

SUMMARY
STATE ELECTION BOARD MEETING
Tuesday, December 19, 2023
Georgia State Capitol, Room 341
Atlanta, Georgia

As required by O.C.G.A. § 50-14-1(e)(2)(A), the following is a summary of the subjects acted on and the Board members present at the meeting.

Call to Order and Introductory Remarks

Mr. Mashburn, as Senior Member and acting as Presiding Officer, called the State Election Board (the “Board”) meeting to order at 8:35 A.M. A quorum was present for each Board action taken. The following Board members attended the meeting: Matthew Mashburn, Sara Tindall-Ghazal, Edward Lindsey, Dr. Janice Johnston.

Approval of Board Meeting Minutes

The Board unanimously voted to approve the minutes as amended for the Board meeting held on October 3, 2023.

Attorney General Report

The Board voted to approve the action recommended by the Attorney General in the following cases:

Consent Orders

| | |
|--------------|-----------------|
| SEB2015-085 | DeKalb County |
| SEB2016-042 | |
| SEB2018-039 | |
| SEB2020-045 | |
| SEB2020-160 | |
| SEB 2020-175 | |
| SEB 2020-215 | |
| SEB2020-062 | Chatham County |
| SEB2020-015 | Stephens County |
| SEB2020-033 | |
| SEB2020-156 | |
| SEB2021-056 | |
| SEB2020-147 | Paulding County |

Final Orders

| | |
|-------------|----------------|
| SEB2020-036 | Long County |
| SEB2020-269 | Pickens County |
| SEB2021-328 | DeKalb County |

Investigations Reports

The Board voted by unanimous consent to hear the case SEB2020-263 out of order. After presentation and discussion of the investigative findings, Mrs. Ghazal moved to issue a Letter of Instruction to Monroe County Board of Elections and Registration and Kaye Warren. Dr. Johnston seconded the motion, with the amendment that the Letter of Instruction demand that additional training be obtained. Mr. Lindsey recused himself from voting as to the allegations against Monroe County and Kaye Warren. The vote passed 2-0.

Mr. Lindsey moved to issue a Letter of Instruction to Taylor Bittick; Mrs. Ghazal seconded, passed 3-0. Mr. Lindsey moved to issue a Letter of Instruction to Lamarcus Davis; Mrs. Ghazal seconded, passed 3-0.

Mr. Lindsey moved to dismiss the allegations against Lakisia Furlow; Dr. Johnston seconded, passed 3-0.

Mrs. Ghazal moved to refer the allegations against Kimberly Shannon to the Attorney General's office; Dr. Johnston seconded, passed 3-0.

Public Comment

The following individuals made public comments: George Balbona, David Callahan, Shaun Cross, Janelle Clodfelter, Tim Waters, Lisa Neisler, Amanda Prettyman, Joe Rossi, David Cross, Bob Coovert, Merry Belle Hodge, Ben Eskew, Jeff Fulgham, Helen Strahl, Lisa Rutherford, Sam Carnline, Linda Mink, Kim Brooks, Cathy Wright, Bill Henders, Nancy Curd, Ginger Hurmence, Maxwell Britton, Nancy Arnold, Paul Hershey, Victoria Cruz, Dan Gasaway, Brenda Heidman, Diana Hopper

Investigations Reports, Continued

The Board voted by unanimous consent to hear the Floyd County cases out of order. As to SEB2020-086, Mrs. Ghazal moved to dismiss the case; Dr. Johnston seconded, passed 3-0. As to SEB2022-249, Mrs. Ghazal moved to issue a Letter of Instruction; Dr. Johnston seconded, passed 3-0.

The Board voted to continue the following cases:

SEB2019-038 City of Arlington Improper Handling of Absentee Ballots
SEB2020-292 Richmond County Voter Registration
SEB2021-051 Henry County Monitoring Issues
SEB2021-102 Multi County Double Voting
SEB2022-106 DeKalb County Missing Certification Date Primary 2022
SEB2022-348 Statewide Precinct Scanner Issues

A. Cases Recommended to be Dismissed

***The Board voted to dismiss the following cases:**

SEB2020-086 Floyd County 8/11/20 Runoff
SEB2021-016 Multiple County Residency Issue
SEB2021-020 Fulton County Improper Processing AB
SEB2021-042 Bibb County AB Processing

SEB2021-055 Henry County Fraudulent VR Application
SEB2021-085 Muscogee County Residency Issue
SEB2022-040 Fayetteville Voter Fraud
SEB2022-045 Liberty County Elections Miscellaneous
SEB2022-061 Wayne County Miscellaneous
SEB2022-073 Pickens County Photographing Ballot
SEB2022-091 Bulloch County Problems at the Poll
SEB2022-094 Green County Voter Required to Sign a Waiver for AB
SEB2022-096 Baldwin County Failure to Open Poll at 7:00 AM
SEB2022-102 Cobb County Elections Equipment at Grace Church
SEB2022-125 Lowndes County Miscellaneous
SEB2022-127 Washington County Miscellaneous
SEB2022-219 Spalding County Security of Election Equipment
SEB2022-236 Spalding County Fraudulent Ballot
SEB2022-347 Fulton County Residency Issue with Candidate

B. Violation Cases Recommended for Letters of Instruction

SEB2021-084 Multi County Double Voting
SEB2021-093 Grady County Absentee Ballot Drop Box
SEB2022-106 DeKalb County Missing Certification Date Primary 2022
SEB2022-217 Cobb County Records Issue
SEB2022-249 Floyd County Improper Ballot Scanning

Mrs. Ghazal requested to pull SEB2021-102 and SEB2022-106 for presentation of findings.
Dr. Johnston requested to pull SEB2022-217 for presentation of findings.
Mrs. Ghazal moved to issue a Letter of Instruction to all other cases in this category that were not pulled; Mr. Lindsey seconded; passed 3-0.

SEB2022-217 Cobb County Records Issue

After presentation and discussion of the investigative findings, Dr. Johnston moved to issue a Letter of Instruction; Mrs. Ghazal seconded; passed 3-0.

Old Business and New Business Items

New Business – Discussion by Board Members – SEBBI 2023-0001

The Board voted by unanimous consent to allow time for Mr. Joseph Rossi to speak to the business item. The Board voted with unanimous consent to enter the Attorney General Official Opinion 2005-3 into the record. Mr. Lindsey moved to agree that the State Election Board should exercise jurisdiction to investigate complaints against the Secretary of State's office; Dr. Johnston seconded; failed 2-2. Dr. Johnston moved to request that the General Assembly make a determination about whether the State Election Board has the jurisdiction to investigate complaints against the Secretary of State's office; Mr. Mashburn seconded; passed 4-0.

New Business – Discussion by Board Members – “No-Excuse Absentee Voting”

Dr. Johnston presented a proposal for the General Assembly to consider legislation ending or amending no-excuse absentee voting. Mr. Mashburn moved to publish the proposal on the State Election Board’s webpage for the public’s review, and for the proposal to be open for public comment and Old Business at the next meeting; Mrs. Ghazal seconded; passed 4-0.

Investigations Reports, Continued

C. Violation Cases Recommended for Referral to the Attorney General’s Office

SEB2020-107 Chatham County Alleged Theft of Absentee Ballot
SEB2020-217 Clinch County UOCAVA
SEB2020-247 Lowndes County Voter Registration Problems
SEB2020-265 Worth County Multiple Voter Registrations
SEB2020-279 Chatham County Poll Watcher
SEB2020-292 Richmond County Voter Registration
SEB2020-293 Chatham County Residency Issues
SEB2021-079 Gwinnett County Voter Problem
SEB2021-104 Chatham County Absentee Ballot Fraud
SEB2021-131 Grady County Qualify and Residency Issue

SEB2020-107 Chatham County Alleged Theft of Absentee Ballot

After presentation and discussion of the investigative findings, the Board voted with unanimous consent to open an investigation into the actions of Chatham County Board of Elections and Chatham County Board of Registrars. As to Peter and Ranae Schmid, Mr. Lindsey moved to dismiss the allegations; Mrs. Ghazal seconded; passed 3-0. As to Mark Hiott, Mr. Lindsey moved to dismiss the violation and issue a Letter of Instruction; the motion failed for a lack of a second. Dr. Johnston moved to refer Mark Hiott to the Attorney General’s office; Mrs. Ghazal seconded; passed 3-0. Dr. Johnston moved to refer Julia Garcia to the Attorney General’s office; Mrs. Ghazal seconded; passed 3-0. Dr. Johnston moved to refer Hattie Mobley to the Attorney General’s office; Mrs. Ghazal seconded; passed 3-0.

SEB2020-217 Clinch County UOCAVA

After presentation and discussion of the investigative findings, Mrs. Ghazal moved to refer the case to the Attorney General’s office; Dr. Johnston seconded; passed 3-0.

SEB2020-247 Lowndes County Voter Registration Problems

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer the case to the Attorney General’s office and the Lowndes County District Attorney’s office; passed 3-0. Dr. Johnston moved to add a count of conspiracy to commit election fraud, which would need to be re-heard; Mr. Lindsey seconded; passed 2-1.

SEB2020-265 Worth County Multiple Voter Registrations

After presentation and discussion of the investigative findings, Mr. Lindsey moved to dismiss the allegations against the county with a Letter of Instruction; Dr. Johnston seconded;

passed 3-0. Mr. Lindsey moved to refer Dannie Crawford to the Attorney General's office; Dr. Johnston seconded; passed 3-0.

SEB2020-279 Chatham County Poll Watcher

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer to the Attorney General's office; Mrs. Ghazal seconded; passed 2-1.

SEB2020-293 Chatham County Residency Issues

After presentation and discussion of the investigative findings, Dr. Johnston moved to refer Marcos Morales to the Attorney General's office; the motion failed for a lack of a second; Mrs. Ghazal moved to issue a Letter of Instruction; Mr. Lindsey seconded Dr. Johnston's original motion; passed 2-1.

SEB2021-079 Gwinnett County Voter Problem

After presentation and discussion of the investigative findings, Mrs. Ghazal moved to dismiss the allegations against Kristi Royston, and refer Gwinnett County Board of Registration and Elections and Susan Sharp to the Attorney General's office; Mr. Lindsey seconded; passed 2-1.

SEB2021-104 Chatham County Absentee Ballot Fraud

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer the case to the Attorney General's office; Dr. Johnston seconded; passed 3-0.

SEB2021-131 Grady County Qualify and Residency Issue

After presentation and discussion of the investigative findings, Mr. Lindsey moved to refer the case to the Attorney General's office; Dr. Johnston seconded; passed 3-0.

The Board broke for recess at 4:38 P.M., with meeting to be resumed at 9:30 A.M. on Wednesday, December 20, 2023.

SUMMARY
STATE ELECTION BOARD MEETING
Wednesday, December 20, 2023
Georgia State Capitol, Room 341
Atlanta, Georgia

Call to Order and Introductory Remarks

Mr. Mashburn, as Senior Member and acting as Presiding Officer, called the State Election Board (the “Board”) meeting to order at 9:30 A.M. A quorum was present for each Board action taken. The following Board members attended the meeting: Matthew Mashburn, Edward Lindsey, Dr. Janice Johnston.

Procedure Matters

Garland Favorito presented a petition for amendment of State Election Board rules. This petition addressed Storage of Returns. After presentation and discussion among the Board members, Dr. Johnston moved to accept the petition; the motion failed for a lack of a second. Mr. Lindsey moved to deny the petition; Mr. Mashburn seconded; passed 2-1.

Marilyn Marks and Jeanne Dufort presented two petitions for amendment of State Election Board rules. These petitions addressed Ballot Secrecy, and Logic and Accuracy Testing. After presentation and discussion among the Board members, Mr. Mashburn moved to reject the petition addressing Ballot Secrecy; Dr. Johnston seconded; passed 3-0. After presentation and discussion among the Board members, Dr. Johnston moved to accept the petition addressing Logic and Accuracy Testing; motion failed for lack of a second. Mr. Lindsey moved to reject the petition; Mr. Mashburn seconded; passed 2-1.

Adjournment

The Board voted to adjourn the meeting at 11:38 A.M.