stated that she assisted her
21 husband with signing his ballot and confirmed
22 that he died on 9/6/2020.

23 We informed her that her husband's ballot
24 was not mailed to him until 9/18, the first day
25 that ballots were allowed to be mailed. However,

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1 she insisted that he signed his ballot in the
2 hospital, prior to his death. She went on to say
3 that her husband was a Republican and that she
4 knew how he would've voted.

5 In Allegation 2, a vote was cast for
6 deceased voter Leon Rowe via absentee ballot
7 during the Richmond County 2020 general election.

8 According to ENet, on 9/22/2020, Leon Rowe
9 requested an absentee ballot for the Richmond
10 County 2020 general election. The ballot was
11 mailed to his address of record, located at
12 2508 Becket Court in Augusta and returned to the
13 election office on 10/2/2020.

14 On 1/21/21, the Richmond County election
15 office canceled Leon's voter registration and
16 listed him as deceased. Prior to 2020, Leon had
17 not participated in a Georgia election since
18 2012. According to Leon's obituary, he died on
19 12/2/2013. His mother, Alline Rowe also resides
20 at this address on record.

21 Upon review of Leon and Alline's signed oath
22 envelopes and other election records, the
23 handwriting on Leon's oath envelope is consistent
24 with Alline's handwriting. However, Alline is
25 currently deceased as well.

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1 record is 233 Donald Lamb Road in Moreland,
2 Georgia.

3 On 10/9/2020, Knight requested an absentee
4 ballot be mailed to 401 Justice Boulevard,
5 Griffin. The ballot was returned to the election
6 office on 11/2/20 and accepted. On 11/10/20, the
7 election office flagged Knight's ElectionNet
8 record as a convicted felon.

9 The investigation revealed that Knight is
10 currently alive but a convicted felon. According
11 to the Georgia Crime Information Center, Knight
12 has an active warrant for felony probation. His
13 current record indicated he was most recently
14 arrested by the Spalding County sheriff's office.

15 Allegation Number 5, deceased voter Steven
16 Shaw cast an absentee during the Lowndes County
17 2020 general election. According to ENet, Steven
18 Shaw was registered in Lowndes County on seven --
19 on 7/8/2011. His date of birth: 7/27/1980.
20 Address on record is 411 Pendleton Place,
21 Apartment 7, Valdosta, Georgia.

22 On 9/21/2020, he requested an absentee
23 ballot be mailed to P.O. Box 24 in Valdosta,
24 Georgia. Election associate R. Knight processed
25 the request. The ballot was returned to the

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1 In Allegation 3, a vote was listed for
2 deceased voter Mattie McDaniel, cast via absentee
3 ballot during the Fulton County 2020 general
4 election. On ENet, Mattie Mae McDaniel
5 registered to vote in Fulton County on 6/9/12.
6 Her date of birth is 8/13/1930. Her address of
7 record was 2141 Springdale Road, Apartment 42, in
8 Atlanta.

9 On 9/2/20, elections clerk S. Owens
10 processed a change of address for Mattie Mae,
11 based on mail-in application. Her new address
12 was 555 McDaniel Street, Apartment 42, Atlanta,
13 Georgia 30312.

14 The investigation revealed election clerk
15 Sonia Owens mistakenly processed Mattie Belle's
16 change of address under Mattie Mae's election
17 ENet account. As a result, Mattie Belle's
18 absentee ballot was issued to her under Mattie
19 Mae's account.

20 Allegation 4, it was alleged that a vote was
21 count -- cast for a deceased voter Charles Knight
22 via absentee ballot during the Coweta County 2020
23 general election. According to ENet, Mr. Charles
24 Knight registered in Coweta County on 9/29/2020.
25 The date of birth is 5/4/78. The address of

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1 election office on 2/16/21 and it was canceled.

2 On 2/16/21, the Lowndes County election
3 office canceled Shaw's voter registration and
4 listed him as deceased. According to Shaw's
5 obituary, he died 12/2015.

6 The original allegation is not substantiated
7 as the person who made the request is living.
8 However, there is -- sufficient evidence has
9 proved a Georgia election code violation occurred
10 when the county processed the request under the
11 incorrect name of a different Mr. Shaw that is
12 actually deceased.

13 The recommendations are as follows: Sharon
14 Nelson bound over to attorney's office for
15 O.C.G.A. 21-2-562, fraudulent entry when she
16 signed and returned an absentee ballot on behalf
17 of her deceased husband during Cherokee County
18 2020 general election.

19 Sonia Owens, Fulton County elections clerk
20 be bound over the attorney general's office for
21 O.C.G.A. 21-2-218(c), address change and
22 corrections, when she processed a change of
23 address under the wrong voter registration
24 record.

25 Charles Knight be bound over to the attorney

1 general's office for O.C.G.A. 21-2-561, false
2 registration, when he registered to vote in
3 Coweta County while serving a sentence for
4 felony -- for a felony pursuant to O.C.G.A.
5 21-2-216(b), O.C.G.A. 21-2-563 (sic), absentee
6 voting by unqualified elector, when he voted in
7 the Coweta County 2020 general election while
8 serving a sentence for a felony pursuant to
9 O.C.G.A. 21-2-216(b).

10 Rebekah Knight, Lowndes county elections
11 clerk, be bound over to the attorney general's
12 office for O.C.G.A. 21-2-381(b)(1), making of
13 application -- apply for absentee ballot, when
14 she issued an absentee ballot to a deceased voter
15 and not the correct requestor as placed on the
16 application without verifying all of the
17 information.

18 **MS. SULLIVAN:** Thank you.

19 I believe we have several people signed up
20 to speak.

21 **MR. NORTHEN:** We have Rebekah Knight and
22 Barry Bishop.

23 Rebekah Knight, you'll be able to talk.
24 Unmute yourself.

25 **MS. SULLIVAN:** Ms. Knight, you may go ahead.

1 And he had asked me if I had known anything
2 about this, and I told him I had no recollection
3 of it.

4 **MS. SULLIVAN:** Do any of the board members
5 have any questions for Ms. Knight?

6 Okay. And who else do we have here to
7 speak?

8 **MR. NORTHEN:** Barry -- Barry Bishop.

9 **MS. SULLIVAN:** Mr. Bishop, you may go ahead.

10 **MR. BISHOP:** Unmute I guess. Can you hear
11 me now?

12 **MS. SULLIVAN:** Yes, sir.

13 **MR. BISHOP:** Thank you. Madam Chairman,
14 I -- first of all, I'd like to say it's been a
15 real education for me to sit here all day and
16 listen to these cases. I guess no one is aware
17 of what's going on with the voter -- voter system
18 in Georgia, but it's a real education.

19 I represent Sharon Nelson who is the
20 74-year-old widow of William Nelson. The -- I've
21 heard the allegations and it's pretty much
22 accurate what's been described.

23 My client and her husband were on the
24 absentee roll to receive the absentee ballots for
25 the general election in September of two -- in

1 **MS. KNIGHT:** Hi. This is Rebekah Knight.

2 Can y'all hear me?

3 **MS. SULLIVAN:** Yes, we can.

4 **MS. KNIGHT:** Okay. I just wanted to inform
5 that -- that it's saying in the case that all of
6 this was discovered in February of 2021 and that
7 I was no longer there then. I was fired back in
8 November of 2020. And it says that the reason
9 for my termination was because of the improper
10 processing.

11 However, when I was fired, they told it was
12 because I was no longer -- that they no longer
13 required my assistance. And with it being all
14 being discovered in February, I was not informed
15 of it -- of this until I was -- until I got a
16 call in August by the investigator which is why I
17 don't recall any -- any of this.

18 **MS. SULLIVAN:** Thank you, Ms. Knight. You
19 have no memory of this situation.

20 **MS. KNIGHT:** No, ma'am. Because, like I
21 said, I was fired back in November of 2020 and
22 all of this was discovered in February of 2021.
23 And I wasn't informed until Aug -- of August of
24 2021 when the investigator gave me a call about
25 it.

1 2020 for November. He did pass away
2 September the 6th, I believe. She -- prior to
3 that he -- she and her husband had talked about
4 voting and how he was a staunch Republican and he
5 was going to vote Republican. And she says,
6 well, I'm going to cancel your ballot because
7 I'm -- I'm voting Democrat. So it was kind of a
8 joke between the two of them.

9 He died. She received the absentee ballots
10 and to carry out his wishes she sent both ballots
11 back in, both hers and his, with him voting
12 Republican and her voting Democrat. She now
13 realizes that was not the thing to do. She
14 shouldn't have done that, did not realize that it
15 was anything wrong other than she was carrying
16 out the wishes of her husband.

17 Later on, both of them did receive -- or she
18 received for herself and her husband the absentee
19 ballots for the runoff election. At that point,
20 she talked to her grandson who advised her, well,
21 my granddad's deceased, you need to send in your
22 ballot but not -- but not his. So she did that.
23 She sent in her absentee ballot for the runoff
24 election. She did not send in her husband's for
25 the runoff, based upon what her grandson had told

1 her was what she needed to do.
2 She didn't realize that she was violating
3 anything when she did this. She only thought she
4 was carrying out her husband's wishes. She's
5 obviously remorseful for this and realizes
6 that -- that it was a mistake. But she was under
7 a lot of emotional stress, medication, confusion,
8 and just did not do the right thing at the time
9 and didn't seek advice on what to do.

10 So we would request a dismissal of this
11 case.

12 **MR. MASHBURN:** Yeah. Can't -- this is Matt
13 Mashburn. I -- I appreciate your presentation.
14 I thought it was well done.

15 I can't see to dismiss. And the reason why
16 I can't see to dismiss is because of the damage
17 that this does to the belief of the other people
18 in the system that you really did have a dead
19 person vote in Georgia. And so that creates
20 damage throughout the system and people don't
21 believe the system because this happened.

22 Now, that being said, if it goes to the
23 attorney general, one of the things they're going
24 to do is enter a cease-and-desist order which
25 means she's not going to do it again. And I

1 Is there any further discussion?
2 All in favor of the motion, please vote by
3 saying aye.

4 **THE BOARD MEMBERS:** Aye.

5 **MS. SULLIVAN:** And all opposed, please say
6 nay.

7 **THE BOARD MEMBERS:** Nay.

8 **MS. SULLIVAN:** The motion is not going to
9 pass for lack of a majority.

10 **MR. MASHBURN:** Okay. So we have a -- we
11 have -- we have -- we must -- we must deal with
12 the case in some fashion. So the next -- I
13 can't -- I just can't see to dismiss it. So it
14 seems that the will of the board is deadlocked
15 at -- at doing something, but what is that
16 something?

17 So I think the attorney general can weigh
18 the appropriate aggravating and mitigating
19 circumstances and come to a just and proper
20 solution, based on the board's comments today.

21 So with that, I'll move to -- either allow
22 Anh Le to make a motion to send it to the
23 attorney general or I'll make the motion to send
24 it to the attorney general or second hers.
25 However ...

1 think she's properly instructed now that she's
2 not going to do it again.

3 So I can't see my way clear to dismiss it,
4 but I don't think sending it to the attorney
5 general is a good use of their resources or are
6 of benefit because I think she's remorseful. You
7 made a good presentation on her behalf.

8 So I'm going to move that a letter of
9 instruction be issued.

10 **MR. BISHOP:** I understand.

11 **MS. GHAZAL:** Second.

12 **MS. SULLIVAN:** We have a motion and a
13 second. Is there any further discussion?

14 **MS. LE:** I respect the motion and the
15 second. I will not support the motion. I think
16 there's a direct violation, albeit a mistake.
17 And voting rights are not assignable. And for
18 that reason --

19 Remorse is something we hear a lot and it's
20 something I really appreciate because sometimes
21 we do make these mistakes unknowingly. However,
22 the law is what it is and for that reason and
23 because of consistency with past cases, I will
24 not support the motion, respectfully.

25 **MS. SULLIVAN:** Thank you.

1 I'll make the motion to send it to the
2 attorney general.

3 **MS. LE:** I'll second that. This is Anh Le.

4 **MS. SULLIVAN:** Any further discussion?

5 All in favor, please say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MS. SULLIVAN:** And there are none opposed.

8 That motion passes. That deals with the
9 allegations regarding Ms. Nelson.

10 We also have recommendations -- the
11 remaining recommendations in this case.
12 Mr. Callaway, would you remind us.

13 **MR. CALLAWAY:** Yes. Charles Knight be bound
14 over to the attorney general's office for
15 O.C.G.A. 21-2-561, false registrations. He
16 registered to vote in Coweta County while serving
17 a sentence for felony punishment pursuant to
18 O.C.G.A. 21-2-216(b), O.C.G.A. 21-2-573, absentee
19 voting by unqualified elector, when he voted in
20 the Coweta County 2020 general election while
21 serving a sentence for a felony, pursuant to
22 O.G.C.A. 21-2-216(b).

23 **MR. MASHBURN:** It was -- it was believed
24 that he was deceased but he -- he was not
25 deceased but he was a felon.

1 **MR. CALLAWAY:** That's correct. The original
2 complaint was that he was deceased and the
3 investigation revealed he was alive but a
4 convicted felon under probation -- under
5 sentence.

6 **MR. MASHBURN:** I move that that be referred
7 to the attorney general.

8 **MS. SULLIVAN:** I'll second that.
9 Is there any further discussion?
10 All in favor, please say aye.

11 **THE BOARD MEMBERS:** Aye.

12 **MS. SULLIVAN:** None opposed. That motion
13 passes.

14 And then we have a last allegation regarding
15 Lowndes -- former Lowndes County election clerk
16 Ms. Knight.

17 **MR. CALLAWAY:** Rebekah Knight, Lowndes
18 County -- former Lowndes County elections clerk
19 bound over to the attorney general's office for
20 O.C.G.A. 21-2-381(b) (1), making of application
21 for absentee ballot, when she issued an absentee
22 ballot for a deceased voter, not the correct
23 requestor reflected on the application without
24 verifying all of the information.

25 **MS. SULLIVAN:** I believe that Ms. Knight is

1 still on the line.

2 Ms. Knight, do you work in elections at --
3 at all now?

4 **MS. KNIGHT:** No, ma'am.

5 **MS. SULLIVAN:** And do you have any intention
6 of working --

7 **MS. KNIGHT:** No, ma'am.

8 **MS. LE:** Because Ms. Knight is no longer in
9 elections, her actions taken during this time was
10 in the capacity of an elections representative, I
11 don't have facts here that support fraudulent
12 activities in her personal capacity but that
13 there is a technical violation for that reason.

14 I move to issue a letter of instruction if
15 that is the will of the board.

16 **MS. SULLIVAN:** I'll second that motion.

17 Is there any further discussion?
18 All in favor, please say aye.

19 **THE BOARD MEMBERS:** Aye.

20 **MS. SULLIVAN:** And there are none opposed.
21 That motion passes.

22 **MR. MASHBURN:** And before we move on, does
23 that complete this ...

24 **MS. SULLIVAN:** It does.

25 **MR. MASHBURN:** Before we move on, Madam

1 Chair, if I could make an inquiry.

2 Is this -- and this is probably a completely
3 unfair question for the investigator now, but
4 does this complete our dead voters? No, we still
5 have more?

6 **MR. CALLAWAY:** We've got a few more --

7 **MR. MASHBURN:** Okay.

8 **MR. CALLAWAY:** -- that we're looking into.

9 **MR. MASHBURN:** A handful? Ten? Twenty?

10 **MR. CALLAWAY:** There's a north and a south.
11 Macon and Atlanta are doing separate cases now,
12 as well, should -- should be wrapped up here by
13 the end of the month.

14 **MR. MASHBURN:** Okay. And if you had a
15 ballpark figure, is that unfair? Is that unfair?
16 Put you on the spot? Can you get us that number?

17 **MR. CALLAWAY:** I can get you that figure,
18 yes, sir.

19 **MR. MASHBURN:** Okay. Yeah. If you can get
20 us that number because we -- there's this
21 original allegation that there were 1200 dead
22 people that voted in Georgia. We found five that
23 were all voted by close family members and the
24 rest were either alive or felons or whatever.

25 So the soonest we can wrap that part up, I

1 think it would be helpful to the people's
2 confidence.

3 **MR. CALLAWAY:** Yes, sir.

4 **MR. MASHBURN:** Thank you.

5 **MS. SULLIVAN:** I will take this opportunity
6 to compliment the investigations division.

7 **MR. MASHBURN:** Yes.

8 **MS. SULLIVAN:** They have cleared a
9 tremendous backlog of cases --

10 **MR. MASHBURN:** Oh my gosh, yes.

11 **MS. SULLIVAN:** -- in the last couple of
12 years.

13 And we do thank you for all of -- all of
14 your hard, dedicated work to -- to get -- to
15 clear that backlog.

16 **MR. MASHBURN:** Agreed. Agreed.

17 **MS. SULLIVAN:** The case on the agenda is
18 2020-111.

19 **MS. JONES:** On 6/14/21, the Georgia Office
20 of Secretary of State's Investigation Division
21 initiated an investigation regarding the
22 collection of absentee ballots from drop boxes
23 during the Fulton County 2020 general election.

24 There was an allegations that the Fulton
25 County elections office failed to provide

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1 approximately 385 drop box -- ballot transfer
2 forms during the open records request which
3 represent undocumented chain-of-custody for
4 approximately 18,900 absentee ballots.

5 The investigation revealed in the initial
6 response to the news article, open records
7 request did not contain all the requested
8 records. The requested -- the records, sorry --
9 the records provided represented approximately
10 56,000 absentee ballots of the 78,000 reported to
11 be collected by Fulton County on the spreadsheet
12 included with the open records request.

13 The election official responsible for
14 preparing the files failed to save all of the
15 records to the flash drive that was provided to
16 the -- to the news agency. After being contacted
17 by the news agency in question about the
18 discrepancy, the election office conducted an
19 internal audit of the records and Fulton County
20 elections chief, Nadine Williams, created a flash
21 drive that contained all of the records they were
22 able to locate on 6/17/21.

23 On 6/22/21, the secretary of state's office
24 reviewed ballot transfer forms provided by
25 Williams. On 6/17/21, this review was able to

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1 video surveillance on the date of the missing
2 ballot transfer forms. Surveillance footage was
3 only available for three locations.

4 On 11/2, a review of this footage revealed
5 two couriers collecting ballots from each
6 location. Footage for the earlier dates were not
7 retained by Fulton County IT department.

8 Williams stated she contacted the managers of
9 each collection team and confirmed each team
10 consisted of two couriers and all ballot boxes
11 were checked daily.

12 On 7/8/21, investigations interviewed three
13 members of the absentee ballot collection team
14 and they were able to confirm the collection
15 process described by Williams as well as the
16 alternate process that resulted in two sets of
17 ballot transfer forms.

18 Recommendations are as follows:

19 Fulton County Board of Elections and
20 Registration; Richard Barron, elections
21 supervisor; and Nadine Williams, Fulton County
22 elections be bound over to the attorney general's
23 office for board rule 183-1-14-0.6-.14(10),
24 secure absentee ballot drop boxes, when the
25 election office was unable to produce 58 drop-box

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1 account for a total of 78,383. However, there
2 were still 58 missing ballot -- missing ballot
3 transfer forms. These forms accounted for 892
4 absentee ballots and 13 collection dates.

5 On 6/24/21, our investigation --
6 investigations conducted a follow-up interview
7 with Williams. Investigations requested that she
8 provide video surveillance for each date and
9 location that she was not able to provide a
10 ballot transfer form and where there appeared to
11 be only one courier documented on the ballot
12 transfer forms. Investigations also asked she
13 provide the names and contact information for
14 each of her couriers and their signed oaths.

15 On 6/30/21, Williams provided her list of
16 the absentee ballot collection teams and their
17 signed oaths and video surveillance from the
18 drop-box locations that were missing ballot
19 transfer forms. Of the 50 members of the
20 absentee ballot collection team, Williams
21 provided 40 signed oaths. The oaths were not
22 dated or notarized. She stated she cannot locate
23 the others.

24 Williams submitted a request to the Fulton
25 County technical operations manager to obtain

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1 ballot transfer forms for the 2020 general
2 election.

3 Ralph Jones, former chief registrar; Nadine
4 Williams, Fulton County be bound over to the
5 attorney general's office for O.C.G.A. 21-2-95,
6 form of manager's oath, when she failed to
7 maintain copies of oaths for each member of the
8 absentee ballot collection team.

9 Fulton County Board of Elections and
10 Registration; Richard Barron, Fulton County;
11 Nadine Williams, Fulton County be bound over to
12 the attorney general's office for board rule
13 183-1-14-0.6-.14(5), secure absentee ballot drop
14 boxes, when the election office failed to retain
15 absentee ballot drop-box surveillance video for
16 the 2020 general election.

17 **MS. SULLIVAN:** Mr. Lowman, would you like to
18 address this complaint?

19 **MR. LOWMAN:** Yes, I would. I believe -- I
20 believe I have Nadine Williams, chief of
21 elections, on the line who can speak to the
22 issues in this case.

23 **MS. SULLIVAN:** I don't -- she's not
24 available?

25 **MS. WILLIAMS:** Hello.

1 **MR. NORTHEN:** Ma'am, you should be able --
2 **MS. SULLIVAN:** Yes, Ms. Williams. You can
3 unmute yourself.
4 **MS. WILLIAMS:** Okay, I'm sorry. I -- I was
5 trying to unmute. Well, the report reads out of
6 the 1,035 absentee ballot transfer forms, 58 were
7 missing. Please be advised that -- that 35 of
8 those forms were located and provided to the SOS
9 around June 25th. Therefore, 23 forms were
10 misfiled.
11 Unfortunately during most of those dates,
12 the 23 missing transfer forms, which was
13 October 14th to October 20th, permanent
14 management staff and experienced temporary staff
15 were out of the office due to a COVID-19 outbreak
16 and temporary management unfortunately misfiled
17 the forms.
18 To avoid this occurrence in the future, we
19 have drafted standard operation procedures and
20 retrained all staff on proper filing of transfer
21 forms. We have also converted the SOS absentee
22 drop-box ballot form to a four-part carbon, so
23 for additional form tracking.
24 Regarding the oaths which were not properly
25 completed, we have retrained staff regarding the

1 been able to identify 78,383.
2 **MR. CALLAWAY:** Yes, sir.
3 **MR. MASHBURN:** Okay. And so the report was
4 that there was 56,000 missing. And then it was
5 down to 18,000 were missing. And so now we're
6 down to 892.
7 **MR. CALLAWAY:** Correct.
8 **MR. MASHBURN:** Okay.
9 **MS. SULLIVAN:** And, Ms. Williams, can I
10 confirm that while the ballot transfer forms may
11 not be identified, all of these ballots still
12 underwent the same process as every other
13 absentee ballot. So they underwent the signature
14 verification and they were checked in just like
15 any other absentee ballot; is that correct?
16 **MS. WILLIAMS:** Yes, that is correct.
17 And may I also state that the count -- and
18 I'm sorry I don't have that number in front of
19 me -- is less 800. I think it was 898. Because
20 we did find the 35 forms. So it's less than that
21 number for the absentee drop -- for the absentee
22 ballots that -- for the forms that match those
23 ballots.
24 But our log -- we had a daily log that we
25 kept that was not required. But we kept a log

1 completion of those forms and retention.
2 Regarding the video surveillance, because
3 our understanding per SEB 183-1-14-.8-.14, the
4 surveillance videos were to be kept 30 days
5 postelection date. Therefore our video storage
6 system was not programmed to retain video by the
7 date of this request which was approximately a
8 hundred and fifty days postelection date. But
9 any videos that were still available were
10 provided to the SOS.
11 And that completes my statement.
12 **MS. SULLIVAN:** Thank you, Ms. Williams.
13 Does Ms. Ghazal have a question?
14 **MS. GHAZAL:** No. I just wanted to thank
15 Ms. Williams for outlining all of the steps that
16 you have taken since then to provide back-up
17 systems. Thank you.
18 **MS. WILLIAMS:** Thank you.
19 **MR. MASHBURN:** This is Matt Mashburn. I
20 have a couple questions for the investigator.
21 So we started out with approximately 78,000
22 votes that were -- that were dropped in ballot
23 boxes; right?
24 **MR. CALLAWAY:** Yes, sir.
25 **MR. MASHBURN:** All right. And y'all have

1 that it was also posted on our website. And
2 those -- we can see the numbers that are on that
3 form -- I mean, that were -- that were -- that
4 were copied from their form. But unfortunately
5 the forms were misfiled.
6 But we have a log of what the count was for
7 each day that the form is missing.
8 **MR. MASHBURN:** So you -- you know what boxes
9 and what dates those 892 are -- were submitted;
10 right?
11 **MS. WILLIAMS:** It is -- yes. Yes. It's
12 less than 892 but we know the exact date, exact
13 box that -- of the missing form. Yes, we do.
14 **MR. MASHBURN:** And that's posted on your
15 website?
16 **MS. WILLIAMS:** We had it on our website at
17 the time. We had a spreadsheet that we kept for
18 full transparency of the -- how much we collected
19 every day from every drop box.
20 **MR. MASHBURN:** Thank you.
21 **MS. WILLIAMS:** You're welcome.
22 **MR. MASHBURN:** I appreciate the hard work
23 that the secretary of state's office has done on
24 this. This is a -- this is a very big issue,
25 both in Georgia and nationwide. So y'all's

1 investigation is really important and I
2 appreciate you doing it.

3 And I believe that the result of the
4 investigation does indicate a violation has
5 occurred. And so I move that it be recommended
6 to the attorney general's office.

7 But I appreciate your hard work. I
8 appreciate Fulton County's hard work in trying to
9 recover as much as they can and get as much as
10 they can.

11 But the video and the sheets were just
12 central pillars of allowing the drop boxes to
13 exist. And what they were supposed to do didn't
14 happen. So I do -- I do find a violation has
15 been shown with probable cause.

16 **MS. SULLIVAN:** Is that a motion?

17 **MR. MASHBURN:** Yes. I move to send it to
18 the attorney general's office.

19 **MS. SULLIVAN:** Is there a second?

20 **MS. LE:** This is Anh. I second it.

21 **MS. SULLIVAN:** Any further discussion?

22 All in favor, please say aye.

23 **THE BOARD MEMBERS:** Aye.

24 **MS. SULLIVAN:** There are none opposed. That
25 motion passes.

1 Tucker voted out of district on three separate
2 occasions, filling out and signing the
3 applications for absentee ballot and attesting to
4 the incorrect address for the August 11, 2020
5 general primary special election for the 5th
6 Congressional District, November 3, 2020 general
7 election, and the January 5, 2021 senate runoff.

8 Recommendations are as follows: That
9 Lewanna Tucker be bound over to the attorney
10 general's office for Georgia election code
11 21-2-562, fraudulent entries, unlawful alteration
12 or destruction of entries, unlawful removal of
13 documents, neglect or refusal to deliver
14 documents, when Lewanna Tucker used an address on
15 her August 11, 2020, November 3, 2020, and
16 January 5, 2021 applications for early advanced
17 in-person voting oaths which she no longer
18 resided, three counts; Georgia election code,
19 O.C.G.A. 21-2-218(f), cancellation of
20 registration in former state or county, address
21 changes or corrections, in that Lewanna Tucker
22 used an address on her August 11, 2020 general
23 primary runoff, November 3, 2020 general
24 election, and January 5, 2021 senate runoff
25 applications for early advanced in-person voting

1 The next case is 2021-130.

2 **MR. CALLAWAY:** On 9/9/21, secretary of state
3 investigation division received a complaint
4 regarding the residency status of Fulton County
5 voter Lewanna Tucker for the August 2020 general
6 primary runoff, the 2020 general election, and
7 2021 January 5th runoff elections.

8 The allegation is that Lewanna Tucker moved
9 prior to these elections and voted out of
10 district.

11 The investigation revealed Lewanna Tucker
12 did early advanced vote three separate times at
13 the Alpharetta Library. This was not her voting
14 precinct. She filled out the application for
15 advanced early voting by absentee, using her old
16 address and did not inform Fulton County
17 elections staff of her change of address when she
18 checked into the polls and filled out the
19 application on all three occasions.

20 She did not update her address to elections
21 until a year after she had moved. She did not
22 move -- She did this on June 24, 2021. She also
23 did not update her address on her license until
24 August 31, 2021.

25 The investigation revealed that Lewanna

1 oath in which she no longer resided, three
2 counts; O.C.G.A. 40-5-33, require change of
3 address or name, when she failed to update her
4 Georgia driver's license within 60 days as
5 required by law.

6 **MS. SULLIVAN:** Yes, Ms. Ghazal.

7 **MS. GHAZAL:** I recuse myself in this case.

8 **MS. SULLIVAN:** Okay. And there is no one
9 here to speak on this case.

10 I will make a motion that we accept the
11 recommendation.

12 **MR. MASHBURN:** Second.

13 **MS. SULLIVAN:** I've got a motion and a
14 second.

15 Any further discussion?

16 All in favor, please say aye?

17 **THE BOARD MEMBERS:** Aye.

18 **MS. SULLIVAN:** And there are none opposed.
19 And let the record reflect that Ms. Ghazal did
20 not vote in that motion that passed.

21 The next case is 2021-132.

22 **MR. CALLAWAY:** Paulding County election
23 employees reported a voter living in Paulding
24 County and voting in Fulton County.

25 The investigation revealed Ms. Holloway has

1 lived in Paulding County for almost three years.
2 Her drivers license and vehicle registration list
3 a residence at 6737 Bill Carruth Parkway in
4 Hiram. That's in Paulding County.

5 Ms. Holloway voted in Fulton County for the
6 November 3, 2020 and January 5, 2021 elections.
7 She believes that she could vote in Fulton County
8 because she and her ex-husband own a residence at
9 2817 Arlington Road in East Point.

10 Paulding County did inform her that that was
11 not the case and Ms. Holloway refused to believe
12 that.

13 The recommendations are as follows:
14 Aruanita Holloway be bound over to the attorney
15 general's office for O.C.G.A. 21-2-562,
16 fraudulent entries, unlawful alteration or
17 destruction of entries, unlawful removal of
18 documents, neglect or refusal to deliver
19 documents in that, to wit, that Ms. Holloway used
20 an address on her January 5, 2021 application for
21 early advanced in-person voting oath that says
22 she wished to use an address that -- in which she
23 no longer resides.

24 O.C.G.A. 21-2-218, two counts, in which
25 Ms. Holloway used an address on a January 5, 2021

1 application for early advanced in-person voting
2 oath in which she no longer resided and voted in
3 the January 5, 2021 elections. Ms. Holloway also
4 voted in the November 3, 2020 general election.

5 **MS. SULLIVAN:** It's my understanding that
6 Ms. Holden is here.

7 Would you like to address the board?

8 **MS. HOLDEN:** Thank you. I'm just here,
9 available for any questions that the board may
10 have.

11 **MS. SULLIVAN:** Okay. I don't think there
12 are any questions for you. Thank you for being
13 here.

14 Are there any other individuals here?

15 **MR. NORTHEN:** No, ma'am.

16 **MS. SULLIVAN:** No other individuals signed
17 up to speak.

18 **MR. MASHBURN:** We appreciate their diligence
19 in catching this.

20 **MS. SULLIVAN:** Yeah.

21 **MR. MASHBURN:** I move to refer this to the
22 attorney general's office.

23 **MS. SULLIVAN:** Second.

24 Any further discussion?

25 All in favor, please say aye.

1 **THE BOARD MEMBERS:** Aye.

2 **MS. SULLIVAN:** None opposed. That motion
3 passes.

4 And the last case on our agenda today is
5 2021-137.

6 **MR. CALLAWAY:** Athens-Clarke County
7 elections director Charlotte Sosebee advised that
8 a citizen had filed for two voter registration
9 I.D. cards under two different names in
10 September of 2021.

11 The investigation revealed that Lopez Diego
12 Borders came to the Athens-Clarke County
13 elections office on 9/7/2021 and applied for a
14 voter I.D. card in the name of Antonio Riaz (ph).
15 On 9/23/2021, he came into the office again and
16 applied for a voter I.D. card in the name of
17 Timothy White. He was not using his
18 identification cards for voting at this time,
19 however, appears to fraudulently cashing checks
20 with them.

21 He is also wanted by Athens-Clarke County
22 law enforcement for forgery and theft.
23 Athens-Clarke County elections did not violate
24 any election law or rule in issuing the IDs.
25 They were following Georgia election rules in

1 issuing the IDs, using the voter application form
2 he filled out at the time as proof of his
3 identity.

4 Our recommendations are as follows: Lopez
5 Diego Borders, alias of Antonio Riaz, alias of
6 Timothy White, be bound over to the attorney
7 general's office and also the district attorney's
8 office for O.C.G.A. 21-2-561, false registration,
9 and O.C.G.A. 21-2-562, fraudulent entries, four
10 counts respectively on that one; and on O.C.G.A.
11 21-2-561, two counts.

12 **MS. SULLIVAN:** Thank you, Mr. Callaway.

13 And this individual is not here to address
14 that. So I would make a motion that we accept
15 this recommendation and refer to both the
16 attorney general and the district attorney.

17 **MR. MASHBURN:** Second.

18 **MS. SULLIVAN:** Is there any further
19 discussion?

20 **MR. MASHBURN:** Thanks to Charlotte Sosebee
21 for catching this one.

22 **MS. SULLIVAN:** Yes, thank you.

23 All in favor, please say aye.

24 **THE BOARD MEMBERS:** Aye.

25 **MS. SULLIVAN:** Any opposed? That motion

1 passes.
2 The next item on our agenda is the attorney
3 general report. We have the first number of
4 consent orders to consider. We normally vote on
5 these as a block.
6 Are any of these cases that any member would
7 like to speak about individually?
8 We also have the -- let's go ahead and
9 entertain a motion on these consent orders then.
10 **MR. MASHBURN:** Move to approve in -- on --
11 in a block.
12 **MS. SULLIVAN:** Do we have a second?
13 **MS. LE:** Second.
14 **MS. SULLIVAN:** All in favor, please say aye.
15 **THE BOARD MEMBERS:** Aye.
16 **MS. SULLIVAN:** Any further discussion?
17 And we're -- this is a long day.
18 And there's none opposed. That motion
19 passes.
20 Then we have the orders and dismissals
21 listed on the agenda: Case 2016-34, 2015-4, and
22 2016-179.
23 Would any board member like to discuss any
24 of these individually?
25 We can entertain a motion at this time then.

1 **MR. MASHBURN:** Move to approve in a block.
2 **MS. SULLIVAN:** Is there a second?
3 **MS. GHAZAL:** Second.
4 **MS. SULLIVAN:** Any further discussion?
5 All in favor, please say aye.
6 **THE BOARD MEMBERS:** Aye.
7 **MS. SULLIVAN:** And there are none opposed.
8 That motion passes.
9 And there being no further business before
10 us today, I make a motion to adjourn.
11 **MS. GHAZAL:** Second.
12 **MS. SULLIVAN:** All in favor?
13 **THE BOARD MEMBERS:** Aye.
14 **MS. SULLIVAN:** Thank you very much for all
15 who joined us today. Thank you for all the work
16 of all of those (indiscernible).
17 Thank you so much. We are adjourned.
18 (Adjourned at 4:12 p.m.)
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1 CERTIFICATE
2 STATE OF GEORGIA)
3 I, Mary K. McMahan, Certified Court
4 Reporter, Certified Verbatim Reporter, Registered
5 Professional Reporter, Florida Professional Reporter
6 certify that I was authorized to and did
7 stenographically report the foregoing proceedings
8 through audio-conferencing and that the transcript is
9 a true and complete record to the best of my ability
10 through stenographic notes.
11
12 DATED this 25th day of January, 2022.
13
14 /s/ Mary K. McMahan
15 MARY K. MCMAHAN
16 Certified Court Reporter
17 Certified Verbatim Reporter
18 Registered Professional Reporter
19 Florida Professional Reporter
20
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25

	154/10	194/4	177/11	140/15
MR.	159/25	197/7	178/8	141/20
ALTMAN:	163/12	198/7	178/14	143/24
[8]	172/14	198/13	178/20	146/2
147/21	182/19	198/25	178/22	153/1
147/23	206/1	199/4	179/1	153/4
147/25	212/6	MR.	179/5	159/6
148/7	216/11	CORLEE:	179/8	163/2
149/15	221/24	[2] 123/7	179/14	169/10
149/20	229/23	125/20	179/21	171/1
150/12	231/7	MR.	180/17	171/11
150/16	232/15	GERMANY:	181/6	172/6
MR.	249/21	[1] 5/15	MR.	179/11
BENNEFIELD	254/6	MR.	MASHBURN:	182/6
: [3]	254/15	HAGENBUCH:	[131]	194/2
126/2	254/25	[3] 18/2	25/1 32/16	197/23
126/4	258/23	18/4 18/12	33/15 35/5	198/2
130/7	260/11	MR. HILL:	35/9 42/15	198/8
MR.	262/25	[2]	42/18	198/19
BISHOP:	263/12	115/25	42/25	199/3
[3]	266/22	116/2	43/13	211/21
275/10	280/13	MR. JONES:	43/25	216/8
275/13	281/1	[2] 15/17	46/11	216/24
278/10	281/17	16/13	46/14	217/11
MR. BRITT:	283/6	MR. KING:	59/21 62/6	217/14
[3] 108/4	283/8	[5] 148/6	65/9 66/22	217/18
108/6	283/10	149/19	70/10 73/4	220/8
111/1	283/17	150/4	80/18 81/7	220/17
MR.	284/3	150/8	81/10	220/24
CALLAWAY:	290/24	150/11	82/17	221/8
[48]	291/2	MR.	85/24 86/7	221/11
14/14	291/7	LOWMAN:	87/1 90/23	228/23
16/19	294/2	[5]	91/13	229/6
25/19 33/2	296/22	104/24	96/18	231/22
34/2	299/6	257/11	96/25 97/5	238/16
134/21	MR.	257/13	97/11 98/7	238/24
135/21	CARVER:	259/18	99/13	239/8
137/4	[12]	288/19	99/15	240/1
142/18	185/20	MR. MALOY:	100/2	240/17
144/9	185/22	[16]	100/13	240/23
146/14	185/24	174/11	105/17	241/5
146/18	193/6	174/14	113/17	241/11
146/25	193/9	174/16	118/14	241/19
	193/16	176/17	130/21	246/5

	293/17	58/17 59/4	273/21	98/17
MR.	296/12	59/11	275/8	99/14
MASHBURN: .	298/18	59/18	289/1	99/20
. . [47]	298/21	63/24 70/2	298/15	100/6
246/9	300/17	72/15	MR.	MS.
246/11	300/20	72/22 73/3	O'NEAL:	BEASLEY:
246/14	301/10	75/10	[2] 82/23	[9] 78/8
247/2	302/1	77/19	83/2	78/11 79/7
247/9	MR. MOREY:	77/23 78/4	MR.	79/22 80/1
248/12	[12]	82/19	PREVOST:	80/8 80/16
248/25	218/10	88/17	[15]	85/14 86/1
249/5	218/13	90/11 92/8	236/8	MS.
249/9	218/17	97/12	237/13	BENTLEY:
249/12	218/19	104/21	238/1	[6] 96/4
254/13	218/21	107/9	238/19	96/6 96/17
254/16	219/15	108/1	239/1	96/24 97/2
259/8	219/18	112/18	239/13	97/9
259/24	220/10	115/21	239/18	MS.
262/21	220/22	116/8	240/6	CHANDLER:
263/3	221/3	120/22	240/21	[5] 31/8
266/13	221/10	123/3	241/4	31/12
277/12	221/13	125/22	241/8	31/14 32/5
279/10	MR.	126/1	241/15	32/11
280/23	NOLAND:	139/5	241/22	MS. DITTO:
281/6	[3] 64/3	140/12	242/4	[13]
282/22	64/5 64/25	143/23	242/25	121/2
282/25	MR.	147/18	MR. REED:	121/4
283/7	NORTHEN:	168/4	[10]	121/16
283/9	[77] 7/4	169/19	37/10	168/6
283/14	8/4 10/18	170/10	37/13	168/9
283/19	11/20 12/9	174/9	42/14	169/22
284/4	13/17	185/13	42/17	169/25
284/7	14/10	186/8	42/21 43/6	170/2
284/10	15/14	193/3	43/14	170/14
284/16	16/15	197/14	44/24	170/20
290/19	17/23	210/1	88/19 91/1	170/25
290/25	18/13	218/6	MR.	171/5
291/3	19/15 22/2	236/6	STOUGH:	171/16
291/8	22/21 31/2	242/14	[1]	MS.
292/8	31/23	257/8	116/11	DOZIER:
292/14	34/23 35/1	258/7	MS. BACH:	[2] 43/21
292/20	37/6 43/18	258/13	[2] 22/5	90/15
292/22	49/7 57/24	258/17	22/7	MS.
	58/9 58/13	259/17	MS. BASS:	GHAZAL:
			[5] 97/15	[45] 4/11

<p>MS. GHAZAL: . . . [44] 5/4 19/5 22/25 25/5 32/14 33/19 35/12 44/5 56/4 61/3 65/13 85/7 86/13 117/13 117/19 118/6 130/11 142/2 154/1 159/9 162/24 167/16 168/3 176/23 178/4 178/10 178/16 179/16 179/22 182/15 205/14 239/10 239/16 241/13 248/7 248/16 249/1 249/6 260/1 278/11 290/14 296/7 302/3 302/11 MS. HOECHSTETT ER: [4]</p>	<p>186/10 186/12 199/13 202/16 MS. HOLDEN: [4] 11/24 12/1 12/5 298/8 MS. HOOKS: [3] 157/6 161/15 161/17 MS. HOWARD: [8] 49/10 49/13 49/15 55/21 56/13 56/15 56/17 56/19 MS. JONES: [25] 7/10 10/22 12/13 19/18 34/6 35/7 35/23 47/9 56/14 56/16 62/17 65/23 67/14 70/25 74/9 87/20 92/21 100/25 106/9 114/6 117/18 117/25 118/22 230/1</p>	<p>284/19 MS. KINDRED: [10] 243/3 243/6 246/8 246/10 246/13 246/17 247/4 247/6 247/12 247/14 MS. KNIGHT: [5] 274/1 274/4 274/20 282/4 282/7 MS. LE: [46] 4/9 5/1 19/2 25/9 32/2 44/16 46/1 61/12 64/20 64/22 65/8 67/2 70/7 73/17 74/5 100/17 106/1 118/11 146/6 146/17 146/19 147/1 171/23 178/17 178/21 178/25 179/2 179/6</p>	<p>179/10 179/25 180/18 180/24 181/1 202/10 221/17 242/8 247/5 247/10 247/13 248/6 248/20 278/14 280/3 282/8 293/20 301/13 MS. LINDENBAUM : [5] 210/3 210/5 211/9 211/16 211/20 MS. MOMO: [5] 75/16 77/16 77/21 77/24 81/2 MS. PACHUTA: [4] 213/24 214/2 217/2 225/3 MS. PITTS: [3] 217/13 217/15 217/19 MS. SOLES: [4] 139/8</p>	<p>139/12 139/15 140/8 MS. STEPHENS: [2] 8/9 8/12 MS. SULLIVAN: [419] MS. SUMMERLIN: [5] 107/11 107/21 111/6 111/8 112/22 MS. THOMPSON: [3] 131/14 131/17 134/18 MS. WADDELL: [4] 13/22 13/24 14/7 14/9 MS. WILLIAMS: [7] 288/25 289/4 290/18 291/16 292/11 292/16 292/21 THE BOARD MEMBERS: [50] 5/8 19/9 25/13 32/20</p>
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	301/15	3/15	1,930 [1]	234/20
THE BOARD	302/6	.02 [1]	164/22	10/9/2020
MEMBERS:..	302/13	139/1	1.1 [1]	[1] 271/3
[46]	THE COURT	.05 [2]	124/8	100 [2]
33/22	REPORTER:	167/5	1.2 miles	164/20
35/16 47/5	[5] 136/8	168/15	[1] 124/8	213/13
61/6 62/11	136/11	.06 [1]	1/2/21 [1]	100-foot-no
65/17 67/5	136/18	13/8	268/15	-campaignin
70/14 74/1	136/20	.08 [1]	1/21/21 [1]	g [1]
87/15	170/19	161/8	269/14	66/12
91/23	UNIDENTIFI	.09 [1]	1/4/21 [1]	104 [1]
100/21	ED FEMALE	224/20	221/24	134/25
106/5	SPEAKER:	.10 [2]	1/5/2021	109 [2]
114/1	[3] 10/17	75/6 76/4	[1]	145/2
118/18	219/13	.11 [1]	234/21	229/25
130/25	219/16	155/24	10 [4]	10:40 [1]
142/13	UNIDENTIFI	.14 [4]	13/8 96/20	70/19
144/5	ED MALE	13/8	155/24	10th [2]
154/5	SPEAKER:	287/23	287/23	225/16
159/17	[2] 58/20	288/13	10 feet [1]	226/18
163/6	58/23	290/3	203/23	11 [10]
172/10	UNIDENTIFI	.18 [1]	10 million	62/19 63/6
182/13	ED SPEAKER:	156/10	[1] 24/10	69/20
205/20	[1]	.20 [1]	10/1/2020	139/1
212/2	135/19	156/18	[1]	159/23
221/20	\$	.8 [1]	142/23	251/5
229/14	\$50 [1]	290/3	10/19/2020	264/1
232/7	118/23	/	[2] 143/9	295/4
242/20	'	/s [1]	234/24	295/15
249/16	'I [1]	303/14	10/2/2020	295/22
254/21	73/8	0	[1]	11 p.m [1]
260/7	.	004 [1]	269/13	93/8
263/8	.....	221/23	10/20/2020	11/10/20
266/18	.....	006 [1]	[1]	[1] 271/6
279/4	.....	7/5	143/13	11/2 [1]
279/7	.....19	02 [1]	10/2020 [1]	287/4
280/6	[1] 3/14	69/20	30/5	11/2/20 [1]
281/11	.....	032 [1]	10/24/2020	271/6
282/19	.....	14/10	[1] 28/10	11/24/2020
293/23	.....	1	10/27/2020	[1] 174/3
296/17	.....301	1,035 [1]	[1] 174/1	11/3/2020
299/1	[1] 3/16	289/6	10/31/2020	[4] 28/13
300/24	.....	1,035 [1]	[1] 27/23	143/13
	.....	289/6	10/5/2020	234/18
	...35 [1]		[1]	

1	12/18/2020	139 [1]	16 [6]	183-1-12-.1
11/3/2020..	[1] 28/17	67/9	11/10	1 [1]
. [1]	12/2/2013	13WMAZ [1]	156/10	155/24
234/21	[1]	93/8	255/21	183-1-12-.1
11/5/2019	269/19	14 [6]	256/4	8 [1]
[1] 36/3	12/2015 [1]	1/12 17/5	256/11	156/10
11/6/2018	272/5	102/8	256/16	183-1-12-.2
[1]	12/24/2020	144/22	160 [2]	0 [1]
173/23	[1] 25/19	195/23	74/4 74/8	156/18
110 [1]	12/4/2020	256/7	169 [1]	183-1-14-.0
266/21	[1]	145 [1]	87/19	2 [1]
111 [1]	142/18	67/12	171 [1]	139/1
284/18	1200 [1]	147 [1]	92/20	183-1-14-.0
1112 [1]	283/21	70/17	173 [1]	6-.14 [1]
102/7	12460 [2]	1490 [1]	47/24	13/8
1120 [1]	236/25	124/15	179 [1]	183-1-14-.0
195/23	238/15	14th [7]	301/22	9 [1]
113 [1]	125 [2]	187/17	18 [3]	224/20
34/4	6/24 18/20	188/1	243/8	183-1-14-.8
1138 [1]	129 [1]	193/21	250/6	-.14 [1]
196/19	124/11	194/1	268/24	290/3
1143 [1]	12:30 [1]	194/3	18,000 [1]	183-1-14-0.
143/1	131/4	206/7	291/5	6-.14 [2]
1183 [1]	12:40 [1]	289/13	18,2020 [1]	287/23
36/16	134/19	15 [8]	253/3	288/13
11:15 [1]	12:42 [1]	94/17	18,900 [1]	183-1-14-02
93/11	134/19	96/21	285/4	[1] 69/20
11:30 [1]	12th [3]	102/3	180 [1]	187 [1]
196/2	50/6 119/2	139/22	100/24	114/4
11th [4]	121/9	189/14	1811 [2]	188 [2]
56/25	13 [1]	189/16	234/9	19/17 25/4
135/3	286/4	227/1	245/9	18th [1]
135/14	13,347 [1]	238/15	182 [1]	253/8
225/14	164/21	15,277 [1]	106/8	19 [12]
12 [5]	130 [1]	164/24	183-1-12-.0	7/12 7/16
119/10	294/1	150-foot	5 [2]	38/20
126/20	131 [1]	[2] 66/2	167/5	136/1
126/25	7/18	66/8	168/15	138/4
249/21	132 [2]	155 [4]	183-1-12-.0	144/21
270/5	10/19	70/20	8 [1]	144/25
12/1/2020	296/21	70/24 92/1	161/8	245/1
[1]	137 [2]	131/9	183-1-12-.1	247/8
102/12	126/9	15th [1]	0 [2] 75/6	261/17
	299/5	196/24	76/4	262/11

1	250/12	2016-34 [1]	26/9 26/18	104/17
19... [1]	270/9	301/21	26/23	106/9
289/15	271/6	2017 [11]	27/20	106/22
1914 [1]	271/6	37/18 38/1	27/21	108/17
103/12	20-155 [1]	38/10	27/23 28/3	115/10
1930 [1]	70/20	38/17 39/1	28/10	118/24
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1958 [2]	[1] 66/16	127/16	28/17 30/5	119/12
137/15	200 [3]	127/19	30/17	119/16
137/25	93/14	128/18	47/15	123/16
1961 [1]	98/10	138/3	47/19	124/13
137/15	99/17	178/24	48/16	126/12
198 [1]	2003 [1]	2018 [10]	55/10	127/23
93/17	227/16	102/20	56/22	135/5
1980 [1]	2008 [2]	172/23	62/19 63/6	135/22
271/19	243/9	173/23	65/23 66/5	136/1
1996 [1]	264/7	173/23	67/16	137/14
27/15	2010 [1]	178/19	67/23 68/6	137/22
19th [2]	243/15	178/22	68/10	138/4
139/24	2011 [5]	179/1	68/14	142/18
225/15	243/16	179/3	68/18	142/23
1st [3]	243/17	179/7	71/11 74/9	143/9
132/9	247/16	252/25	87/20	143/13
133/8	247/24	2019 [12]	87/24 88/5	143/13
192/8	271/19	35/23 36/3	92/23 93/8	144/12
2	2012 [1]	36/8 36/24	95/8 95/24	144/17
2 p.m [1]	269/18	39/3 39/6	96/7 101/3	154/12
196/23	2013 [2]	39/9 39/11	101/5	154/18
2/16/21 [2]	244/10	41/15 42/6	101/9	154/23
272/1	269/19	43/10	101/13	154/24
272/2	2014 [1]	102/23	102/1	155/17
20 [15]	144/23	2019-44 [1]	102/3	156/13
8/17	2015 [2]	35/21	102/5	156/23
128/16	145/3	202 [1]	102/8	157/12
139/22	272/5	118/21	102/12	158/4
155/7	2015-4 [1]	2020 [187]	102/13	163/14
155/15	301/21	7/13 7/16	102/19	163/18
155/20	2016 [3]	7/19 7/24	102/21	164/6
156/11	244/15	8/12 8/17	102/24	164/7
156/16	245/20	10/22 11/5	103/13	173/24
228/17	246/23	11/10 17/5	103/13	174/1
244/1	2016-179	20/10	103/15	174/3
244/19	[1]	20/15	103/23	179/4
	301/22	25/19 26/6	103/23	195/24

2	268/11	18/20	172/13	250/7
2020...	268/14	2020-139	2020-262	250/21
[74]	268/18	[1] 67/9	[1] 16/16	251/5
206/11	268/22	2020-145	2020-269	252/2
206/21	269/7	[1] 67/12	[1]	252/11
212/6	269/8	2020-147	182/18	253/15
222/3	269/10	[1] 70/17	2020-273	256/7
223/12	269/13	2020-155	[2]	261/8
224/24	269/16	[3] 70/24	205/25	261/17
226/2	270/3	92/1 131/9	211/3	262/11
230/1	270/22	2020-160	2020-278	264/1
234/18	270/24	[2] 74/4	[1] 25/16	264/12
234/20	271/3	74/8	2020-282	265/2
234/21	271/17	2020-169	[1] 12/10	274/6
234/24	271/22	[1] 87/19	2020-296	274/22
243/24	272/18	2020-171	[1] 212/5	274/24
244/22	273/7	[1] 92/20	2020-35 [1]	294/7
245/4	274/8	2020-180	47/8	294/22
245/9	274/21	[1]	2020-43 [1]	294/24
250/2	276/1	100/24	62/15	295/7
250/5	280/20	2020-182	2020-87 [1]	295/16
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233/23	287/18	275/1	55/1 55/2	at [248]
235/5	291/12	286/12	121/22	4/13 4/24
238/2	293/9	asking [12]	254/25	6/17 7/8
238/4	293/9	29/16	assisted	8/16 11/1
238/23	293/9	29/18 42/9	[14] 26/5	13/11
241/9	293/9	54/16	26/9 26/20	16/21
244/18	295/8	133/5	28/20	16/23 17/8
	296/4	206/18	95/10	18/1 18/16

A	82/18	157/25	196/19	233/25
at... [236]	82/20	159/1	196/21	234/8
18/25	82/24 83/8	160/1	196/23	235/24
22/4 25/25	83/9 83/24	160/3	198/17	236/24
26/3 27/7	88/4 89/2	160/3	199/16	237/13
28/19 31/4	90/2 91/5	160/10	199/16	238/22
39/23 41/2	92/7 92/14	161/21	200/18	239/3
41/11	93/8 93/10	166/10	201/2	239/4
41/24 43/9	96/23 99/3	166/23	201/6	240/15
43/18 46/5	102/6	166/24	201/7	241/18
47/13	102/9	167/6	202/21	241/23
48/21	105/3	167/9	203/19	243/15
50/11	106/2	169/7	203/24	243/25
52/12	111/20	171/6	204/14	245/15
52/18 53/2	112/4	172/2	206/8	245/16
53/5 53/23	114/13	172/15	206/14	248/9
54/10	116/9	173/7	207/4	248/21
54/14	119/10	173/24	208/6	249/3
54/16	121/9	174/23	208/19	252/9
54/19	121/17	175/4	210/20	252/17
54/20	122/16	175/16	215/7	256/10
54/25 55/6	123/1	177/13	217/23	256/13
56/19 57/5	123/6	177/13	218/4	262/1
57/18 58/4	124/11	178/9	218/22	268/13
60/2 60/4	124/11	183/13	223/11	269/11
60/10	126/4	186/20	224/6	269/20
60/12	127/11	188/2	224/10	276/19
61/11	129/19	188/6	224/12	277/8
68/19	130/2	188/11	225/18	279/15
70/19	130/9	188/12	225/24	279/15
72/16 73/1	131/4	188/22	227/2	282/2
74/18	131/13	189/12	227/10	282/3
75/13 76/8	136/3	189/20	228/5	292/16
76/11	137/6	190/4	228/17	294/12
76/14	137/16	190/18	230/2	297/3
76/20	139/22	194/5	230/3	297/8
76/20	141/3	194/24	230/22	299/18
76/21 77/7	143/8	194/25	231/3	300/2
78/13 79/1	145/2	195/1	232/10	301/25
79/13	145/12	195/1	232/11	302/18
79/14	150/12	195/17	232/18	Athens [4]
79/19	150/23	195/19	232/21	299/6
81/25	151/11	195/23	232/25	299/12
	153/11	196/2	233/7	299/21

A	235/3	73/13 82/7	184/18	298/22
Athens...	attend [2]	86/22 90/2	185/2	300/6
[1]	113/5	90/4 90/9	205/15	300/16
299/23	245/13	91/15	207/6	300/16
Athens-Clar	attendance	95/20	209/17	301/2
ke [4]	[3]	100/14	211/23	attorney's
299/6	102/22	105/1	213/15	[3]
299/12	210/20	105/21	224/19	116/14
299/21	210/24	105/24	229/9	272/14
299/23	attended	107/2	231/9	300/7
athletics	[1]	107/21	232/2	audio [10]
[1] 133/1	102/20	108/9	235/7	1/10 72/24
ATLANTA	attendees	113/11	235/11	134/19
[12] 1/23	[1]	113/13	235/15	135/17
27/19	207/16	113/21	238/3	135/20
102/7	attending	116/4	240/19	136/7
103/12	[1]	118/12	254/9	185/4
173/8	222/16	123/8	254/17	185/7
173/19	attends [1]	130/13	256/25	185/8
230/4	112/5	130/17	257/14	303/8
243/15	attention	132/2	260/4	Audio-confe
252/17	[6] 44/12	135/9	262/7	rence [1]
270/8	121/9	138/24	265/10	1/10
270/12	122/19	140/17	265/23	audio-confe
283/11	128/11	141/16	266/14	rencing [1]
ATR [1]	255/3	143/16	272/20	303/8
132/14	255/9	143/25	272/25	audit [9]
attempt [1]	attesting	145/21	273/11	38/22
184/25	[4] 264/9	146/3	277/23	39/22
attempted	264/24	148/4	278/4	40/10
[6] 21/16	266/6	150/17	279/17	40/25
114/22	295/3	157/4	279/23	41/16
173/10	attorney	158/25	279/24	43/11
188/24	[111]	159/5	280/2	122/14
209/13	3/16 26/15	161/7	280/14	212/15
216/14	30/20 33/6	163/1	281/7	285/19
attempting	46/2 46/24	167/4	281/19	Aug [1]
[1]	60/17	167/4	287/22	274/23
224/15	61/13	171/24	288/5	August [13]
attempts	61/17 62/5	173/21	288/12	62/19
[4] 187/6	63/15	176/1	293/6	63/6
192/12	65/12	176/12	293/18	102/19
222/2	66/23 72/7	181/23	295/9	102/23
	73/10	182/3	297/14	102/24

A	available	199/19	159/17	300/24
August...	[14] 18/8	203/23	163/5	301/14
[8]	40/18	252/7	163/6	301/15
118/23	44/25	276/1	172/9	302/5
274/16	122/12	aye [97]	172/10	302/6
274/23	122/23	5/7 5/8	182/12	302/13
294/5	147/15	19/8 19/9	182/13	
294/24	162/5	25/12	205/19	B
295/4	209/7	25/13	205/20	B.G [1]
295/15	214/7	32/19	212/1	71/10
295/22	227/14	32/20	212/2	Bach [5]
August 11	287/3	33/21	221/19	20/1 20/23
[3] 62/19	288/24	33/22	221/20	22/2 23/2
63/6	290/9	35/15	229/13	24/16
295/15	298/9	35/16 47/4	229/14	Bach's [1]
August 2020	Avenue [3]	47/5 61/5	232/6	21/2
[2]	17/8 102/7	61/6 62/10	232/7	back [63]
102/24	102/9	62/11	242/19	15/20
294/5	avoid [1]	65/16	242/20	47/21 53/5
August 31	289/18	65/17 67/4	249/15	53/13
[1]	avoided [1]	67/5 70/13	249/16	53/18
294/24	84/8	70/14	254/20	54/13
Augusta [1]	aware [14]	73/25 74/1	254/21	55/16
269/12	43/6 43/8	87/14	260/6	55/17
Aundrea [2]	43/16 76/1	87/15	260/7	57/14
47/18	105/6	91/22	263/7	60/10 68/8
49/1	119/15	91/23	263/8	68/21
author [1]	122/9	100/20	266/17	70/19
266/10	124/21	100/21	266/18	70/22
authorized	124/22	106/4	279/3	80/23
[1] 303/6	165/19	106/5	279/4	84/23
automatic	225/7	113/25	280/5	85/10
[1] 248/2	227/17	114/1	280/6	91/18
automatical	227/23	118/17	281/10	97/24
ly [6]	275/16	118/18	281/11	114/25
26/21	away [14]	130/24	282/18	121/23
27/25	15/25 53/1	130/25	282/19	126/7
28/15	71/5 71/12	142/12	293/22	127/14
57/19 99/9	133/4	142/13	293/23	127/15
268/10	151/6	144/4	296/16	131/7
availabilit	175/14	144/5	296/17	140/24
y [1]	183/24	154/4	298/25	141/6
210/21	190/7	154/5	299/1	145/19
	191/3	159/16	300/23	148/1

B	284/15	26/22	97/7 101/8	154/21
back...	backtrack	26/24 27/1	101/11	155/5
[34]	[1]	27/3 27/5	101/18	156/5
149/5	178/18	27/21	102/1	156/11
149/18	bad [2]	27/24	102/4	156/22
149/23	129/21	28/11	102/5	158/4
149/24	218/11	28/14	102/7	159/12
152/21	badge [3]	29/24 30/4	102/10	164/6
163/10	194/7	30/7 30/10	102/13	164/7
164/9	196/13	34/8 34/12	102/14	164/9
170/7	220/25	34/15	102/15	165/2
175/9	badges [2]	34/18 37/1	103/1	165/19
178/1	194/9	40/2 40/16	104/18	166/21
184/2	207/3	45/18 48/2	106/12	172/18
189/6	bag [5]	48/9 50/20	106/15	173/1
194/25	154/13	50/21	107/3	173/18
194/25	154/21	51/19 52/3	108/16	173/25
195/1	154/25	52/6 52/14	108/20	174/2
200/13	155/5	52/21	108/24	174/3
202/17	156/5	52/23	109/2	177/15
203/13	Bailey [2]	53/15	109/9	181/2
218/24	101/10	60/13	114/7	213/10
218/25	101/11	60/14	114/9	213/12
219/1	Baker [8]	62/19	114/14	213/19
229/20	106/8	62/20	114/17	214/17
229/21	106/11	62/22 63/1	114/19	214/18
232/11	106/14	63/6 63/10	114/23	215/6
232/13	106/24	63/18	115/1	222/7
237/9	107/17	63/19	115/8	222/14
252/10	108/8	64/10 68/6	116/25	222/18
252/19	108/12	68/20 69/5	117/16	222/19
256/1	109/7	85/18	117/23	222/24
259/12	ballot	85/23	120/1	223/8
274/7	[274]	86/16	120/3	223/17
274/21	13/13	86/18	135/25	223/17
276/11	19/20	87/23 88/1	137/20	223/20
290/16	19/22 20/3	93/17	138/14	223/21
back-up [2]	20/9 20/15	94/20	139/18	224/1
85/10	20/24 21/6	95/15	142/22	224/3
290/16	21/9 21/10	95/16	142/24	224/5
background	26/10	95/22 96/9	143/3	224/8
[1] 37/18	26/17	96/11	143/8	224/8
backlog [2]	26/20	96/12	143/9	224/22
284/9	26/21	96/16 97/6	143/13	224/23

B	251/14	285/1	67/22	154/16
ballot...	251/15	285/24	67/24 68/1	154/16
[109]	251/17	286/2	68/7 68/9	154/18
225/8	251/19	286/2	68/24 69/2	155/6
225/14	252/1	286/10	69/3 69/6	155/7
225/20	252/5	286/11	69/9 69/22	155/8
226/6	252/7	286/16	69/23	155/15
226/8	253/7	286/18	85/11	155/16
226/17	253/12	286/20	89/13 93/1	155/19
226/20	260/14	287/2	93/5 93/22	156/2
226/21	261/9	287/10	93/23 94/5	156/3
226/21	261/10	287/13	94/7 94/9	156/6
227/5	267/4	287/17	94/11	156/11
227/7	267/10	287/24	94/14	156/14
227/8	267/13	288/1	94/15	156/19
227/23	267/16	288/8	94/17	156/20
227/23	267/19	288/13	95/11	156/24
229/2	267/22	288/15	95/23	157/10
232/22	267/25	289/6	96/22	157/17
233/16	268/4	289/22	96/22 97/2	157/20
234/2	268/8	290/22	97/18	157/24
234/9	268/10	291/10	97/25	160/16
234/16	268/12	291/13	98/19	160/18
234/17	268/21	291/15	98/22	160/20
234/19	268/23	295/3	98/23 99/3	162/5
234/20	269/1	ballots	99/5 99/17	164/15
235/2	269/6	[175]	99/21	164/20
236/1	269/9	10/25 11/2	99/22	164/22
237/6	269/10	11/8 11/9	99/24	164/23
244/8	270/3	11/13	100/4	164/23
244/9	270/18	12/18	100/10	164/24
244/21	270/22	12/25 13/9	103/14	165/4
244/22	271/4	13/10	103/15	212/11
245/1	271/5	20/19	103/17	212/17
245/15	271/23	20/21 26/6	109/22	212/18
245/15	271/25	28/22 30/1	114/20	212/25
246/7	272/16	30/16	122/5	213/8
250/5	273/13	45/21	122/6	213/13
250/11	273/14	47/11	140/1	213/17
250/21	276/6	47/20 48/5	140/2	213/18
251/2	276/22	48/15	140/3	213/20
251/8	276/23	48/23	140/4	214/10
251/9	281/21	67/15	141/10	214/11
	281/22	67/21	154/13	214/12

B	275/24	270/11	32/5 33/3	106/17
ballots...	276/9	276/25	33/6 34/17	107/1
[52]	276/10	279/20	35/7 37/9	107/11
214/16	276/19	basement	41/13	109/21
214/23	284/22	[1] 155/1	45/18	110/17
215/9	285/4	basic [1]	46/25	112/13
215/14	285/10	29/18	48/21 49/2	113/12
215/16	286/4	basically	50/16	115/16
215/21	287/5	[5] 38/14	54/25 55/7	115/24
216/3	291/11	71/22	58/4 58/7	116/9
216/10	291/22	194/4	58/12 59/2	117/5
216/14	291/23	194/6	60/5 60/18	120/13
216/18	BallotTrax	197/7	60/21 62/4	120/24
216/21	[3]	basis [1]	62/21 63/7	127/13
217/25	251/19	248/18	63/15	128/4
218/22	251/25	Bass [11]	66/14	132/21
218/25	251/25	93/4 94/13	69/18 71/8	132/24
219/2	ballpark	94/14	71/12	133/6
219/8	[1]	94/19	71/16	133/22
219/14	283/15	94/22	71/16 72/6	134/2
219/17	bank [1]	95/14	72/16 75/3	134/9
219/18	243/25	97/13	75/13	135/8
220/6	Baptist [1]	97/14	76/12	138/24
220/21	74/18	97/16 98/5	77/11	139/6
221/13	barely [1]	98/8	77/12 78/4	141/5
222/5	188/13	batch [1]	79/1 79/8	142/25
223/1	Barron [3]	69/10	79/9 79/13	143/16
223/14	256/23	batched [1]	79/24	145/20
223/15	287/20	69/8	79/24	147/16
224/10	288/10	batches [2]	81/19	147/18
224/13	Barry [3]	164/16	81/22 82/9	150/2
224/21	273/22	164/20	83/3 86/13	150/15
225/23	275/8	be [250]	88/12	153/13
228/9	275/8	4/13 7/6	88/23 90/7	153/13
228/24	based [13]	7/25 8/24	92/6 95/19	153/14
229/3	22/16 81/3	10/12	100/13	154/7
244/25	89/17	11/17	104/3	157/24
246/15	158/1	11/21	104/5	161/2
246/18	187/8	13/11	104/9	161/6
246/24	202/25	13/18	104/15	161/25
250/15	203/6	17/25	105/9	164/3
262/11	209/10	21/22 22/3	105/14	164/10
268/25	216/19	30/14	105/19	164/17
	263/1	30/20 31/9	105/19	165/5

B	206/8	240/10	bearing [1]	127/22
be... [127]	208/9	240/15	65/25	128/18
165/17	208/15	246/1	Beasley	130/2
165/19	209/6	246/2	[14] 75/1	136/12
166/7	209/16	252/5	75/19	141/2
167/3	210/1	256/13	77/20	141/13
168/2	210/11	256/24	77/25 78/1	142/5
168/4	210/14	258/4	78/3 78/4	148/12
169/6	211/4	258/7	78/6 79/17	151/6
169/19	211/22	258/15	80/15	152/19
170/10	213/7	259/3	81/12	157/19
172/2	213/13	259/4	83/10 85/8	157/23
173/20	213/15	262/6	85/9	160/13
174/9	213/20	265/10	Beasley's	171/7
175/2	216/7	265/22	[1] 86/14	176/7
175/25	218/6	267/2	became [3]	177/6
176/8	218/8	267/18	183/6	187/11
180/14	219/12	268/25	183/16	189/13
181/22	221/1	271/4	226/2	191/6
182/2	221/4	271/23	because	192/11
184/14	222/14	272/20	[90]	193/19
184/17	222/15	272/25	15/24 16/3	199/21
185/1	224/18	273/11	24/3 38/15	200/1
185/15	228/7	273/23	44/7 49/22	201/17
186/6	229/5	278/9	50/5 50/12	204/22
186/9	229/6	280/13	50/17 52/7	210/12
186/14	229/7	281/6	52/10	216/18
187/8	231/8	283/12	52/12 53/6	219/20
188/21	233/2	284/1	53/9 54/13	222/24
192/13	234/23	285/11	56/7 56/20	224/6
192/17	235/6	286/11	57/13	237/22
192/20	235/10	287/22	65/10	239/19
193/3	235/14	288/4	73/13 77/7	239/23
193/19	235/19	288/11	78/16	240/7
194/21	235/19	289/1	78/23 82/3	241/9
195/16	236/23	289/7	85/16 87/9	241/22
197/14	237/8	290/4	89/6 94/9	244/23
197/17	237/24	291/11	96/9 105/2	247/19
198/23	238/3	293/5	105/5	257/25
198/25	238/9	295/9	107/14	259/12
201/3	238/13	297/14	110/5	274/9
202/12	240/2	300/6	110/12	274/12
204/17	240/8	Beach [1]	115/10	274/20
	240/9	103/25	116/21	276/6

B	119/5	225/25	82/11	43/3
because...	121/18	226/6	83/15	154/14
[10]	123/5	226/17	84/15	160/8
277/16	123/14	227/12	85/21 89/6	200/5
277/21	124/18	227/15	89/8	202/12
278/6	124/18	227/18	109/10	203/8
278/20	125/1	227/22	116/13	203/14
278/23	125/2	227/24	121/24	being [57]
282/8	125/8	228/17	146/6	4/3 12/20
283/20	125/13	235/4	160/14	13/1 16/7
290/2	128/25	237/22	160/22	18/25
291/19	129/14	238/14	162/2	20/22
297/8	129/16	238/22	184/9	25/25
Becket [1]	142/6	242/6	195/6	31/20 48/6
269/12	145/2	245/10	205/4	54/1 55/24
been [121]	145/15	247/25	220/13	57/19
4/23 6/3	148/17	250/9	227/18	74/19 76/1
6/8 6/23	149/10	251/20	228/17	78/24 88/3
8/22 10/7	152/1	252/1	282/22	90/18
18/21	152/7	252/22	282/25	93/23
27/14	152/19	255/2	302/9	95/13
29/21 36/5	157/24	257/17	began [7]	98/19
36/22 45/6	158/22	257/21	67/25 76/9	98/23
48/2 48/15	160/6	257/21	76/10	105/10
50/9 50/14	162/13	257/25	109/16	109/25
50/20	168/22	258/3	184/20	111/20
50/22 51/7	169/4	260/19	185/3	113/3
53/21 54/6	172/18	261/22	195/17	129/3
57/15	176/21	261/23	begin [1]	133/24
58/10 59/5	176/24	264/5	49/9	133/24
62/15	177/18	264/6	beginning	135/16
65/20 66/9	177/20	275/14	[2] 18/15	141/4
69/3 69/6	179/19	275/22	190/10	141/9
69/10	179/21	291/1	begun [1]	141/24
69/23	186/22	293/15	69/6	158/20
70/17	191/14	before [34]	behalf [8]	159/12
74/15 82/2	194/11	9/11	18/6 101/8	161/1
83/4 83/5	195/7	18/14	121/4	163/7
84/8 84/8	197/8	48/16	187/5	168/14
94/17	209/5	48/16	190/17	180/11
105/5	209/8	50/10 52/9	214/15	187/4
110/13	215/10	52/22 53/4	272/16	190/17
113/8	216/1	53/6 53/8	278/7	192/3
	223/18	54/2 75/6	behind [7]	194/12

B	134/2	belong [1]	192/1	66/23 70/8
being...	141/19	260/24	197/2	73/12 90/2
[15]	158/24	benefit [1]	Betty [1]	105/20
196/8	161/17	278/6	11/6	105/23
196/9	170/22	Bennefield	between	140/16
207/12	171/5	[6]	[14]	143/24
224/2	174/7	121/13	20/24 94/2	146/3
224/5	177/22	122/19	102/23	162/25
228/11	178/14	125/23	159/10	205/14
238/2	181/20	125/24	167/18	binder [1]
249/19	191/5	126/1	167/22	202/19
250/10	191/8	130/6	179/25	Birkenstock
274/13	193/12	Bentley	181/8	[1] 207/7
274/14	197/5	[18] 93/1	184/3	birth [10]
277/22	197/12	93/11	185/8	24/5 24/8
285/16	211/10	93/15 95/5	190/23	27/16 28/4
298/12	214/6	95/9 95/11	217/12	29/19
302/9	218/2	95/17	236/10	138/9
belief [2]	218/11	95/18	276/8	255/17
177/11	225/1	95/19 96/1	beverage	270/6
277/17	226/12	96/2 96/6	[1]	270/25
believe	232/1	96/8 96/8	231/13	271/19
[59] 6/25	236/4	96/19	Beverly [8]	Bishop [3]
18/10	257/6	97/18 98/2	26/14	273/22
21/25	258/5	98/5	26/24 27/2	275/8
32/24	262/25	Berrien	27/7 31/2	275/9
38/17	273/19	[10]	223/5	bit [5]
44/25 45/3	276/2	119/3	224/17	6/5 151/14
45/5 45/19	277/21	119/10	225/24	159/21
57/25	281/25	119/14	Beverly's	175/24
58/14	288/19	120/10	[1] 30/3	200/3
64/11	288/20	121/5	Bibb [3]	black [6]
64/25 65/7	293/3	121/20	62/16 63/9	14/17
79/17	297/11	123/19	63/12	14/18 15/3
82/14 87/8	believed	123/22	big [3]	15/6 93/21
88/15	[1]	123/25	98/18	133/17
91/10	280/23	124/5	205/6	blank [1]
99/20	believes	best [4]	292/24	165/19
105/7	[2]	38/14	bill [2]	blanks [1]
105/11	172/25	55/17	192/5	177/3
107/7	297/7	153/22	297/3	block [5]
107/23	Belle's [2]	303/9	bills [1]	15/25 19/3
111/23	270/15	better [3]	237/19	301/5
	270/17	188/16	bind [11]	301/11

B	38/21 39/2	109/7	161/14	216/4
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[1] 302/1	40/22	110/16	162/19	217/13
blocked [1]	40/24 41/9	110/18	163/15	218/5
195/15	41/15	110/24	163/22	224/20
blocks [1]	41/18	111/12	165/14	225/2
239/14	41/25 42/1	111/14	165/15	225/3
blowing [1]	42/1 42/8	112/1	165/19	225/5
133/25	44/1 44/15	112/21	167/1	227/19
Blue [1]	46/13	115/13	168/9	228/13
135/2	48/18	116/3	174/20	228/15
Bluff [4]	50/23	116/11	174/20	228/17
232/21	50/24	116/16	174/22	228/19
233/13	54/16	117/11	175/24	228/22
237/15	55/11	120/10	176/19	229/20
240/16	55/25 56/2	120/17	183/14	231/18
BMD [1]	59/20	121/5	184/6	231/19
48/13	60/23	122/24	186/13	236/5
board [215]	61/10	125/10	187/13	240/3
1/8 4/5	63/12	125/17	187/19	245/19
4/21 4/23	64/13	130/8	188/8	248/13
4/23 6/15	64/17	131/10	189/25	256/22
8/3 8/8	66/20	131/13	190/23	257/1
8/19 12/15	69/16	134/23	190/25	259/6
12/22 13/6	69/19 70/4	135/7	191/24	275/4
13/7 16/6	73/4 73/22	138/22	192/7	279/14
16/9 18/8	74/23	138/25	192/10	282/15
18/17	77/15	139/14	192/14	287/19
18/22	82/22	140/20	192/20	287/23
20/12	88/21	152/24	193/2	288/9
21/21	90/20 92/4	155/11	193/10	288/12
22/23	92/7 92/15	155/13	196/15	298/7
24/18	92/25	155/22	197/3	298/9
24/18	93/10	156/8	197/8	301/23
24/23 25/3	93/16 95/5	156/16	197/10	board's [2]
30/19	95/7 98/4	157/7	197/13	108/18
31/24 32/9	100/12	157/8	197/20	279/20
32/12 33/5	104/13	157/15	200/16	Bob [1]
35/2 37/14	105/15	158/5	202/9	75/2
37/15	106/25	158/17	205/12	Bodison [1]
37/19	107/17	158/24	212/10	105/11
37/22 38/9	107/20	159/1	212/15	BOER [2]
38/11	108/7	161/5	213/23	8/15 10/9
	108/12	161/7	214/3	boisterous
				[1]

B	276/10	254/9	boxes [20]	Bridges [5]
boisterous.	276/11	256/24	12/19	114/24
.. [1]	276/17	262/6	12/25	115/4
183/16	292/25	265/10	87/23 88/1	115/16
Boland [1]	300/15	265/22	88/3 89/1	116/18
138/24	bottom [2]	272/14	89/10	117/9
bold [1]	166/4	272/20	89/18	brief [2]
205/10	175/3	272/25	154/15	83/3 265/6
Borders [2]	bought [3]	273/11	233/19	briefly [2]
299/12	134/9	280/13	260/18	193/2
300/5	151/22	281/19	261/2	193/13
born [1]	243/16	287/22	261/15	bring [5]
243/7	Boulevard	288/4	284/22	71/12
both [36]	[1] 271/4	288/11	287/10	71/18
5/20 26/11	bound [49]	295/9	287/24	71/18
41/8 41/12	48/22 49/2	297/14	288/14	132/10
51/10	63/15	300/6	290/23	138/12
51/24	66/15	boundaries	292/8	bringing
54/19	69/18 72/7	[1]	293/12	[2] 153/4
57/17	73/9 75/3	120/19	Branch [3]	189/22
71/23	88/12	Bowli [1]	19/21	Britney [3]
103/22	95/20	14/16	19/21	164/4
107/12	104/3	box [24]	20/14	166/20
119/21	104/5	11/3 13/10	brand [1]	223/24
124/6	104/10	29/12	49/20	Britt [8]
124/6	104/15	48/10 88/2	brand-new	107/22
129/6	105/10	88/7 91/8	[1] 49/20	107/25
148/13	107/1	156/22	break [8]	108/2
165/6	115/16	234/4	3/4 70/19	108/8
194/11	120/13	237/4	70/21	110/23
195/3	135/8	237/25	92/14	110/25
201/13	138/24	240/8	131/3	112/12
207/21	143/16	241/25	131/5	113/2
209/8	145/21	260/21	232/10	Brittany
210/18	161/6	261/25	232/12	[2]
224/10	167/3	262/12	Brewer [4]	254/25
227/11	184/18	271/23	28/8 29/6	255/8
228/9	185/1	285/1	30/18 33/3	broke [2]
239/17	209/17	286/18	Brian [3]	98/12
240/12	213/15	287/25	115/22	99/18
251/10	224/19	288/15	118/1	brokerage
251/14	235/6	289/22	142/24	[1] 244/2
255/13	235/10	292/13	Brian's [1]	brokers [1]
	235/14	292/19	143/9	243/23

B	256/17	253/15	79/19	129/19
Brook [8]	265/5	253/20	79/23 80/3	129/25
74/17	brother [7]	253/22	80/4 80/9	131/11
74/18 75/2	148/13	253/25	81/12 82/2	135/3
76/6 76/14	150/19	254/7	83/10 84/6	135/14
76/20	150/19	building	84/13	136/23
82/25 83/8	150/23	[2] 79/18	84/25	137/18
Brook/Shamr	151/2	190/1	85/17 87/2	138/12
ock [1]	151/3	bunch [2]	87/9 88/24	139/19
82/25	175/8	151/3	94/15	141/2
Brooklyn	brought [9]	151/25	95/12	141/15
[2]	81/12	bundles [1]	96/11 97/3	145/1
102/10	121/8	213/13	98/12 99/4	147/11
102/14	122/19	burden [1]	99/10	148/25
Brooks [28]	128/10	81/16	99/16	149/1
66/9 95/1	186/1	bus [1]	99/25	150/21
95/4 95/16	255/2	15/3	102/21	151/8
96/19	255/9	busiest [1]	107/16	151/15
96/25	259/2	49/18	110/10	151/23
255/12	259/3	business	111/9	152/6
255/19	Brown [2]	[6] 145/7	111/24	152/14
255/23	252/4	146/10	112/10	152/17
255/25	252/4	150/25	112/22	153/12
256/2	Brown's [3]	173/11	113/11	153/18
256/4	160/1	257/2	113/22	159/1
256/8	160/11	302/9	114/25	159/14
256/10	160/19	busy [1]	116/17	159/21
256/14	Bruce [2]	48/6	116/22	162/7
256/19	174/9	but [192]	119/18	164/10
257/4	174/12	6/6 9/7	120/1	171/8
259/10	Bryant [18]	18/7 22/10	120/2	173/4
259/11	250/1	23/25 30/8	124/14	174/24
264/19	250/4	45/7 46/19	124/19	175/5
264/19	250/7	46/22 48/5	124/25	175/16
264/23	250/16	53/2 53/8	124/25	176/7
265/2	250/19	53/25	127/14	177/2
265/3	250/23	54/11	127/19	177/22
265/5	250/24	55/14	128/6	178/10
266/4	251/2	55/16	128/8	181/14
266/5	251/4	57/18 62/2	128/17	181/17
266/9	252/22	68/21	128/20	181/21
Brooks's	253/3	69/23 72/5	128/22	182/8
[2]	253/6	72/23	129/3	182/22
	253/13	78/16	129/14	183/6

B	240/11	234/16	120/24	50/22
but... [73]	240/15	234/19	126/9	62/25
186/2	240/22	234/25	131/6	129/3
186/18	243/9	235/2	148/1	182/22
187/2	246/24	243/7	149/18	183/5
187/5	247/24	243/9	184/24	183/17
188/11	248/13	243/12	189/18	190/16
189/16	248/18	243/13	189/23	194/18
191/9	251/9	243/17	190/2	196/4
191/19	255/23	243/18	190/6	202/22
193/21	259/21	244/5	191/6	205/2
194/18	267/19	244/6	191/11	210/12
195/6	271/10	244/9	195/19	247/7
196/8	275/18	244/17	199/7	247/18
197/5	276/22	244/19	199/9	247/22
197/7	276/22	244/21	200/13	calling [4]
199/11	277/6	244/23	200/15	55/16
200/3	278/4	246/6	200/21	55/17
200/19	279/15	246/16	201/12	110/2
201/5	280/24	246/17	201/15	149/19
202/1	280/25	246/19	205/8	calls [3]
203/6	281/3	246/24	206/4	51/9 84/2
203/18	282/12	247/3	215/15	190/12
204/25	283/3	247/11	262/19	came [21]
215/3	290/8	247/16	274/16	9/1 45/14
217/6	291/24	247/20	274/24	45/16 57/2
217/23	291/25	248/4	Callaway	67/19 71/6
219/7	292/4	248/14	[15] 2/14	71/14
220/18	292/6	248/16	25/18	79/12
221/12	292/12	248/23	31/25	99/12
222/15	293/7	California'	134/6	114/14
223/12	293/11	s [1]	139/2	127/23
228/2	Butts [1]	246/14	145/23	188/23
229/2	219/4	call [40]	145/25	204/2
229/18	buy [1]	4/4 4/7	157/2	204/6
236/11	132/17	34/23 48/4	167/15	204/25
236/25	C	58/25 59/5	197/21	205/4
237/8	California	59/6 59/9	197/24	218/25
237/16	[34]	70/22	231/20	228/2
237/19	234/10	108/11	262/20	259/20
238/10	234/11	111/23	280/12	299/12
238/21	234/13	112/23	300/12	299/15
240/9	234/15	116/17	called [16]	camera [1]
		117/9	9/19	184/14

C	73/21 78/8	170/19	291/9	48/23
Camp [1]	82/23 83/1	170/20	292/2	135/10
36/14	84/6 86/23	174/12	293/9	295/19
campaign	92/5 92/16	174/13	293/10	candidacy
[9] 17/14	96/4 98/15	176/5	301/25	[1] 46/7
66/1 66/3	108/4	177/2	Can I [1]	candidate
66/3 66/5	108/5	178/7	133/4	[10] 15/1
66/8 66/16	111/14	181/22	can't [12]	72/12
132/5	117/10	185/18	65/5 65/5	92/25 93/9
231/16	126/2	185/18	89/25	93/15
campaigning	129/22	185/20	91/11	94/19
[12]	131/14	185/21	193/23	94/22 95/6
66/12 93/5	131/16	186/10	203/17	98/12
100/5	133/4	194/21	277/12	119/15
204/14	136/9	196/17	277/15	candidates
204/16	136/10	198/12	277/16	[7] 7/16
204/18	136/19	202/15	278/3	9/23 41/14
209/19	136/20	210/3	279/13	93/4 97/22
231/3	136/23	213/24	279/13	100/4
231/5	139/8	213/25	cancel [11]	251/11
231/14	139/11	218/5	52/2	cannot [5]
231/23	139/11	218/13	52/14	169/17
231/24	140/19	218/15	52/23	170/1
Campbell	142/8	218/15	67/20	237/24
[7] 93/18	147/22	218/17	67/24	256/13
93/22	147/23	218/17	68/23	286/22
93/24 94/3	147/24	218/18	69/22	Canton [2]
94/5 94/10	150/3	218/20	224/8	239/14
94/12	150/5	230/16	226/7	268/13
can [115]	150/6	239/10	256/6	canvass [1]
6/11 8/9	151/25	240/8	276/6	208/14
11/24	152/18	243/3	canceled	canvassers
13/22	152/18	246/15	[8] 102/8	[1]
14/12 16/1	152/21	247/1	138/3	208/18
16/17	169/23	274/2	142/6	capacity
37/10	170/4	274/3	227/8	[3]
43/20	170/8	275/10	227/12	157/15
44/23	170/9	279/17	269/15	282/10
44/24 45/6	170/12	283/16	272/1	282/12
45/10	170/13	283/17	272/3	captured
46/17 64/1	170/15	283/19	canceling	[1]
64/23	170/16	283/25	[1]	184/15
72/23	170/16	288/21	225/22	car [3]
	170/17	289/2	cancellatio	181/15
			n [3]	

C	Carolina	12/3 12/10	82/16	172/2
car... [2]	[2]	12/12	83/17	172/13
190/5	233/16	13/15	86/10	174/8
243/16	234/1	13/19	86/21 87/2	175/5
carbon [1]	Carolyn [1]	14/10	87/3 87/18	180/1
289/22	190/14	14/13	87/19 90/8	180/1
card [9]	Carr [1]	15/12	92/1 92/19	180/11
48/12	50/11	15/15	92/19	180/12
85/21	Carruth [1]	15/20 16/5	97/12	182/18
137/13	297/3	16/15	100/24	186/19
138/10	carry [2]	16/18	105/5	187/8
173/11	61/24	17/21	105/9	205/24
226/23	276/10	18/18	106/8	209/25
237/19	carrying	19/17	107/8	211/1
299/14	[2]	19/18	107/20	211/4
299/16	276/15	22/21	108/14	211/12
cards [5]	277/4	24/17 25/4	110/17	212/5
38/6 85/24	Carter [2]	25/16	113/9	213/23
257/2	185/17	25/18	113/14	221/16
299/9	185/18	31/23 32/3	114/4	221/23
299/18	Carver [14]	32/8 34/1	115/22	229/25
care [9]	185/14	34/4 34/11	117/5	232/16
9/3 119/4	185/15	34/25	118/21	237/22
123/14	187/14	35/21	121/1	241/6
128/7	190/24	35/21	123/11	241/17
150/25	191/4	38/19 42/1	125/22	242/17
175/8	191/9	42/13 46/2	131/9	246/1
203/2	191/23	47/8 51/20	131/11	249/7
219/6	193/1	52/6 53/11	131/21	249/20
237/7	193/3	54/5 56/20	135/18	254/5
careful [3]	193/5	56/20	139/4	254/24
60/18	197/4	57/23	139/16	257/7
140/24	198/1	59/18	142/16	258/4
203/18	198/2	61/12 62/1	144/8	258/6
carelessnes	198/4	62/14	145/24	258/10
s [1]	case [178]	63/23	147/10	258/19
141/6	6/20 6/22	65/21 67/8	147/11	258/25
Carla [5]	6/23 7/2	67/12 70/4	149/1	259/3
107/9	7/5 7/9	70/20	154/8	260/10
107/12	7/25 8/3	70/24	154/9	262/9
109/15	10/16	73/14 74/4	159/20	262/18
112/2	10/18	74/6 74/8	163/11	263/11
112/18	10/21	75/19	163/13	266/12
	11/17 12/1	77/11	171/23	266/21

C	cast [24]	21/16	262/9	120/23
case...	30/10	124/18	certainly	123/3
[13]	41/13	124/19	[9] 23/3	123/7
274/5	45/20	128/17	83/11	chain [1]
277/11	47/13	153/13	86/23 90/7	285/3
279/12	60/13	227/22	92/14	chair [11]
280/11	86/16	cause [4]	113/4	2/5 5/15
284/17	102/1	77/9 229/8	181/21	8/19 9/12
288/22	125/8	231/25	193/16	37/13
294/1	135/25	293/15	211/16	88/19
296/7	157/11	caused [4]	certificate	107/17
296/9	157/17	68/2 110/6	[4] 85/19	108/7
296/21	162/11	157/14	144/24	186/12
297/11	163/23	184/23	153/17	200/4
299/4	203/12	causes [1]	302/19	283/1
301/21	267/4	140/23	certificate	chairman
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6/19 12/8	267/21	183/16	on [2]	275/13
18/14	267/24	196/6	41/5	chairperson
18/18	268/6	CCR [1]	258/21	[1]
18/23 19/1	269/5	1/22	certified	108/11
19/2 19/13	270/2	cease [1]	[11]	chairs [2]
19/14	270/21	277/24	109/17	10/3
35/20	271/16	ceased [1]	154/17	188/19
35/20 60/3	casted [1]	109/14	155/20	challenge
73/6 73/6	244/21	celebrate	156/7	[6] 43/7
73/11	casting [1]	[1]	156/16	43/8 250/5
105/21	268/4	210/19	156/25	250/16
105/24	Castro [1]	celebrating	157/24	250/17
110/3	128/11	[1]	303/3	253/8
204/8	catch [2]	207/10	303/4	challenged
275/16	61/21	cell [3]	303/15	[1] 250/9
278/23	138/15	52/12	303/15	challenges
283/11	catching	55/13	certify [3]	[1] 61/25
284/9	[2]	189/23	163/16	Chan [2]
301/6	298/19	censors [1]	163/23	14/17
cases.....	300/21	127/7	303/6	15/14
.....	Catoosa [2]	center [3]	certifying	chance [2]
.....	65/22	79/9 239/4	[2] 50/7	73/20
.6 [1]	66/5	271/11	197/25	203/19
3/13	Caucus [1]	central [1]	CES [1]	Chandler
cashing [1]	16/5	293/12	98/21	[5] 26/14
299/19	caught [6]	certain [2]	Chad [3]	31/2 31/6
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134/13	103/2	146/15	153/16	233/2
149/11	103/3	146/19	153/17	233/5
178/8	103/4	146/19	153/18	233/6
203/23	103/5	146/19	153/20	233/6
210/5	107/23	146/21	153/21	233/10
225/20	108/21	146/23	154/12	233/10
228/8	110/9	146/23	155/3	233/11
228/16	110/10	147/3	161/8	233/12
263/21	111/8	147/5	161/9	233/12
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280/25	136/10	199/25	255/19	214/3
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281/3	136/23	201/8	255/25	216/25
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27/16	101/12	174/2	217/23	252/16
27/18	101/24	174/4	219/20	252/16
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29/23	136/2	180/2	224/3	265/7
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30/12	137/9	181/15	225/8	268/23
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153/6	246/2	100/9	239/14	164/11
153/7	250/4	104/2	241/24	166/21
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253/15	48/25	143/1	251/4	256/7
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145/7	274/1	132/16	215/16	26/7
145/13	274/18	139/20	215/22	192/1
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153/13	78/15	187/24	228/16	Kyle [5]
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269/18	64/14	294/8	297/2	147/9
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110/5	195/25	31/18 60/7	166/3	266/5
111/12	196/4	83/17	172/2	266/9
175/6	207/24	97/24	looking [9]	love [2]
190/13	208/16	129/16	56/19	84/23
240/2	230/3	301/17	57/2 57/5	240/21
240/3	230/11	long-term	111/12	Lower [1]
241/2	230/22	[1] 83/17	121/23	16/23
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168/20	206/20	282/8	170/24	271/18
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173/7	287/3	296/1	237/4	273/10
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	166/16	look [15]	66/11	281/17

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[1]	282/25	118/4	19/22	207/9
281/18	made [31]	140/1	21/10	207/11
lunch [2]	13/11	140/2	27/22	207/20
92/14	23/23 24/3	140/3	27/25	210/17
131/3	36/5 36/9	140/4	28/12	210/19
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[1] 92/16	43/8 43/11	164/9	57/10	206/5
	45/17 60/5	177/12	57/19	mailing [9]
M	60/24	177/19	62/21	57/12
M.L.K [2]	61/15 62/7	177/24	62/23 63/1	57/16
71/5 71/13	63/9 72/4	178/9	63/8 63/11	107/3
ma'am [18]	113/8	178/11	68/7 68/21	109/22
8/11 11/25	119/14	206/22	102/6	109/24
13/23 34/2	122/9	222/6	102/9	233/12
49/14	124/21	222/7	102/14	233/23
77/16	124/22	222/25	103/16	246/14
78/10 96/5	157/20	240/14	106/15	246/17
116/2	165/16	249/23	106/17	main [1]
125/20	165/18	250/25	106/18	257/1
139/11	165/19	251/6	108/24	maintain
219/23	182/7	251/23	114/24	[3]
229/23	186/24	253/23	140/2	148/13
274/20	206/13	270/11	172/19	151/1
282/4	258/3	mail-in [6]	212/25	288/7
282/7	272/7	28/9	213/20	maintained
289/1	278/7	140/1	214/23	[1] 88/1
298/15	Mae [2]	140/2	222/14	maintenance
machine [5]	270/4	140/3	222/16	[1]
20/24	270/10	140/4	222/20	123/17
52/24 54/4	Mae's [2]	270/11	223/2	majority
68/25	270/16	mailbox [9]	225/15	[2] 86/2
78/15	270/19	96/23	232/22	279/9
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[1]	28/9 38/17	233/11	237/17	6/9 14/1
156/19	40/7 47/11	233/23	250/8	15/23 18/7
Macon [2]	63/18	234/7	253/9	23/16
62/24	68/12	238/25	268/12	30/13
283/11	100/7	239/2	268/24	32/13
Madam [7]	107/14	239/3	268/25	38/14
5/15 37/13	108/20	240/4	269/11	38/23
88/19	114/24	mailboxes	271/4	45/25 46/5
108/6	115/12	[1]	271/23	46/18 51/1

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make . . .	280/1	289/16	119/25	[1] 7/24
[49] 53/7	283/1	manager	manually	Mariska [1]
54/2 60/20	296/10	[30] 2/12	[1] 85/22	105/11
68/14	300/14	48/3 48/21	many [10]	Marjorie
68/21	302/10	49/20 52/2	22/15	[2] 48/19
72/24	makes [3]	54/25 55/1	83/18 99/2	49/7
73/14	126/21	55/3 75/1	111/25	mark [3]
81/24	219/7	75/2 82/24	112/5	206/14
82/10 85/1	241/4	83/5	133/20	230/15
86/24	making [10]	119/18	134/4	251/11
91/14	15/24	165/6	134/8	marked [3]
113/10	23/4 44/8	165/7	230/20	161/1
113/15	63/17	183/11	231/1	223/18
127/2	140/25	184/20	map [2]	251/10
128/24	188/4	187/20	123/22	markers [1]
130/17	190/12	189/3	123/25	208/10
135/15	213/16	189/13	maps [5]	marketing
146/6	273/12	191/25	38/3	[1]
158/23	281/20	194/17	120/18	133/14
159/4	male [1]	198/24	121/17	Martha [2]
162/22	212/16	204/15	123/18	74/25
171/22	malfunction	209/4	123/21	77/19
180/10	[1] 74/13	216/22	March [11]	Martin [17]
181/25	malfunction	217/6	7/24 7/24	164/2
181/25	s [1] 77/8	231/4	8/15	164/15
183/7	malice [1]	256/9	109/17	165/2
193/17	106/21	286/25	109/18	165/4
201/6	Maloy [6]	manager's	226/2	165/13
201/21	174/9	[2] 54/1	255/8	165/18
201/21	174/12	288/6	261/8	165/21
202/2	176/14	managers	264/1	166/5
205/13	176/20	[6] 49/22	264/12	166/10
217/9	177/2	50/1 50/18	265/2	166/15
220/19	181/19	52/13	March 11	166/17
221/12	man [3]	162/1	[1] 264/1	167/2
229/10	51/4	287/8	March 23	167/13
241/1	173/16	manipulated	[1] 261/8	168/11
248/11	206/24	[2] 164/3	March 25	169/6
261/9	management	165/17	[1] 265/2	169/12
263/3	[6] 167/8	manner [1]	March 2nd	171/3
278/21	168/20	156/3	[1] 7/24	MARY [13]
279/22	169/1	manual [3]	March 31st	1/22 48/3
	169/5	78/20	[1] 255/8	48/20

M	290/19	matter [17]	77/25 78/1	45/6
MARY...	Mashburn's	1/8 14/17	78/7 82/20	maybe [4]
[10]	[1] 86/8	14/18 15/3	82/21	92/16
92/25	masks [2]	54/9 90/5	88/23	192/19
93/15 95/5	206/9	110/19	90/17	199/19
95/17	209/9	111/13	92/10 96/2	199/20
95/19 96/6	massive [1]	121/11	97/14	McClelland
96/7 303/3	141/9	134/2	104/23	[4] 69/1
303/14	match [6]	159/5	108/1	69/12
303/14	164/24	191/2	108/2	69/18
Maryland	188/15	210/11	108/13	69/21
[9]	189/1	210/14	109/8	McCullough
172/19	199/24	225/11	110/8	[5] 67/14
173/18	201/22	227/16	111/4	67/18 69/4
175/7	291/22	262/2	116/18	69/8 69/17
177/25	matched [1]	matters [3]	121/14	McDaniel
178/7	207/19	15/6	125/8	[4]
179/12	material	191/9	125/25	267/16
179/13	[6] 3/7	211/2	135/2	270/2
179/14	66/1 84/14	Matthew [1]	135/14	270/4
179/15	85/20	2/8	150/8	270/12
Mashburn	159/24	Mattie [9]	157/5	McDowell
[25] 2/8	187/14	11/7	176/21	[3] 47/18
4/13 24/25	materials	267/15	198/13	49/2 57/5
42/15	[5] 12/12	270/2	198/25	McDowell's
60/24	193/13	270/4	199/13	[1] 57/6
61/19 62/8	258/19	270/10	202/12	McDuffie
80/19 81/9	262/8	270/15	217/15	[1] 8/20
90/24	262/12	270/16	217/17	McIntosh
91/14	Matt [14]	270/17	224/4	[6]
96/19	42/15	270/18	228/7	260/11
147/1	80/19	may [62]	229/18	261/1
169/10	90/23	7/12 7/16	236/7	261/4
170/23	91/14	8/8 11/23	243/1	262/3
171/1	96/19	12/11	255/5	262/13
171/2	169/10	13/21	258/13	262/15
216/9	171/1	15/16 31/4	273/25	MCMAHAN [4]
231/21	171/1	31/6 43/15	275/9	1/22
238/17	216/9	51/5 53/21	291/10	303/3
246/5	238/16	56/25 57/6	291/17	303/14
248/7	246/5	58/18	298/9	303/14
259/8	259/8	61/17	May 19 [1]	me [85]
277/13	277/12	72/18	7/16	4/16 7/2
	290/19	72/21	may've [1]	8/10 8/21

M	187/4	200/23	174/24	90/20
me... [81]	188/23	201/25	meetings	95/13 98/4
9/16 10/13	190/15	221/8	[3] 60/3	105/15
11/24 12/2	195/7	221/9	110/2	108/7
13/22	196/24	221/9	113/5	110/24
15/17	200/22	221/11	Melanie [3]	117/11
22/18	201/12	229/20	119/23	125/17
31/16	202/15	231/22	120/11	130/8
37/11	202/16	231/23	121/6	152/24
44/23	202/16	238/3	mem [1]	159/2
49/13	204/6	247/6	161/20	162/19
49/16	204/7	292/3	member [17]	162/22
55/19	210/3	means [1]	8/15	176/19
56/23	210/5	277/25	50/23	183/14
64/22 71/6	213/24	measure [2]	55/11	197/20
73/7 73/8	217/15	125/13	93/24 95/5	205/12
78/8 81/17	218/13	249/1	97/6	214/5
82/23	218/17	measured	165/15	225/3
83/12 84/7	219/7	[1]	171/22	228/19
84/21 96/4	231/22	230/11	189/25	231/19
97/18	231/23	measures	190/23	259/6
97/24	236/22	[5]	196/15	275/4
108/4	237/6	111/25	200/16	283/23
111/2	239/11	112/2	214/25	286/19
117/22	239/20	125/2	225/6	287/13
121/5	243/3	158/22	288/7	memory [1]
126/2	259/13	162/13	301/6	274/19
131/15	274/2	measuring	301/23	men [1]
132/1	274/24	[1] 17/10	member's	103/22
136/9	275/1	media [1]	[1] 97/7	mention [1]
139/9	275/11	15/22	members	95/13
150/3	275/15	medication	[48] 4/23	mentioned
150/5	291/19	[1] 277/7	6/15 12/19	[4] 76/2
169/14	mean [24]	meet [3]	13/1 15/24	108/10
169/15	23/7 23/14	41/1 72/4	18/8 18/22	175/9
170/4	79/8 79/16	204/7	22/23	241/16
174/12	135/1	meeting	24/23 25/3	Meron [1]
178/18	154/3	[10] 4/5	31/24 32/9	173/20
178/18	189/3	4/14 4/21	32/12 35/2	message [3]
185/20	198/1	4/22 18/15	37/14 44/1	15/19
186/10	199/15	24/25	46/13	59/1 142/8
186/13	200/3	67/11	50/24 56/2	messed [1]
187/4	200/9	70/22	64/17	151/14
	200/22	131/6	66/20 70/4	met [3]

M	millions	289/10	33/12	misundersta
met... [3]	[2] 24/10	289/16	misspoke	nding [2]
7/19	24/10	292/5	[1] 178/3	23/19
173/12	Milton [2]	misleading	mistake	88/24
235/4	238/22	[1]	[18]	Mitchell
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132/14	mind [4]	misnomer	21/18	mitigating
133/13	30/12	[1]	23/22 24/3	[2] 113/8
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185/14	150/2	misplaced	53/14	mixup [2]
185/15	192/16	[6] 96/9	54/11	160/13
Michelle	Mindy [5]	154/14	54/12	160/24
[2] 19/19	93/3 94/13	155/19	74/20 84/4	Mogli [2]
20/8	95/14	156/6	106/20	144/9
microphone	97/13	156/14	110/14	144/12
[1]	97/15	156/24	124/20	mom's [1]
136/22	mine [3]	misread [2]	125/1	245/15
mid [3]	22/14	98/14	125/12	moment [5]
8/14 26/19	83/17	203/11	157/19	7/6 11/22
26/24	108/13	miss [2]	277/6	56/23
middle [1]	Mineral [4]	148/25	278/16	196/14
24/6	232/20	242/7	mistaken	217/23
might [6]	233/13	missed [4]	[3] 24/7	Momo [4]
36/21	237/15	9/22 10/4	167/25	75/11
134/2	240/16	132/25	178/1	75/17
147/16	minute [3]	136/12	mistakenly	77/13 81/2
153/11	70/18	missing	[5] 21/13	Moncello
168/1	157/21	[13]	256/19	[1] 132/4
192/24	232/10	90/25	261/16	money [3]
Mike [2]	minutes	113/18	262/14	14/24
190/23	[15] 4/21	147/12	270/15	72/10
199/15	4/24 76/6	286/2	mistakes	151/3
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175/14	76/20	286/18	278/21	[10]
239/6	76/20 84/3	287/1	mistrust	188/7
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124/8	139/22	289/12	165/25	189/10
Mill [3]	149/12	291/4	Misty [3]	190/18
160/1	160/14	291/5	164/2	190/20
160/11	187/2	292/7	167/2	191/14
160/19	190/11	292/13	167/13	191/20
million [1]	227/1	misspelling	Misty	192/13
24/10	misfiled	[1] 30/25	Martin [1]	201/24
	[3]	misspelling	167/13	212/14
		s [1]		

M	176/4	most [5]	32/22	141/23
monitored	191/21	55/2	33/17	142/11
[1] 202/3	242/12	136/12	33/24 35/4	142/15
monitoring	257/24	252/24	35/13	144/1
[1]	283/5	271/13	35/18	144/2
187/21	283/6	289/11	45/25 46/9	144/7
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[1] 202/2	[1] 271/1	241/10	60/20	146/7
Monroe [8]	Morey [12]	mother [16]	60/25 61/8	146/7
50/4 51/16	212/9	20/4 21/4	62/7 62/13	153/1
51/25 58/1	213/18	214/15	64/19	153/4
58/3 58/6	214/9	218/1	65/14	153/22
58/13	215/20	220/9	65/19	154/2
58/15	216/12	220/10	66/25 67/7	159/4
month [2]	216/20	222/21	70/6 70/16	159/15
159/12	217/5	233/6	73/15	159/19
283/13	217/12	263/22	73/25 74/3	162/23
months [4]	218/2	264/2	82/13	163/3
145/6	218/5	264/5	82/16 83/6	163/8
145/9	218/6	264/5	86/6 86/7	171/22
145/11	218/14	264/15	86/8 86/11	172/7
148/20	morning	265/16	87/12	172/12
Moon [1]	[21] 4/2	265/19	87/17	179/23
135/2	18/2 25/2	269/19	91/14	181/5
Mordi [1]	25/19	mother's	91/19	181/20
11/7	37/10	[2]	91/20	181/25
more [23]	37/13	245/10	91/25	182/9
41/16	43/21 64/3	263/23	100/15	182/16
53/16	75/16	mother-in-1	100/23	205/13
60/18	75/16	aw [4]	105/22	205/17
69/13	90/15	214/15	106/7	205/22
73/20	97/15	218/1	113/10	211/24
81/22	104/24	220/9	113/15	212/4
82/15 92/3	115/25	220/10	113/22	220/19
94/17	116/2	motion	114/3	221/12
116/19	116/11	[153]	118/10	221/16
118/6	121/2	4/25 5/2	118/15	221/22
123/2	121/3	5/5 5/9	118/20	229/10
131/7	190/21	19/1 19/6	130/10	229/11
132/25	202/17	19/11 25/3	130/22	229/16
148/20	256/12	25/10	131/2	231/21
161/25	mortgage	25/15	140/14	232/4
172/2	[1]	32/13	141/19	232/9
	243/25	32/17	141/20	242/5

M	302/8	241/6	256/1	158/7
motion...	302/10	247/9	294/8	161/1
[42]	motor [4]	249/7	294/21	162/21
242/11	145/12	254/16	moves [1]	170/23
242/22	146/15	259/24	140/21	174/9
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248/10	247/18	278/8	19/12	193/1
248/11	mount [1]	279/21	35/19	212/25
249/11	194/8	281/6	44/12	217/5
249/18	mountains	282/14	103/2	230/18
254/18	[1]	282/22	205/24	233/4
254/23	150/24	282/25	Mr [55]	237/11
260/2	move [56]	293/5	4/13 21/18	239/10
260/9	5/1 6/17	293/17	24/25	259/17
263/4	19/2 25/5	294/22	25/18	262/20
263/5	32/14	298/21	31/25 33/1	270/23
263/10	33/15 34/4	301/10	37/8 44/2	272/11
266/15	35/9 46/1	302/1	56/24 64/1	Mr. [110]
266/19	46/1 61/12	moved [28]	81/9 82/21	5/11 5/14
278/12	62/16 65/9	17/11	86/8 88/17	6/14 6/16
278/14	66/22	23/25	88/18	11/12
278/15	67/12 70/7	36/23	90/21	21/16
278/24	82/6	101/25	104/23	23/23
279/2	100/13	144/14	107/22	42/11 43/7
279/8	105/17	172/21	107/25	44/21 45/2
279/22	105/17	172/25	110/25	45/24 46/7
279/23	105/19	175/12	112/12	51/16
280/1	118/11	175/13	113/2	51/25 52/7
280/8	130/11	178/18	116/1	57/2 57/2
281/12	140/15	178/23	117/12	58/16
282/16	143/24	178/25	121/13	60/24
282/21	146/2	179/2	122/19	61/19 62/8
293/16	146/7	180/2	125/18	64/16
293/25	147/11	180/3	126/1	64/18
296/10	162/24	180/13	126/6	66/11
296/13	171/23	184/1	126/18	71/21 72/5
296/20	173/4	184/1	126/21	75/19 85/4
299/2	179/17	188/16	144/13	85/6 90/6
300/14	189/17	199/21	144/23	105/3
300/25	191/1	200/2	145/13	105/16
301/9	205/14	228/3	145/25	108/2
301/18	211/21	235/25	147/1	110/23
301/25	230/25	236/23	148/3	115/23
	232/2	243/15	157/2	117/9

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125/16	187/14	[8] 139/2	Mr.	150/19
125/24	191/4	145/23	Hardnett	153/13
130/6	191/9	167/15	[2] 52/7	154/8
139/2	193/3	197/21	58/16	Mr. King's
144/18	193/5	197/24	Mr. Harvey	[1]
144/21	197/4	231/20	[1]	150/18
145/1	197/21	280/12	157/22	Mr. Larry
145/7	197/24	300/12	Mr. Hill	[1] 212/9
145/18	198/1	Mr. Carter	[2]	Mr.
145/23	198/2	[2]	115/23	Lawrence
146/8	198/4	185/17	117/9	[1] 43/7
147/2	212/9	185/18	Mr. Howard	Mr.
147/14	215/20	Mr. Carver	[9] 155/3	Lawrence's
147/17	216/12	[9]	157/21	[3] 44/21
147/18	216/20	187/14	157/25	45/2 46/7
147/20	217/12	191/4	158/10	Mr. Lowman
148/5	218/2	191/9	158/13	[5]
148/8	218/5	193/3	160/23	105/16
149/9	218/6	193/5	161/18	257/9
149/9	231/20	197/4	161/23	259/7
149/25	231/21	198/1	162/17	259/15
150/18	242/7	198/2	Mr. Johnson	288/17
150/19	257/9	198/4	[2] 21/16	Mr. Maloy
152/23	259/7	Mr. Collins	23/23	[4]
153/13	259/15	[1] 11/12	Mr. Jones	176/14
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155/3	280/12	[2]	Mr. King	177/2
157/21	288/17	120/23	[19]	181/19
157/22	300/12	125/16	144/18	Mr.
157/25	Mr. Altman	Mr. Ellison	144/21	Mashburn
158/10	[1]	[1] 57/2	145/1	[4] 60/24
158/13	152/23	Mr.	145/7	61/19 62/8
160/23	Mr.	Ellison's	145/18	231/21
161/18	Bennefield	[1] 57/2	146/8	Mr. Monroe
161/23	[2]	Mr.	147/2	[2] 51/16
162/17	125/24	Frederick	147/14	51/25
167/15	130/6	[1] 242/7	147/17	Mr. Morey
176/14	Mr. Bishop	Mr. Germany	147/18	[7]
176/20	[1] 275/9	[4] 5/11	147/20	215/20
177/2	Mr. Britt	5/14 6/14	148/5	216/12
	[2] 108/2	6/16	148/8	216/20

M	33/24	72/22	113/2	167/25
Mr.	37/16	73/20 74/8	113/3	168/4
Morey...	37/24 38/2	77/13	117/9	168/11
[4]	38/7 39/4	77/24	117/12	169/6
217/12	39/6 39/12	77/25 78/1	120/6	169/16
218/2	39/12	78/3 78/4	121/9	169/18
218/5	39/21	78/6 79/17	121/11	169/19
218/6	39/25 40/8	80/15	121/20	169/21
Mr. Noland	40/8 40/9	81/12	123/1	169/24
[2] 64/16	40/9 40/12	83/10	123/5	170/4
64/18	40/13	86/14	123/9	170/8
Mr. O'Neal	40/15	87/18	123/10	170/10
[3] 75/19	40/17	88/20	123/12	170/12
85/4 85/6	40/18	90/11	124/20	170/13
Mr. Ogle	40/20	90/13	124/25	170/15
[1] 66/11	40/25 41/8	90/19 92/4	125/19	170/21
Mr. Reed	41/25 42/2	92/8 92/9	128/1	170/22
[3] 42/11	42/12	92/13	128/6	173/6
45/24 90/6	43/14	92/24 93/2	131/8	174/18
Mrs [6]	43/14	93/7 93/15	131/10	175/4
57/3 85/8	43/17	93/18	134/24	177/4
85/9	43/19 44/3	93/24 94/3	135/24	179/18
212/13	44/3 44/6	94/10	136/1	180/2
216/13	49/20	94/12	137/17	183/12
216/22	50/17 52/8	94/14	137/19	184/5
Mrs. [1]	52/16	94/19	139/6	184/12
215/19	53/13	94/22 95/9	140/7	186/8
Mrs.	53/13	95/11 96/1	141/24	197/14
Rawlinson	54/19	96/19	155/2	197/16
[1]	55/20	97/14	158/16	197/18
215/19	55/23 56/3	97/18 98/5	159/10	202/10
Ms [274]	56/21 57/5	98/5 98/8	160/2	211/7
4/8 4/10	57/6 58/3	104/20	160/5	212/16
5/2 8/2	58/3 58/6	105/11	162/20	212/23
8/4 8/6	58/6 58/15	107/6	164/15	213/5
11/23	58/15	108/10	165/2	215/7
13/17	61/11 62/7	109/15	165/4	215/24
13/21	62/20	109/19	165/13	216/19
14/12	62/25	109/25	165/18	216/25
20/18 21/2	63/11 64/9	111/3	165/21	217/3
24/15	64/21	111/4	166/5	217/5
24/16 31/6	64/23 65/4	112/15	166/10	217/21
32/7 32/21	72/18	112/20	166/15	218/22
	72/21	113/1	166/17	218/24

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Ms... [49]	296/6	184/3	Ms. Connell	Ms. Martin
220/8	296/19	186/4	[1] 184/3	[2]
222/10	296/25	186/7	Ms. Daniel	169/12
224/7	297/5	197/12	[1] 32/23	171/3
225/13	297/19	214/20	Ms. Dozier	Ms.
226/11	298/3	217/12	[1] 90/22	McCullough
226/19	298/6	223/13	Ms. Fissha	[1] 67/18
226/23	Ms. [63]	225/7	[4]	Ms. Mogli
227/4	7/6 10/14	225/18	172/24	[1]
227/7	14/8 23/2	227/3	173/3	144/12
228/1	31/21 32/1	227/23	173/13	Ms. Pitts
228/20	32/23	228/5	173/19	[1]
228/21	44/14	228/8	Ms. Ghazal	214/20
234/15	63/21	229/17	[2] 44/14	Ms.
242/14	66/21	242/17	181/4	Ragsdale
242/16	67/18 70/5	258/9	Ms.	[1] 228/5
242/23	75/19	258/11	Hoechstett	Ms. Roberts
243/1	90/22 92/2	265/3	er [3]	[1] 183/1
256/2	96/2 98/2	290/12	183/6	Ms. Rooks
256/4	115/20	297/11	183/9	[2] 258/9
256/8	120/21	297/25	186/7	258/11
256/10	140/18	Ms. Bach	Ms.	Ms. Sikes
256/10	142/3	[1] 23/2	Holloway	[2] 160/7
258/9	144/12	Ms. Beasley	[2]	162/8
258/18	160/7	[1] 75/19	297/11	Ms. Soles
259/10	161/13	Ms. Bentley	297/25	[1]
259/11	162/8	[2] 96/2	Ms. Hooks	140/18
261/14	163/9	98/2	[2]	Ms. Souls
264/19	164/4	Ms. Britney	161/13	[1] 142/3
264/23	164/8	[1] 164/4	163/9	Ms.
265/5	164/11	Ms. Brooks	Ms. Jackson	Stephens
273/25	169/12	[1] 265/3	[2] 164/8	[2] 7/6
274/18	171/3	Ms.	164/11	10/14
275/5	172/24	Chandler	Ms. Jones	Ms. Stewart
280/9	173/3	[2] 31/21	[5] 63/21	[1]
281/16	173/13	32/1	66/21 70/5	217/12
281/25	173/19	Ms. Cho [7]	115/20	Ms.
282/2	175/16	223/13	120/21	Thompson
282/8	175/21	225/7	Ms.	[1] 92/2
289/2	176/15	225/18	Kimberly	Ms. Waddell
290/13	181/4	227/3	[1] 186/4	[1] 14/8
290/15	183/1	227/23	Ms.	Ms. Watson
	183/6	228/8	Kindred's	[3]
			[1]	

M	215/1	76/12 80/2	199/5	245/4
Ms.	municipal	81/2 81/24	199/25	245/5
Watson...	[10] 5/21	81/25	203/10	245/6
[3]	36/3 38/15	82/13	205/1	245/6
175/16	38/21	84/24 85/2	210/6	245/10
175/21	40/25 41/3	86/7 95/25	217/4	245/15
176/15	42/3	96/8	217/20	245/19
Ms.	119/12	107/16	218/22	245/24
Williams	119/17	116/13	219/18	245/24
[1]	120/19	116/23	219/25	246/3
290/12	municipalit	117/25	220/7	247/15
Ms. Wright	ies [4]	128/25	220/10	259/18
[1]	38/13 41/1	133/4	236/9	262/17
197/12	41/2 41/7	139/16	236/11	274/9
much [15]	municipalit	140/2	236/13	274/13
18/4 44/11	y [2]	143/21	236/13	275/23
49/10	38/22	150/8	236/14	276/21
49/15	41/11	150/16	236/21	278/3
112/3	music [1]	153/1	236/25	284/10
130/5	206/9	153/22	237/4	290/11
131/18	must [7]	157/3	237/7	298/5
133/19	84/10	157/10	237/18	303/9
167/18	194/15	162/7	237/18	myself [9]
275/21	195/8	167/12	237/20	9/14 18/7
292/18	208/5	171/16	238/4	22/14 32/3
293/9	208/19	177/11	238/5	50/5 50/25
293/9	279/11	180/11	238/9	54/20 74/6
302/14	279/11	182/6	238/13	296/7
302/17	mute [1]	185/11	239/19	N
multiple	136/22	186/1	239/22	Nadine [5]
[12]	muted [1]	187/5	240/9	285/20
19/18	139/7	189/4	240/11	287/21
92/22 94/3	muting [1]	189/12	240/16	288/3
101/1	136/13	190/5	241/8	288/11
206/1	my [125]	190/5	241/17	288/20
212/11	29/5 47/2	190/12	243/6	name [45]
213/17	50/11	190/20	243/16	24/4 24/4
214/16	51/20	193/10	244/2	24/6 27/10
214/23	51/24	193/20	244/3	27/11
216/3	52/12	194/7	244/7	27/12
216/10	56/19	194/25	244/13	27/16 28/4
258/25	56/19	195/15	244/17	29/18 31/1
multitaskin	64/22 67/9	196/11	244/18	33/12
g [1]	75/16	196/12	245/3	

N	93/25	221/4	272/14	102/10
name...	93/25	242/12	275/19	102/19
[34]	286/13	276/21	275/20	103/2
59/13	299/9	needed [14]	280/9	103/3
75/17	Nancy [2]	8/22 8/24	Nelson's	103/5
107/16	7/4 8/9	9/2 9/5	[2]	110/12
112/9	Nation [1]	9/20 39/24	268/16	111/20
116/13	210/8	50/12	268/17	112/2
136/2	national	75/22	Nepal [2]	120/7
137/10	[1] 178/3	151/7	145/8	135/4
137/11	nationwide	165/5	151/25	153/4
143/10	[1]	166/19	Nevada [1]	174/6
143/12	292/25	196/5	106/18	178/5
150/16	nature [1]	260/20	never [24]	178/12
161/24	125/12	277/1	13/25	179/20
186/1	nay [3]	needless	15/20	192/20
201/19	182/15	[1]	29/22	222/12
207/3	279/6	111/24	50/10 53/1	222/16
210/6	279/7	needs [9]	79/15	222/21
228/24	naysayer	6/10 62/3	114/25	223/2
229/3	[1]	82/9 87/9	116/24	224/6
236/9	240/10	105/19	127/4	224/9
236/21	NCOA [1]	141/16	140/3	224/9
243/6	177/6	153/14	154/15	226/21
255/5	NE [1]	187/8	155/9	227/10
255/12	84/24	238/2	165/21	227/10
255/18	near [1]	negative	179/12	235/24
256/18	238/21	[2] 235/4	179/15	244/17
259/13	necessarily	240/11	180/13	270/11
263/24	[2] 91/10	negatively	180/20	Newman [7]
265/15	124/15	[1] 46/8	186/22	101/8
266/3	necessary	neglect [4]	187/6	102/4
267/18	[2] 40/17	265/13	192/21	102/9
272/11	238/10	266/1	239/24	102/12
296/3	need [15]	295/13	245/19	102/18
299/14	8/4 8/7	297/18	246/21	104/5
299/16	49/9 58/14	neither [2]	254/1	104/19
named [4]	60/5 83/7	9/14	new [38]	news [5]
128/11	85/1	167/13	8/22 10/10	94/10
144/11	105/14	Nelson [8]	13/3 35/20	94/18
173/16	142/8	267/10	49/20	285/6
183/2	184/24	268/7	81/14	285/16
names [4]	192/13	268/8	81/14	285/17
	194/19	268/20	84/16 87/9	newspaper
				[1] 7/21

N	301/2	70/3 72/20	184/11	297/23
Newton [1]	Nicholas	73/3 73/23	191/21	298/2
106/19	[1] 2/12	77/16	196/20	298/15
next [46]	night [6]	80/13	198/7	298/16
4/20 5/11	98/17	89/10	199/4	302/9
5/24 16/15	98/25 99/5	91/10	200/3	nobody [3]
19/12	160/22	93/25	200/3	80/22
25/16 34/4	163/24	93/25 95/2	200/8	204/13
35/19 47/8	165/1	110/10	200/23	204/18
60/19	nine [2]	111/1	200/25	noise [1]
62/14	36/20 45/5	111/24	201/6	148/2
65/21 67/8	ninety [2]	112/17	203/19	Noland [4]
70/24 74/4	98/11	115/7	207/16	63/24 64/1
77/19	99/18	118/6	209/7	64/16
77/23	ninety-eight	124/23	210/20	64/18
82/19	t [2]	124/23	214/22	nomenclatur
87/19	98/11	125/7	216/2	e [1]
92/19	99/18	125/20	219/1	191/9
97/12	no [128]	128/9	219/7	none [47]
100/24	11/15 13/2	130/4	220/22	8/22 18/25
106/8	14/21	130/9	228/4	19/10
114/4	17/13	134/17	228/5	25/14
118/21	17/16	135/19	231/17	33/23
142/16	19/15	136/15	236/24	35/17 47/6
144/8	20/17	139/24	241/16	61/7 62/12
154/9	20/19 21/7	139/25	251/11	65/18 67/6
163/11	27/5 29/16	143/21	254/5	70/15 74/2
172/13	29/25	145/1	262/19	87/16
182/18	31/10	145/24	266/11	91/24
191/25	31/18	148/17	274/7	100/23
205/24	31/18	148/21	274/12	106/6
212/5	33/15	150/14	274/12	114/2
221/23	34/24 35/1	151/3	274/19	118/19
229/25	36/13	152/7	274/20	122/2
242/17	36/15	152/14	275/2	131/1
249/20	39/17	159/9	275/16	142/14
254/24	42/21	162/14	282/4	144/7
260/10	42/23 43/6	168/11	282/7	154/6
263/11	43/21	169/7	282/8	158/2
266/21	53/19 54/3	173/10	283/4	159/18
279/12	54/14	176/15	290/14	163/7
294/1	58/24	180/3	295/17	172/11
296/21	66/12	180/19	296/1	205/21
	66/19 70/2	183/8	296/8	212/3

N	248/18	129/5	71/11 74/9	274/8
none...	normally	137/18	79/6 80/14	274/21
[17]	[5] 74/16	216/16	87/20	276/1
221/21	74/21	246/23	87/24 88/4	295/6
229/15	204/7	notice [11]	89/7 89/11	295/15
232/8	204/9	67/11	89/11	295/23
242/21	301/4	67/22	89/18	297/6
249/17	north [3]	68/13	89/20	298/4
254/22	233/16	69/23	89/22	November 1
260/8	234/1	120/19	92/23 93/8	[1] 71/11
263/9	283/10	138/8	95/7 95/24	November
266/19	Northen [1]	174/21	96/7 106/9	11th [1]
280/7	2/12	186/15	106/22	225/14
281/12	Northside	210/10	108/17	November 14
282/20	[2] 230/3	211/14	119/4	[1]
293/24	230/4	211/18	119/12	144/22
296/18	Northwest	noticed [3]	132/7	November
299/2	[1] 230/4	114/13	132/9	19th [1]
301/18	not [374]	166/3	133/8	225/15
302/7	notarized	229/17	135/22	November
nonetheless	[3] 143/6	notificatio	137/14	1st [2]
[3] 84/14	183/10	n [1]	137/21	132/9
109/7	286/22	251/25	139/23	133/8
110/10	note [3]	notificatio	140/6	November
nonfelon	23/22	ns [1]	144/12	2020 [4]
[4]	200/10	40/14	144/17	96/7
250/18	210/9	notified	144/22	154/18
250/20	notebooks	[2]	154/18	154/24
251/1	[1] 98/8	135/16	154/24	179/4
253/17	noted [8]	183/19	155/17	November 29
nonverbal	32/4	notify [2]	156/13	[1]
[1] 25/24	108/14	174/5	156/22	243/21
nonvoters	114/24	247/11	163/17	November 3
[1]	134/5	noting [1]	179/4	[17] 11/5
210/25	172/23	192/2	225/14	20/10
nor [8]	234/10	November	225/15	20/15 68/6
140/5	234/23	[71] 5/23	243/21	92/23 95/7
167/13	235/1	11/5 20/10	250/2	137/21
186/23	notes [3]	20/15	252/18	144/12
203/13	56/19	35/23 39/9	253/3	155/17
207/11	122/16	42/6 53/9	255/6	156/13
207/16	303/10	55/10	255/11	156/22
245/1	nothing [5]	55/16	261/3	163/17
	18/7	67/17 68/6	262/13	255/6

N	168/13	19/17 25/4	O	280/15
November	170/8	25/16	O'Neal [7]	280/18
3... [4]	170/13	35/21 59/4	75/2 75/19	280/18
255/11	170/20	59/9 59/11	82/20	281/20
295/6	171/11	67/12	82/21	288/5
295/15	175/10	85/20	82/24 85/4	295/19
298/4	176/5	87/10	85/6	296/2
November	185/19	116/23	O.C.G.A	297/15
3rd [1]	192/13	120/1	[48] 7/18	297/24
80/14	197/10	120/2	30/14	300/8
November 7	197/19	121/25	30/21 33/7	300/9
[1] 35/23	199/7	124/15	63/16	300/10
November of	218/9	126/10	88/13	O.G.C.A [1]
[1] 55/10	218/16	128/13	95/21	280/22
November's	218/17	148/16	135/9	oath [13]
[1] 5/21	219/19	159/23	143/17	13/12 69/7
now [68]	220/1	161/22	143/18	69/11
8/10 12/12	220/25	164/4	143/19	104/19
13/22	231/15	188/7	145/22	143/10
24/25	236/23	208/25	155/14	251/3
43/14 59/5	237/10	212/13	174/5	253/13
65/2 78/5	240/7	233/9	184/19	269/21
78/9 79/7	240/25	233/21	185/2	269/23
81/19	242/23	234/6	209/18	288/6
81/20 83/7	248/2	235/10	231/9	296/1
90/24 91/3	252/14	235/14	235/8	297/21
91/12 92/5	252/15	271/15	235/12	298/2
108/1	275/11	283/16	235/16	oaths [7]
108/14	276/12	283/20	235/16	286/14
108/19	277/22	291/18	235/18	286/17
120/25	278/1	291/21	237/23	286/21
121/21	282/3	301/3	254/11	286/21
123/18	283/3	numbers [6]	256/25	288/7
126/2	283/11	55/13	262/7	289/24
127/14	291/5	55/14	265/11	295/17
131/4	number [44]	99/12	265/23	obituary
136/19	6/22 7/5	99/21	272/15	[3]
136/21	10/18	163/17	272/21	268/17
136/23	10/25	292/2	273/1	269/18
137/10	12/10	numerous	273/4	272/5
141/7	12/12	[1]	273/5	object [2]
152/20	14/10	253/23	273/9	211/14
159/22	14/13	nuts [1]	273/12	215/22
	16/13	248/15		obligation
				[4] 37/20

O	277/5	10/22	119/16	30/20
obligation.	occasions	11/10	odd [2]	30/21
.. [3]	[2]	26/19 36/8	99/12	30/23 33/6
37/22	294/19	36/23	121/25	33/7 33/9
38/11 39/3	295/2	39/11	odd-number	36/4 36/9
observance	occur [5]	67/16	[1]	41/21 46/3
[1]	64/8	67/18	121/25	46/25
189/12	109/20	67/23	off [14]	47/22 48/4
observation	121/25	68/10	11/10	48/22 49/2
[1] 5/19	176/10	68/18 69/5	18/23 39/6	50/21 51/3
observe	181/11	102/8	60/11 86/6	55/13
[10]	occurred	103/13	93/21	60/17
12/20 13/2	[23] 16/3	103/23	136/13	61/13
183/25	17/1 47/13	119/2	151/9	61/17
188/20	89/15	119/16	163/11	61/20 62/5
188/24	109/8	121/9	169/3	62/25
189/9	109/18	133/11	175/10	63/10
194/22	121/24	133/15	177/21	63/16
195/9	122/10	136/1	230/22	65/12
231/2	158/6	138/4	239/14	66/15
231/5	184/11	226/13	off-duty	66/24 68/8
observed	187/24	252/17	[1]	69/18 70/8
[3] 17/7	193/25	255/21	230/22	71/1 72/7
93/20	196/21	256/4	offer [2]	73/10
198/22	208/1	256/11	40/16	73/13 75/4
observing	208/24	256/16	71/25	79/10 82/7
[1]	216/1	289/13	offered [5]	84/24
202/13	216/5	289/13	17/17	86/23
obtain [4]	227/21	October 16	85/11	88/12
103/3	228/14	[2] 11/10	137/19	88/13 90/9
118/2	230/7	256/16	160/16	91/15 93/6
118/3	232/1	October 22	207/15	93/12
286/25	272/9	[1] 10/22	offering	95/20
obtained	293/5	October 28	[2] 14/23	96/23 97/3
[1] 207/6	occurrence	[1] 68/18	72/9	97/10
obvious [1]	[1]	October	office	100/14
237/17	289/18	28th [2]	[243] 1/1	102/11
obviously	occurring	67/18 69/5	5/17 7/11	102/16
[6] 40/20	[2]	October 31	11/9 12/13	103/17
98/25	206/19	[1] 36/8	16/22	103/19
158/17	207/17	October 6	25/20	104/3
236/22	occurs [1]	[2] 67/16	27/23	104/6
240/7	192/22	67/23	28/13	104/10
	October	October of	28/16 29/4	104/15
	[31] 4/22	[2] 39/11		

O	155/4	228/12	262/25	office's
office...	158/25	229/9	263/12	[1] 155/1
[172]	159/5	231/9	263/13	officer [6]
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via [15]	290/9	105/3	voluntary	93/19
59/15	view [5]	107/2	[1] 39/21	103/5
114/23	19/25	115/17	volunteers	103/5
114/23	20/18	117/7	[2] 13/12	103/11
	44/18	120/14	13/14	103/22

V	166/23	245/4	47/18	144/16
vote...	178/18	246/15	50/21	146/19
[117]	180/25	246/23	51/12 52/5	148/18
106/22	206/7	250/2	52/22 55/5	152/14
114/10	206/15	250/9	59/25 60/8	163/23
125/6	206/19	251/19	65/7 68/7	165/20
126/16	207/1	252/10	68/14	173/2
126/18	207/8	252/17	68/20 71/7	173/23
126/20	207/9	253/4	71/14	179/3
127/14	207/18	253/25	71/18	179/7
127/18	207/23	256/20	71/19 72/2	179/13
127/20	208/1	264/20	85/24	179/15
127/22	208/8	264/21	101/5	180/22
127/25	208/12	267/5	101/15	180/22
128/5	208/13	267/9	103/2	213/3
133/16	208/17	267/12	103/8	224/20
133/18	208/22	267/15	103/23	229/19
135/22	209/20	267/21	114/15	230/16
136/4	210/7	267/24	114/17	239/24
137/16	211/4	268/6	114/18	243/9
137/20	211/13	269/5	119/11	253/21
138/5	213/12	270/1	120/3	255/6
138/17	214/12	270/5	120/4	255/20
139/22	219/9	270/20	122/4	256/14
139/23	220/11	273/2	122/7	259/9
140/6	222/8	276/5	127/1	267/19
140/18	222/22	277/19	127/19	269/4
142/4	224/15	279/2	127/21	273/6
144/11	224/24	280/16	128/5	280/19
144/18	226/8	294/12	129/9	283/22
144/23	226/16	296/20	132/10	283/23
146/8	226/22	297/7	133/3	294/9
147/5	226/24	301/4	135/23	295/1
151/18	227/25	Vote.org	136/2	297/5
151/19	230/19	[1] 18/6	137/13	298/2
153/19	230/21	voted [97]	137/17	298/4
159/9	232/18	11/1 11/14	137/18	voted' [1]
159/14	234/15	20/1 26/8	138/11	73/8
160/4	236/1	26/11	138/13	voter [150]
162/9	238/17	29/22	139/24	14/17
162/11	239/22	30/16	140/5	14/25 15/6
164/10	242/16	31/16	141/4	17/13 21/5
164/13	243/8	36/25 37/1	143/9	21/14
	244/14	39/13	143/12	23/13

V	138/10	250/17	299/8	95/23
voter...	138/10	250/17	299/14	96/21
[143]	138/11	253/8	299/16	101/2
23/24 24/4	138/16	255/2	300/1	119/10
25/22	138/18	255/9	voter's [5]	119/17
27/15 28/9	144/24	255/13	31/1	119/20
28/21 29/3	160/15	259/21	33/12	119/23
29/9 29/21	162/9	259/21	54/10	120/1
30/6 30/19	167/21	263/13	117/20	120/2
30/23	172/17	263/21	255/5	120/18
30/24	175/12	263/24	voters [98]	121/12
30/25 33/5	175/15	264/3	17/1 23/9	122/2
33/9 33/10	177/7	264/7	23/20	122/3
33/11	180/13	264/14	24/11 36/1	122/18
39/13	181/14	264/18	36/6 36/12	122/18
39/16 40/2	181/17	264/22	36/13	126/5
40/15	188/13	265/7	36/15	127/15
40/21	188/14	265/14	36/17	128/18
41/24 42/5	188/25	265/18	36/23	129/17
48/8 48/11	199/16	265/21	36/24 37/1	137/23
48/11 54/3	200/6	266/2	39/18	156/1
56/25	201/7	266/5	40/13	158/2
60/11	201/7	266/10	40/16	158/18
60/12	201/18	267/9	41/13 44/8	162/6
65/10	203/16	267/13	46/4 47/11	162/14
72/11	203/23	267/15	47/17	179/17
79/12	208/8	267/18	47/20	185/6
111/16	213/8	267/21	47/23 48/1	189/21
115/8	222/10	267/25	51/10 52/4	203/9
115/9	223/20	268/4	52/18	203/12
115/14	225/5	268/7	53/15 55/4	206/16
118/22	226/7	269/6	56/9 59/22	207/9
119/25	228/25	269/15	60/17	207/15
133/6	233/1	270/2	60/21 61/1	207/25
134/24	234/14	270/21	77/3 80/22	209/13
136/4	234/24	271/15	80/25 82/5	209/19
136/6	236/18	272/3	82/12	210/24
137/7	244/7	272/23	83/25	215/12
137/9	246/20	273/14	85/12	215/15
137/11	246/25	275/17	86/15	223/15
137/12	248/17	275/17	86/18 93/1	226/11
137/12	249/25	281/22	94/2 94/21	228/3
138/7	250/3	294/5	94/23	231/13
	250/6	296/23	95/10	244/25

V	15/10 17/2	157/11	256/19	203/1
voters...	17/6 17/18	160/1	257/3	walked [1]
[6]	20/5 21/3	160/2	257/24	195/24
246/18	30/15 32/8	160/12	259/10	walking [1]
256/16	34/13	160/15	259/23	133/17
266/24	34/13	162/15	262/8	wall [6]
267/1	34/19 36/3	163/20	273/6	188/17
267/3	38/25	166/1	276/4	188/18
283/4	39/11 49/3	166/9	276/7	199/21
voters' [3]	60/6 66/7	166/11	276/11	200/7
48/15	68/17	167/5	276/12	200/24
67/22	69/20 72/1	175/18	278/17	203/22
129/18	72/11	176/6	280/19	Walton [4]
votes [23]	72/11	187/16	294/13	101/16
14/19	76/10	188/1	294/15	103/8
22/15	84/18	206/8	295/17	103/19
36/20	93/20	206/17	295/25	103/24
41/13 45/5	95/22	207/2	296/24	want [46]
45/21	103/21	207/10	297/21	15/23
47/13	104/6	207/13	298/1	41/12 44/5
68/22	104/11	210/20	299/18	46/4 46/22
93/14	119/19	210/22	W	49/23
93/17	120/15	216/22	W-2 [1]	60/13 64/6
98/10	121/10	218/23	243/25	75/20
125/7	122/8	222/2	Waddell [4]	77/14
126/23	122/11	223/9	12/9	77/21
126/25	129/11	225/19	13/17	78/11
129/20	133/25	226/3	13/21 14/8	78/13
158/3	134/14	227/4	wait [2]	78/22
163/23	135/25	230/8	60/22	80/20 87/5
188/8	136/4	233/20	85/16	92/14
194/23	137/7	234/5	waited [2]	125/19
203/12	137/21	235/17	86/3	127/3
209/13	139/1	236/24	195/25	130/14
220/14	143/18	239/20	waiting [3]	133/9
290/22	143/20	240/2	139/23	152/9
voting	147/5	244/17	140/5	153/12
[124]	154/14	244/19	207/1	174/17
5/19 5/20	154/19	254/10	walk [5]	186/3
11/11	155/16	255/3	166/17	193/17
14/14	156/1	255/10	190/7	193/19
14/25	156/12	255/21	194/12	195/10
14/25 15/9	156/19	256/3	201/4	201/5
	156/21	256/4		210/9

W	290/14	19/24	196/20	242/17
want...	299/21	19/24	Watson [5]	we're [33]
[16]	wanting [2]	182/20	63/14	4/3 4/4
214/9	22/8	183/12	175/1	15/25
219/5	47/25	183/13	175/16	35/19 42/9
219/8	wants [3]	183/22	175/21	54/3 70/18
219/12	105/18	184/13	176/15	91/7 91/9
220/1	112/23	188/2	way [20]	92/3
220/4	242/13	188/22	45/11	107/12
220/4	Ward [8]	190/24	50/15	112/1
237/18	36/11	191/7	59/21 65/6	122/12
238/13	36/12	195/14	87/7 124/4	123/14
238/20	36/13	195/18	124/23	123/14
239/20	36/14	196/11	128/17	124/7
240/1	36/15	196/12	132/21	125/6
240/2	36/16	212/14	133/2	125/7
240/13	36/20	watchers	134/10	131/3
240/14	36/23	[25]	146/21	159/21
244/13	wards [2]	184/8	175/2	170/5
wanted [25]	36/7 36/10	187/17	185/6	193/18
23/16	warned [1]	188/25	194/8	197/4
23/22	204/16	191/13	204/15	200/13
28/23	warrant [1]	192/19	220/16	201/14
37/17	271/12	194/6	236/10	203/7
44/12	was [719]	194/8	239/22	203/12
50/13	Washington	194/12	278/3	225/9
68/21	[2]	194/15	ways [1]	240/12
85/14	236/23	194/21	164/2	240/25
85/16	252/6	195/8	we [440]	283/8
97/17	wasn't [8]	195/21	we'd [2]	291/5
107/23	97/6 97/6	196/5	84/6 90/3	301/17
121/7	186/16	197/25	we'll [15]	we've [11]
131/20	189/11	198/3	4/15 5/24	60/3 84/16
148/7	200/5	198/6	7/8 19/16	87/10
183/25	201/2	198/11	62/16	100/15
185/24	259/11	198/22	70/22	122/21
194/7	274/23	199/3	82/16	129/5
198/20	wasted [1]	199/4	107/24	134/5
199/16	80/13	202/12	131/12	197/5
199/25	watched [2]	206/24	137/2	217/11
199/25	202/1	207/4	149/13	221/15
262/23	202/2	209/3	186/6	283/6
274/4	watcher	209/5	232/11	wearing [3]
	[16]	watchers'	242/16	207/3
		[1]		

W	153/9	219/4	64/11 71/4	198/15
wearing...	177/8	230/11	71/7 71/11	198/17
[2] 209/6	177/25	253/16	80/10 82/8	199/1
209/9	178/20	260/12	82/9 83/7	199/8
wears [1]	182/7	261/7	83/12	199/10
138/11	182/8	269/2	84/25 87/5	199/11
website [6]	182/8	were [316]	88/25 89/3	199/22
165/10	193/16	weren't [7]	98/15	200/11
207/19	199/13	22/16	110/4	200/12
246/19	208/17	43/4 43/22	112/7	202/9
292/1	217/19	82/3 201/3	117/6	202/23
292/15	238/1	202/4	121/12	202/23
292/16	238/23	209/14	122/18	202/25
weeks [4]	240/17	Wesley [2]	126/9	203/2
8/14 114/8	241/9	69/15	127/3	204/22
167/21	242/11	125/23	127/9	204/23
186/16	242/11	west [3]	132/17	205/3
weigh [1]	245/25	129/9	133/4	207/19
279/17	251/3	234/9	133/22	219/11
welcome [3]	260/20	245/9	148/8	219/12
12/5	269/25	what [119]	149/16	219/15
112/25	276/6	8/24 9/2	149/21	220/18
292/21	276/20	9/19 9/20	149/22	221/10
well [52]	277/14	10/3 16/3	150/22	223/10
6/1 8/23	283/12	22/7 22/8	151/2	228/22
9/18 24/19	287/15	35/5 43/3	153/9	236/17
30/11 41/1	289/5	43/11	153/21	241/11
46/25 47/1	well-founde	44/24 45/6	166/3	248/4
47/2 55/24	d [1]	45/12	176/2	276/25
78/11 80/1	182/7	45/13	176/5	277/1
81/7	went [20]	46/20	177/13	277/9
102/15	9/21 47/12	50/12	182/1	278/22
105/6	47/23	51/10	182/1	279/15
111/8	50/17	51/22 53/6	187/1	292/6
111/9	53/13	53/14	187/25	292/8
113/3	89/12	53/17	189/4	292/9
117/16	93/19	54/16	189/15	293/13
134/15	93/19	54/17 57/7	189/17	what's [9]
142/9	135/21	57/12	190/6	44/10
143/18	191/3	57/15	193/14	44/10
147/14	196/14	59/19 60/4	194/2	44/15
149/21	204/4	60/20	194/20	44/25 82/9
152/2	205/2	60/22	195/1	100/11
	218/24	61/15	195/7	187/2

W	78/25	167/22	225/19	94/15
what's...	79/12	170/23	226/11	95/17
[2]	79/15 80/2	173/23	228/2	99/17
275/17	81/13	173/25	238/16	101/19
275/22	84/22	174/1	238/17	102/23
whatever	85/17	174/3	243/8	124/9
[5] 46/17	89/14	174/5	245/3	126/7
81/23	91/18 92/2	175/12	246/23	129/1
129/4	98/23	179/7	247/14	129/23
240/15	101/5	183/5	247/17	130/2
283/24	103/1	183/15	247/17	134/13
whatnot [1]	104/16	183/25	247/19	141/5
217/25	109/8	184/1	247/22	149/4
whatsoever	111/10	184/10	251/16	149/4
[1] 187/6	111/11	184/12	257/3	163/10
when [165]	114/12	184/19	260/12	164/1
3/6 7/19	126/12	184/19	262/11	166/12
8/16 9/1	128/13	185/3	265/14	167/8
14/1 18/15	129/17	187/4	266/2	169/12
21/16	133/16	187/23	272/10	171/3
23/10	135/12	194/10	272/15	173/18
29/11	138/4	200/15	272/22	183/14
29/12	138/7	200/19	273/2	183/23
29/13	138/12	202/17	273/6	184/11
30/15	140/24	202/18	273/13	202/5
30/22	141/7	203/21	274/11	202/24
31/15 33/8	143/7	204/2	274/24	202/25
37/8 40/17	144/23	204/6	277/3	203/8
45/14	147/4	204/20	280/19	203/11
45/15	149/16	206/6	281/21	203/14
46/16	151/25	207/8	287/24	204/12
46/19 50/3	155/4	207/18	288/6	217/24
50/5 51/13	155/15	209/5	288/14	222/16
52/16	155/25	209/19	294/17	225/21
54/24 55/4	156/11	210/7	295/14	230/24
55/15 56/6	156/19	211/4	296/3	234/2
56/11 57/9	156/20	211/12	whenever	234/8
57/13	158/11	213/17	[1] 46/16	237/24
57/14 60/9	161/8	214/20	where [55]	238/7
63/4 68/25	161/9	215/16	20/21 39/1	238/17
69/20	167/7	218/25	41/3 57/17	238/25
69/21	167/9	220/11	62/1 62/23	240/3
71/15	167/20	224/10	81/19	240/4
	167/22	224/21	83/14 84/6	241/20

W	132/4	34/8 34/18	82/20	262/18
where...	149/4	93/5 100/4	85/12	264/19
[2]	151/1	110/8	85/14 95/5	268/3
263/14	151/25	136/15	112/16	272/7
286/10	164/2	154/23	118/25	275/6
where's [1]	164/16	160/19	119/15	275/19
82/9	164/24	162/6	119/17	276/20
whereas [1]	165/11	182/20	122/2	288/21
180/19	166/7	185/5	127/12	302/15
whether	167/19	185/5	132/1	who's [1]
[15]	169/2	201/10	148/11	175/8
23/12	173/2	201/10	148/14	whoever [1]
51/11 65/2	183/24	201/15	161/21	200/17
91/7	184/6	207/1	172/24	whole [5]
113/19	184/23	215/24	173/13	191/17
117/2	186/25	222/23	175/1	192/17
127/19	187/21	231/10	183/1	203/11
128/5	191/4	231/12	183/11	205/5
129/10	192/5	236/22	185/11	240/5
167/23	200/22	237/6	187/22	whom [1]
167/23	208/12	242/11	189/3	59/23
175/11	210/7	246/11	190/14	whose [2]
177/4	223/8	261/16	190/15	11/2 24/6
177/9	224/15	262/15	192/13	why [30]
228/25	229/8	273/3	198/2	48/10
which [63]	234/9	273/7	198/3	51/17
7/2 26/1	234/12	280/16	200/9	52/17 91/9
29/2 30/2	235/20	280/20	213/22	98/21 99/2
49/19 57/9	245/16	291/10	214/15	103/1
67/8 76/3	250/20	White [2]	215/20	107/13
76/14	253/13	299/17	223/20	128/10
79/12	274/16	300/6	229/2	136/24
85/15	277/24	Whitlock	233/4	136/25
95/22	285/2	[1] 17/8	233/22	149/17
97/20	289/12	who [69]	236/5	204/19
97/23	289/24	24/6 26/4	236/20	215/15
99/24	290/7	32/5 32/9	241/2	219/4
111/23	295/17	32/9 36/23	241/15	219/5
119/21	296/1	38/16 45/7	241/17	219/8
121/10	297/22	45/14	242/13	220/1
124/15	297/24	48/24	242/13	220/1
127/25	298/2	49/22	248/4	220/5
129/20	while [33]	51/10 58/1	250/1	220/6
	9/22 10/8	59/17 64/9	262/18	223/16

W	131/4	268/19	wishes [4]	witnesses
why... [8]	131/6	Williams	112/19	[3] 15/8
224/15	131/11	[22]	276/10	94/25
226/15	141/22	264/18	276/16	207/17
238/10	141/22	264/21	277/4	WMAZ [1]
240/25	154/7	265/4	wit [1]	98/9
241/17	157/12	265/7	297/19	woman [2]
247/6	158/24	265/22	within [23]	206/24
274/16	177/21	266/9	7/17 7/23	220/15
277/15	182/2	285/20	49/18 66/2	won [2]
wide [2]	186/6	285/25	66/8 66/12	36/21 93/9
100/1	191/23	286/7	77/1 77/9	won't [1]
266/24	200/11	286/15	78/18	137/1
widow [1]	213/13	286/20	118/25	wonderful
275/20	242/15	286/24	128/9	[1] 134/4
wife [3]	242/23	287/8	163/13	wondering
11/6 19/21	278/15	287/15	173/5	[1] 43/3
268/19	278/23	287/21	189/2	Woodham [3]
Wilkes [6]	279/14	288/4	206/14	101/4
137/10	282/15	288/11	206/19	101/24
137/12	284/5	288/20	207/23	104/2
138/2	296/10	289/2	208/15	word [1]
138/5	William	290/12	209/20	3/6
138/17	[18]	290/15	231/24	words [1]
142/3	63/24	291/9	235/24	126/25
will [45]	101/14	willing [7]	254/3	work [18]
4/13 6/6	103/7	42/9	296/4	5/13 21/17
6/17 7/6	104/9	51/17	without [9]	41/9 46/24
18/17 31/9	250/1	152/9	12/19	62/3 128/1
32/9 46/25	252/21	240/23	13/1 29/10	134/7
67/12	253/3	240/24	41/23	151/7
70/19	253/6	241/5	101/8	152/13
79/23	253/13	241/6	101/12	222/11
79/24 83/3	253/15	Wilson [3]	235/21	228/6
90/7 91/17	253/20	255/5	273/16	256/11
92/13	253/22	255/14	281/23	282/2
92/13	253/25	255/15	witness [3]	284/14
109/21	254/7	winning [1]	185/25	292/22
110/14	267/9	93/16	187/14	293/7
113/12	268/7	wish [2]	193/19	293/8
113/15	268/8	112/20	witnessed	302/15
116/22	275/20	213/10	[2]	work-study
127/2	William's	wished [1]	187/25	[1]
	[1]	297/22	261/23	222/11

W	49/24 55/1	84/1 84/23	168/22	248/10
workday [1]	78/23	87/1 90/1	168/25	248/20
166/14	83/16	90/11	169/6	256/5
worked [8]	98/20	90/13 92/4	171/11	257/9
37/24 50/4	98/20	92/7 92/15	171/21	258/1
52/8 81/25	114/12	96/3 99/25	175/7	258/9
83/18	121/16	102/22	175/22	277/10
188/2	131/23	105/2	176/8	280/12
223/11	150/18	105/8	176/11	284/1
244/12	152/19	107/11	185/12	288/17
worker [26]	165/3	107/19	190/5	288/19
21/1	169/12	109/20	192/11	298/7
67/21 68/2	171/4	111/2	192/13	300/14
68/20	171/7	111/7	193/1	301/6
68/25	202/21	113/1	193/7	301/23
69/11	225/24	113/10	193/13	would've
69/17	225/25	113/20	193/17	[8] 45/8
137/9	231/10	117/13	197/13	54/6 54/7
137/18	244/2	119/4	197/18	84/8 169/4
160/5	282/6	121/25	198/25	171/18
182/21	works [3]	122/13	206/8	194/11
186/20	113/13	124/15	209/6	269/4
186/23	192/14	127/9	209/8	wouldn't
186/25	197/9	127/10	209/24	[2]
188/14	worth [1]	127/13	210/11	217/22
191/7	192/2	128/21	213/22	219/20
199/1	would [135]	132/22	215/15	wrap [1]
199/23	6/20 7/1	133/6	215/21	283/25
201/18	8/2 8/6	134/9	216/4	wrapped [1]
203/24	10/20	139/13	217/21	283/12
212/17	11/17	139/19	223/16	Wright [10]
223/5	13/25 14/4	146/20	224/7	184/14
223/24	18/22 32/5	147/11	225/2	185/1
224/18	43/19	150/2	225/22	186/4
226/3	45/25 52/1	150/2	226/15	188/23
228/6	59/14	150/15	228/15	195/20
workers [5]	64/13 71/4	152/7	229/6	197/12
50/1	71/7 71/12	152/13	229/7	197/14
50/19	71/12	158/3	229/19	197/16
184/7	76/24 77/5	161/2	236/5	197/18
192/19	77/10	161/13	238/13	202/19
230/24	77/25	162/22	239/5	written [2]
working	81/22 82/6	164/10	240/15	143/2
[21]	82/6 82/8	165/3	241/8	187/3

W	157/12	52/9 83/5	85/14	280/13
wrong [28]	170/20	83/18	88/17 96/5	283/18
29/12	216/24	84/16	96/17	284/3
31/17	241/19	121/25	97/10	284/7
39/14	274/2	126/5	99/25	284/10
39/15 57/8	290/25	134/3	111/8	288/19
57/20	y'all's [1]	144/14	117/18	289/2
60/11 97/1	292/25	148/16	121/16	290/24
106/12	yeah [20]	152/20	126/3	291/2
106/15	10/18	173/15	126/17	291/16
108/17	80/18	220/15	127/21	292/11
108/21	81/10	228/17	131/16	292/11
109/3	140/15	235/25	136/20	292/13
119/17	147/23	238/15	139/10	293/17
119/19	148/7	239/25	139/12	296/6
122/6	176/18	244/20	139/15	300/22
126/6	178/8	244/21	139/16	yes-or-no
160/6	179/8	245/11	147/24	[1] 29/16
175/15	193/7	247/16	147/24	yet [3]
175/19	198/19	247/25	150/6	68/13 69/9
176/6	239/5	253/1	150/10	177/18
197/1	240/22	284/12	157/6	York [12]
199/7	247/4	297/1	169/23	102/10
236/9	249/5	Yep [1]	170/19	102/19
245/22	249/9	241/13	171/1	103/2
259/13	249/10	yes [89]	174/11	103/3
272/23	277/12	8/11 10/17	178/15	103/5
276/15	283/19	11/25	185/21	222/12
	298/20	13/23 18/4	186/11	222/16
wrote [7]	year [15]	19/5 22/25	194/4	222/21
137/10	6/3 8/13	27/5 28/24	199/3	223/2
153/17	29/19 41/3	29/16 31/8	210/3	224/6
216/13	145/6	34/2 37/6	210/4	224/9
219/2	145/9	37/12	213/24	227/10
219/21	145/10	42/17	213/25	you [554]
220/1	146/11	49/10	218/15	you'll [6]
251/14	146/12	49/14	218/18	4/16 8/4
	148/20	53/18 54/4	225/3	78/6
Y	192/9	56/4 56/13	229/23	136/16
y'all [11]	204/4	57/24	243/5	150/15
91/16	226/13	75/10 78/8	257/11	273/23
108/4	275/20	78/10	259/18	you're [16]
136/14	294/21	78/17	274/3	12/2 12/5
139/15	years [24]	82/23 83/1	275/12	23/4 46/21
152/9				

<p>Y</p> <hr/> <p>you're... [12] 82/5 112/25 126/1 132/11 153/7 153/8 176/6 203/3 211/2 211/7 249/9 292/21</p> <p>you've [3] 55/4 81/23 237/22</p> <p>young [3] 54/24 206/23 206/24</p> <p>your [62] 14/5 23/3 23/4 23/7 23/7 23/11 23/15 23/17 24/20 31/8 44/18 44/18 55/19 55/24 55/25 55/25 71/18 71/19 72/2 73/8 77/14 79/23 79/24 85/2 86/6 96/14 96/14 97/7 123/5 132/10</p>	<p>148/1 150/9 193/14 197/6 199/23 199/24 201/5 201/19 201/20 203/5 219/14 219/17 220/4 220/9 237/23 238/25 240/4 240/20 241/6 241/20 247/2 247/13 248/7 248/7 248/10 250/8 276/6 276/21 277/13 284/14 292/14 293/7</p> <p>yourself [41] 8/7 13/18 17/25 22/3 31/4 37/8 43/18 43/20 49/8 58/4 58/12 58/15 72/16 75/13 78/5 78/7 92/6</p>	<p>108/1 108/3 115/23 116/9 139/7 147/19 168/5 169/20 170/11 174/10 185/16 185/19 186/9 193/4 197/15 197/17 210/2 214/1 218/7 218/9 258/8 258/14 273/24 289/3</p> <p>YouTube [1] 163/25</p> <hr/> <p>Z</p> <hr/> <p>Zoom [3] 1/10 72/25 107/14</p>		
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