



MINUTES
STATE ELECTION BOARD MEETING
Tuesday September 23, 2025
Georgia State Capitol, Room 341 Atlanta, Georgia
9:00 a.m.

<https://www.youtube.com/@GAStateElectionBoard/streams>

I. CALL TO ORDER AND INTRODUCTORY REMARKS

Mr. John Fervier, as Chairman, called the State Election Board (“Board”) meeting to order at 9:07 a.m. A quorum was present for each Board action taken. The following Board Members were present: Mr. John Fervier, Dr. Janice Johnston, as Vice Chair, Mrs. Janelle King, and Mrs. Sara Tindall Ghazal.

Vice Chair Dr. Johnston gave the invocation, and Member King led the Pledge of Allegiance.

II. APPROVAL OF BOARD MEETING MINUTES

The Board voted and approved the minutes from the State Election Board Executive Session Meeting held on July 23, 2025. The Board made corrections to the minutes and voted and approved the minutes with corrections from the State Election Board Meeting and Hearing held on July 29, 2025, and July 30, 2025.

Motion: Member King motioned to approve the minutes from July 23, 2025, SEB Executive Session Minutes.

Second: Member Ghazal

Discussion: No discussion

Vote: Approved 3-0 with no opposition

Motion: Vice Chair Dr. Johnston motioned to approve the July 29-30, 2025, SEB Board Minutes as corrected.

Second: Member King

Discussion: Member Ghazal asked for 3 corrections in spelling.

Vote: Approved 3-0 with no opposition

Vice Chair Dr. Johnston proposed Agenda Amendments for Wednesday’s recess meeting session.

1. Under New Business add the presentation and consideration of resolutions to make recommendations to the General Assembly regarding legislation for the upcoming legislative session of 2026. After discussion, if appropriate, proceed to vote to make those recommendations to the General Assembly.
2. Under New Business add a discussion of pre-meetings.
3. Under New Business add a proposal to send a letter to the Election Assistance Commission to support the petition recommending a change to the federal voter registration application to require proof of citizenship to register to vote with the federal voter registration application.

III. PUBLIC COMMENT

The following individuals spoke out for public comments: Michael Beach, Rick Stroger, Boyce, Elizabeth

IV. INVESTIGATION REPORTS

The Board then considered the investigation reports to be considered are listed below according to the disposition recommended by the Secretary of State’s Office Investigation Staff. These recommendations are not binding on the board, which has sole discretion to act on complaints.

CASES RECOMMENDED FOR POSSIBLE DISMISSAL

Member King asked to pull SEB2024-129 from the dismissal list.

SEB2024-129 Franklin County – Discarded Ballot

Vice Chair Dr. Johnston asked to pull SEB2023-027 from the dismissal list.

SEB2023-027 Murray County – Double Voter

Motion: Vice Chair Dr. Johnston motioned to dismiss all the cases listed below for dismissal.

Second: Member King

Discussion: no discussion

Vote: 3-0 with no opposition

- SEB2024-256 Atkinson County – Request to Photograph Ballot**
- SEB2024-128 Union County – Sheriff Qualifications**
- SEB2025-013 Elbert County – City of Bowman Recall Petition Issues**
- SEB2025-014 Rabun County – Double Voter Registration**
- SEB2022-226 Hart County – Multiple Absentee Ballot Fraud with PO Box**
- SEB2024-241 Hart County – Double Voting at Cade St. Advanced Location**
- SEB2024-031 Wilkes County – Failure to Allow Public View of Tabulation**
- SEB2022-367 Franklin County – Candidate Qualifying Issue Nov ‘22 General Election**
- SEB2022-228 Jackson County – Voter Registration Fraud**
- SEB2024-121 Floyd County – Voter Privacy Violation (complainant dropped case)**
- SEB2024-123 Floyd County – Ineligible Poll Worker**
- SEB2024-076 Bartow County – Absentee Ballot Delivery**
- SEB2023-050 Walton County – Walnut Grove Candidate Intimidation**
- SEB2022-309 Forsyth County – Voter Registration Issue**
- SEB2024-057 Paulding County – Polling Location Change Issue**
- SEB2024-197 Gwinnett County – Inappropriate Conduct of City of Mulberry Candidate (cont)**
- SEB2023-031 Douglas County – Candidate Qualifying Issue**
- SEB2024-083 Douglas County – Poll Worker Conduct Issue May ‘24 GP**

POTENTIAL VIOLATION CASES:

SEB2023-027 Murray County – Double Voter (Pulled from the possible dismissal list)

Following presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Member King motioned to dismiss the case.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

SEB2024-129 Franklin County – Discarded Ballot (Pulled from the possible dismissal list)

Following presentation and discussion of the investigative findings, the Board voted to continue the case.

Motion: Member Ghazal motioned to continue the case.

Second: Member King

Vote: 3-0 with no opposition

At 10:40 a.m., the Chair motioned for a 10-minute break. Member King seconded. Vote approved 4-0 with no opposition.

At 10:50 a.m., the meeting resumed.

SEB2024-230 Fulton County – Illegal Photographs of Ballots

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-187 Fulton County – Voter Taking Photo of Ballot

Following presentation and discussion of the investigative findings, the Board voted:

Motion: Member Ghazal motioned to issue Mr. Mirror a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

Following presentation and discussion of the investigative findings, the Board voted:

Motion: Member King motioned to issue Mr. Dormany a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

Following presentation and discussion of the investigative findings, the Board voted:

Motion: Member King motioned to issue Mr. Minor a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

SEB2024-049 Elbert County – City of Bowman Fraudulent Petition Filing

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Reprimand. Refer allegations of voter intimidation and possible firearms near the polling location to investigators for further investigation.

Motion: Member Ghazal motioned to issue a Letter of Reprimand to Ms. Ivester for violation of O.C.G.A. 21-4-5(b)(2).

Second: Member King

Vote: 2-1 with Vice Chair Dr. Johnston opposing.

SEB2023-088 Wilkes County – City of Washington Illegal Campaigning Nov. 2023

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member Ghazal motioned to issue a Letter of Instruction regarding Mr. Parris.

Second: Member King

Vote: 3-0 with no opposition

Motion: Member Ghazal made a 2nd motion to open an investigation into these allegations both of voter intimidation and of possible firearms near the polling location, and a separate investigation, but hearing together, with respondent being municipality that they failed to post the required notification to voters that one candidate was no longer on the ballot and that any vote for that candidate would not be counted.

Chairman Fervier recommended that the case go back to Chief Investigator Koth for further investigation on the two issues in Member Ghazal's second motion. Member Ghazal agreed to allow the Secretary of State's Chief Investigator Koth to continue investigating the two issues.

SEB2022-014 Murray County – AB Application

Following presentation and discussion of the investigative findings, the Board voted to refer to the Attorney General.

Motion: Vice Chair Dr. Johnston motioned to refer the case to the Attorney General.

Second: Member King

Vote: 3-0 with no opposition

SEB2023-048 Jackson County – City of Hoschton Qualifying Petition Issues

Following presentation and discussion of the investigative findings, the Board voted to refer to the local DA and Attorney General.

Motion: Member Ghazal made a motion to refer the case to the Attorney General's office and then amended her motion to refer the case to the Attorney General's office and the local DA because the AG would adjudicate any civil violations, and the DA will adjudicate the criminal.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-064 Jackson County – Residential Voter Registration Fraud

Following presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Vice Chair Dr. Johnston motioned to dismiss the case.

Second: Member King

Vote: 3-0 with no opposition

SEB2023-072 Paulding County – City of Dallas, Voting Delay, November 2023

Following presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Vice Chair Dr. Johnston motioned to dismiss the case.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-058 Paulding County – Voter Privacy Violation

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to the poll worker.

Motion: Member Ghazal motioned to issue a Letter of Instruction.

Second: Member King

Further Discussion: Vice Chair Dr. Johnston recommended a Letter of Reprimand.

Vote: 2-1 with Vice Chair Dr. Johnston in opposition

SEB2024-115 Carroll County – Poll Worker Conduct Issue at Roopville Rd Church June '24

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member Ghazal made a motion to dismiss the case.

Further Discussion: Member King recommended a Letter of Instruction.

Second: No Second

2nd Motion: Member King motioned to issue a Letter of Instruction

Second: Vice Chair Dr. Johnston

Amended Motion: After further discussion, Member King amended her motion to a Letter of Instruction that does not include a violation. However, it informs the individual of the proper conduct that is expected.

Vote: 2-1 with Member Ghazal in opposition; Chairman Fervier recused himself.

SEB2022-021 Forsyth County – Residency Issue

Following presentation and discussion of the investigative findings, the Board voted:

To issue Mr. Ajufor a Letter of Instruction to cover all three violations.

Motion: Member King motioned to issue a Letter of Instruction to cover all 3 violations for Mr. Ajufor

Second: Member Ghazal and Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

To issue Mr. Alden a Letter of Instruction with guidance on how to re-register properly in compliance with the law.

Motion: Member Ghazal motioned to issue a Letter of Instruction with guidance on how to re-register properly in compliance with the law.

Second: Member King

Vote: 3-0 with no opposition

To issue Mrs. Alden a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

To issue Ms. Godwin a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction

Second: Member Ghazal

Vote: 3-0 with no opposition

To issue the following parties a Letter of Instruction: Ms. Helm, Ms. Joslin, Ms. Land, Ms. Luecke, Ms. Lugus. Mr. Riggs, Ms. Watkins, Mr. Watkins, and Mr. Williams Jr.

Motion: Member King motioned to issue a Letter of Instruction to the individuals listed above.

Second: Member Ghazal

Vote: 3-0 with no opposition

The Board recessed for a 5-minute Break at 1:17pm.

The Board returned at 1:22pm.

SEB2023-006 Forsyth County – Failure to Mail AB November 2022 General Election

Following presentation and discussion of the investigative findings, the Board voted on actions for the following respondents.

Ms. Seabolt was issued a Letter of Reprimand.

Motion: Member King motioned to dismiss Ms. Seabolt's case.

Second: No Second

Vote: Failed for lack of second

Motion: Vice Chair Dr. Johnston motioned to refer the case to the AG for double voting.

Second: No Second

Vote: Failed for lack of second

Motion: Member Ghazal motioned to issue a Letter of Reprimand

Second: No Second

Vote: Failed for lack of second

Motion: Member King withdrew her original motion to dismiss the case and motioned to issue a Letter of Reprimand.

Second: Member Ghazal

Vote: 3-0 with no opposition

Forsyth County was referred to the Attorney General's Office for violation of O.C.G.A §21-2-419 and SEB Rule 183-1-12.18(11)(b)

Motion: Member Ghazal motioned to refer the respondent Forsyth County to the Attorney General's Office.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

Ms. Balcome was issued a Letter of Instruction.

Motion: Vice Chair Dr. Johnston motioned to issue a Letter of Instruction.

Second: Member King

Vote: 3-0 no opposition

The Board recessed for lunch at 2:25pm. Chair made the motion, Member King seconded. Vote 3-0 to recess for 30-minute lunch. The Board returned at 2:55 p.m.

SEB2022-374 Forsyth County – Gainesville Voter Registration Fraud

Following presentation and discussion of the investigative findings, the Board voted to Letter of Reprimand.

Motion: Member Ghazal motioned to send a Letter of Reprimand.

Second: Vice Chair Dr. Johnston

Vote: 2-1 with Member King in opposition and wanting the case to be referred to the Attorney General.

SEB2022-224 Douglas County – Qualifying Issue

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction without the violation being found.

Motion: Vice Chair Dr. Johnston motioned to issue a Letter of Instruction to Douglas County with violation.

Second: no second

Vote: Failed for lack of second

Motion: Member King motioned to issue a Letter of Instruction without a violation.

Second: no second

Vote: Failed for lack of second

Motion: Member Ghazal motioned to dismiss the case. After discussion, Member Ghazal agreed with Member King's motion.

Motion Reinstated: Member King motioned to issue a Letter of Instruction with no violation.

Seconded: Member Ghazal

Vote: 2-1 with Vice Chair Dr. Johnston in opposition

SEB2024-192 Camden County – Photograph of Ballot

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Vice Chair Dr. Johnston motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2022-044 Colquitt County – Photography in Polling Place

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Vice Chair Dr. Johnston motioned to issue a Letter of Instruction.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-015 Worth County – Photograph of Ballot

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to the elector, Mr. Howard, and a Letter of Instruction to the poll worker, Ms. Chestnut.

Mr. Howard

Motion: Member King motioned to issue a Letter of Instruction to the elector, Mr. Howard.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

Ms. Chestnut

Motion: Vice Chair Dr. Johnston motioned to issue a Letter of Instruction to Ms. Chestnut.

Member King had made a motion earlier for Ms. Chestnut to be issued a Letter of Reprimand. She withdrew her motion to move forward with Vice Chair Dr. Johnston's motion.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-238 Hart County – Illegal Photograph of Ballot Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to refer to the Attorney General.

Motion: Vice Chair Dr. Johnston motioned to refer the case to the Attorney General.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-034 Wilkinson County – Photograph of Ballot

Following presentation and discussion of the investigative findings, the Board voted to refer the case to the Attorney General.

Motion: Member King motioned to refer this case to the Attorney General's office.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-080 Hancock County – Photography of Ballot

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 no opposition

SEB2024-098 Hancock County – Poll Worker Took Photos and Video Inside of the Poll

Following the presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Vice Chair Dr. Johnston motioned to dismiss the case.

Second: Member King

Vote: 2-1 with Member Ghazal in opposition

SEB2025-026 Hancock County – Photograph of Ballot

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Reprimand.

Motion: Member King motioned to issue a Letter of Reprimand.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2022-191 Walton County – Photo at Polling Place

Following presentation and discussion of the investigative findings, the Board voted to refer the case to the Attorney General.

Motion: Member Ghazal motioned to issue a Letter of Reprimand.

Second: Member Johnston

Motion Withdrawn: Member Ghazal withdrew her original motion.

Motion: Member Ghazal motioned to refer the case to the Attorney General.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-162 Fulton County – Unlawful Photography at Maxwell Road Polling Location

Following presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Member King motioned to dismiss the case.

Second: Vice Chair Dr. Johnston

Vote: 3-0 no opposition

SEB2024-217 Fulton County – Unlawful Photograph of Ballot Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 no opposition

SEB2023-085 Fulton County – Roswell Library, Photograph of Ballot

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-208 Fulton County – Illegal Photograph of Voting Equipment During Voting Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member Ghazal motioned to issue a Letter of Instruction.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-216 Fulton County – Ocee Library Unlawful Photograph of BMD Screen Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction on allegation #2, wearing a shirt in the polling location, and dismiss the first allegation for the photograph.

Allegation wearing shirt:

Motion: Member King motioned to issue a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

Allegation for photograph:

Motion: Vice Chair Dr. Johnston motioned to dismiss the photograph case.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-169 Fulton County – Recording Devices at Alpharetta Library Voting Pct. Nov '24 GE

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Reprimand.

Motion: Member King motioned to issue a Letter of Reprimand.

Second: Member Ghazal

Vote: 2-1 with Vice Chair Dr. Johnston in opposition

SEB2024-199 Polk County – Illegal Photograph at Cedartown AV Polling Location Nov. 2024

This case was adjudicated at a previous meeting.

SEB2024-210 Hall – Photography of Ballot Posted on Social Media Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to Mr. Dean.

Motion: Member King motioned to issue a Letter of Instruction to Mr. Dean.

Second: Vice Chair, Dr. Johnson

Vote: 3-0 with no opposition

The matter concerning Mr. Clarke in this case will be heard tomorrow from his attorney and the Board will vote.

V. RECESS

The Board voted to recess for the day at 4:33 p.m.

Motion: Member King motioned to recess the meeting until tomorrow.

Second: Member Ghazal

Vote: 3-0 with no opposition



MINUTES
STATE ELECTION BOARD MEETING
Wednesday September 24, 2025
Georgia State Capitol, Room 341 Atlanta, Georgia
9:00 a.m.

<https://www.youtube.com/@GAStateElectionBoard/streams>

I. CALL TO ORDER AND INTRODUCTORY REMARKS

Mr. John Fervier, as Chairman, called the State Election Board (“Board”) meeting to order at 9:03 a.m. A quorum was present for each Board action taken. The following Board Members were present: Mr. John Fervier, Dr. Janice Johnston, as Vice Chair, Mrs. Janelle King, and Mrs. Sara Tindall Ghazal. Board member Jeffares arrived at 9:30 a.m., resulting in a full Board.

II. PROCEDURE MATTERS

a. Discussion of proposed rule petition.

Petitioners presenting: Jeanne Dufort, Michael St. Louis, and Salleigh Grubbs

- | | |
|---|-------------------|
| 1. Repeal of Rule 183-1-15-.01 | Salleigh Grubbs |
| 2. Changes to Rule 183-1-15-.02 Definition of Vote | |
| 3. Changes to Rule 183-1-12-.11 Conducting of Elections | Jeanne Dufort |
| 4. Changes to Rule 183-1-12-.01 Conducting of Elections | Michael St. Louis |

Board moved for a break to make copies at 9:43 a.m. and resumed at 9:46 a.m.

Motion: Member Ghazal motioned to accept a changed petition and hear the revised version today.

Second: Member King

Vote: 3-0 with no opposition

At 11:00 a.m., the Board recessed due to a fire alarm

At 11:25 a.m., the Board returned to order.

After discussion, Board Members Ghazal and Jeffares will collaborate with Ms. Grubbs and Ms. Dufort on refinements over 2 weeks prior to next business session meeting on October 22nd. Once the revised petition is completed, it will be distributed.

III. ATTORNEY GENERAL’S REPORT

CONSENT ORDERS:

SEB2020-001

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General’s Office with \$1,000 penalty fine.

Motion: Member King motioned to approve the consent orders recommended by the Attorney General.

Second: Member Jeffares

Vote: 4-0 with no opposition

SEB2020-147

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office with \$1,000 penalty fine.

Motion: Member King motioned to approve the consent orders recommended by the Attorney General.

Second: Member Jeffares

Vote: 4-0 with no opposition

FINAL ORDERS:

SEB2020-107

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Ghazal motioned to approve the final orders recommended by the Attorney General.

Second: Member Jeffares

Vote: 4-0 with no opposition

SEB2023-039

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Ghazal motioned to approve the final orders recommended by the Attorney General.

Second: Member Jeffares

Vote: 4-0 with no opposition

OTHER BUSINESS: This case was moved up from the original agenda to go before the dismissal cases.

SEB2020-089 – Request for Clarification of Referral

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to Fulton County and Coalition for Good Governance concerning requirements for protecting PII.

Motion: Vice Chair Dr. Johnston motioned for the Attorney General to provide a letter to both parties regarding safe parameters for protecting PII.

Second: Member Ghazal

Vote: 3-1 with Member Ghazal in opposition

ORDERS OF DISMISSALS:

SEB2018-110

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2020-292

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2021-033

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2021-109

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2022-186

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2022-214

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

SEB2022-354

Following presentation and discussion of the investigative findings, the Board voted as recommended by the Attorney General's Office.

Motion: Member Jeffares motioned to dismiss this case as recommended by the Attorney General.

Second: Vice Chair Dr. Johnston

Vote: 4-0 with no opposition

OTHER BUSINESS:

Overview of Upcoming OSAH Penalty Cases:

Administrative Court Costs: The Attorney General’s office highlighted the costs associated with taking cases to the Office of State Administrative Hearings, including judge fees and potential travel expenses. It was suggested to seek legislative changes to allow recouping court costs as part of judgments.

Legal Authority and Enforcement: The Attorney General’s office clarified the SEB’s authority to issue orders and penalties, requiring a full administrative hearing for civil penalties.

Rule Validity and Legislative Recommendations: Discussion about the validity of certain election rules and the need for legislative clarity on issues like sending multiple absentee ballots. The AG’s office proposed collaboration with the SEB to recommend legislative changes for better election oversight. The AG’s office indicated they would follow up on the validity of a specific rule, 183-1-12-.12, concerning tabulating results, to determine whether it is still validly operative. They are committed to looking into this matter and getting back with the necessary information.

IV. REPORTS

a. Report from the Executive Director

Updates were provided by Executive Director James Mills on open records training, investigative tools and software, investigative resources, Blue Ribbon Committee Presentation, Clarification on Case handling, and staff acknowledgments.

The Board recessed for Lunch and is to reconvene back at 1:00 p.m.

V. UNFINISHED BUSINESS

a. Subpoena for Fulton County Election Record:

After discussion the Board voted and passed the motion to subpoena Fulton County Board of Elections and Fulton County Clerk of Superior Court.

Motion: Vice Chair Dr. Johnston motioned that as it’s been nine months since the subpoenas to Fulton County were issued and no documents have been provided, the Board will issue a subpoena for the ballots and ballot envelopes from the 2020 general election. A subpoena will go to Fulton County Board of Registration and Elections; Sheri Allen, in her official capacity as Chairperson; Douglas Selby, member; Theresa Crawford, member; Julie Adams, member; and Nadine Williams, in her official capacity as Elections Director. A second identical subpoena will be issued to Fulton County Clerk of Superior Court and Honorable Che Alexander, as Clerk of the Court, for all used and void ballots and the stubs of all ballots used in the 2020 general election, as well as all absentee ballot signature envelopes and corresponding digital files, to be made available for inspection and imaging.

Second: Member Jeffares

Vote: 3-1 with Member Ghazal in opposition

b. Next Meeting Date

After discussion, the Board voted and passed to hold monthly meetings for the rest of this year on October 22, November 12, and December 9-10. For the year 2026, the meetings will be held every 3rd Wednesday of each month: January 21, February 18, March 18, April 15, May 20, June 17, July 15, August 19, September 16, October 21, November 18, and December 16, with the option to change these dates if a quorum would not be present.

Motion: Vice Chair Dr. Johnston motioned to set the above-named dates as potential meeting dates going forward

with the option of rescheduling those dates if a quorum is not present.

Second: Member King

Vote: 3-1 with opposition from Member Ghazal

VI. INVESTIGATION REPORTS

The Board then considered the investigation reports to be considered are listed below according to the disposition recommended by the Secretary of State's Office Investigation Staff. These recommendations are not binding on the board, which has sole discretion to act on complaints.

POTENTIAL VIOLATON CASES:

SEB2023-033 Haralson County – Election Equipment

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction including that the County maintains compliant facility and policies.

Motion: Vice Chair Dr. Johnston motioned to send a Letter of Instruction.

Second: Member Jeffares

Vote: 4-0 with no opposition

SEB2021-150 Calhoun County – City of Edison: Polling Location Issues

Following presentation and discussion of the investigative findings, the Board voted to dismiss allegations #1, 4, and 5. The Board issued a Letter of Reprimand for Allegations #2, 6, 7 and 8. The Board issued a Letter of Instruction for Allegation #3.

Motion: Member Ghazal motioned to dismiss Allegation #1: Calhoun.

Second: Member Johnston

Vote: passed 4-0 with no opposition

Motion: Member King motioned to send a Letter of Reprimand for allegation #2: Calhoun County Board of Elections, Probate Judge Annie Doris Holder, Election Supervisor, City of Edison, Tami Fincher-Former Edison City Clerk, and Carl Williams III-Poll Manager.

Second: Member Ghazal

Vote: passed 4-0 with no opposition

Motion: Member King motioned to send a Letter of Instruction for allegation #3: Jane J. Ingram

Second: Member Jeffares

Vote: passed 4-0 with no opposition

Motion: Member Jeffares motioned to dismiss allegation #4: Marcia Killingsworth

Second: Member King

Vote: passed 4-0 with no opposition

Motion: Member Ghazal motioned to dismiss allegation #5: City of Edison Governing Authority

Second: Member Jeffares

Vote: passed 4-0 with no opposition

Motion: Member King motioned to send a Letter of Reprimand for allegation #6: Calhoun County Board of Elections, Probate Judge Annie Doris Holder – Election Supervisor, and Carl William III-Poll Manager

Second: Member Ghazal

Vote: passed 4-0 with no opposition

Motion: Member King motioned to send a Letter of Reprimand for allegation #7: City of Edison and Tami Fincher-Former City Clerk

Second: Member Ghazal

Vote: passed 4-0 with no opposition

Motion: Member King motioned to send a Letter of Reprimand for allegation #8: Probate Judge Annie Doris Holder-Election Supervisor and Carl Williams III – Poll Manager

Second: Member Ghazal

Vote: passed 4-0 with no opposition

SEB2024-120 Gilmer County – Candidate Conduct Issue June 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction. County needs to reinforce candidate education and polling place restrictions. Chairman Fervier recused himself and Vice Chairman Dr. Johnston chaired for this case.

Motion: Member King motioned to send a Letter of Instruction for this case.

Second: Member Jeffares

Vote: 3-0 with no opposition

SEB2024-032 White County – ADA Polling Place Issue

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to send a Letter of Instruction.

Second: Member Jeffares

Vote: 4-0 with no opposition

SEB2024-094 Floyd County – Poll Worker Conduct Issue May 2024 GP

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member King motioned to send a Letter of Instruction

Second: Member Ghazal

Vote: 4-0 with no opposition

SEB2024-077 Floyd County – Poll Worker Card

Following presentation and discussion of the investigative findings, the Board voted to dismiss the case.

Motion: Vice Chair Dr. Johnston motioned to dismiss the case.

Second: Member King

Vote: 4-0 with no opposition

SEB2023-079 Athens-Clarke County – Improper AB Processing, November 2023

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Reprimand.

Motion: Member King motioned to send a Letter of Reprimand.

Second: Member Ghazal

Vote: 4-0 with no opposition

At 2:15 p.m., the Board recessed due to a second fire alarm.

All Board members returned to order at 2:23 p.m. except for Member Jeffares.

SEB2024-056 Athens Clarke County – Missing Voter Access Card

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member Ghazal motioned to send a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

SEB2024-239 Athens Clarke County – Duplicate Mail Ballots

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Member Ghazal to draft a letter to the Legislature.

Motion: Member King motioned to send a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-161 Athens Clarke County – Polling Precinct Assignment Issue

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Member Ghazal motioned to send a Letter of Instruction.

Second: Vice Chair Dr. Johnston

Vote: 3-0 with no opposition

SEB2024-065 Athens Clarke County – Missing Voter Access Card

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction.

Motion: Vice Chair Dr. Johnston motioned to send a Letter of Instruction.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-220 Hall County – Removal of Ballot from Polling Station

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to Ms. Perez.

Motion: Member Ghazal motioned to send a Letter of Instruction.

Second: Member King

Vote: 2-1 with Vice Chair Dr. Johnston in opposition

SEB2024-210 Hall – Photography of Ballot Posted on Social Media Nov. 2024

Following presentation and discussion of the investigative findings, the Board voted to issue a Letter of Instruction to Mr. Clarke.

Motion: Member Ghazal motioned to issue a Letter of Instruction.

Second: Member King

Vote: 3-0 with no opposition

SEB2024-028 Cherokee County – Union Hill Community Center Issues

Following presentation and discussion of the investigative findings, the Board voted to refer the case to the Attorney

General.

Motion: Member King motioned to refer this case to the Attorney General.

Second: Member Ghazal

Vote: 4-0 with no opposition and Chairman Fervier voting in agreement.

SEB2023-040 Cherokee County – Improper Municipal Qualifying Procedures

Following presentation and discussion of the investigative findings, the Board voted to send a Letter of Instruction to the City of Waleska/Robin Smith to adhere to code timelines and coordinate with county elections office.

Motion: Member Ghazal motioned to send a Letter of Instruction.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2024-086 Franklin County – Voting Before Polls Opened May 2024

Following presentation and discussion of the investigative findings, the Board voted to send a Letter of Reprimand to the poll workers involved.

Motion: Member King motioned to send a Letter of Reprimand to the poll workers.

Second: Member Ghazal

Vote: 3-0 with no opposition

SEB2023-066 Gwinnett County – Voter Residency Challenge (cont)

Following presentation and discussion of the investigative findings, the Board voted to refer the case to the Gwinnett County District Attorney and Georgia Attorney General for review.

Motion: Member Ghazal motioned that the case regarding Mr. Lovelace be referred to the Attorney General's office. After discussion, Member Ghazal amended her motion to refer the case regarding Mr. Lovelace to the Attorney General and Gwinnett County District Attorney offices.

Second: Member King

Vote: 3-0 with no opposition

VII. OLD BUSINESS

a. Clarification on SOP of SEB Meetings

The Board engaged in a lengthy discussion regarding the authority to schedule and post meetings. Board Members sought clarification that meetings could be scheduled and posted when requested by a majority of the Board or any two Members, as per statute. They expressed concern over a multi-step approval process involving Chairman Fervier and the Secretary of State's office, which they deemed "cumbersome at the very least and obstructive at the most." Members advocated for Executive Director Mills to have the direct authority to work with IT to post meetings, ensuring timely and proper notification without excessive layers of approval. The Chair committed to working with the Executive Director and Board Members to schedule meetings but insisted on retaining the right to review anything posted on behalf of the Board, implying his approval was necessary before posting. This position was challenged by Board Members, who argued that the majority vote of the Board should dictate when meetings are posted, not the Chair's individual approval, and that the Chair's stance was creating an obstruction. Past instances were cited where Chairman Fervier allegedly refused to post meetings, leading to contention. The Chair maintained that the statute grants him the authority to determine the time and place of meetings, while Board Members countered that two Members can call a meeting and the Chair should not obstruct that process.

Executive Director Mills for the record, "The Chairman is unwilling to do the will of the majority of the

committee.”

VIII. NEW BUSINESS

a. Double Voting Cases

Discussion about double voting included concerns about the process and transparency of handling double voting cases. There was mention of articles in the paper about double voting cases being referred directly to district attorneys after investigation, without first being presented to the State Election Board. The Board expressed a desire for checks and balances and emphasized the importance of being informed about these cases. There was also a reference to case backlogs and the need for access to case logs to prioritize cases effectively. The Board is working to obtain access to these case logs to ensure proper handling and oversight of double voting incidents.

Executive Director to obtain case logs from the Secretary of State’s Office. SEB has never seen the case log. SOS Investigators agreed to show the case logs to the SEB.

Vice Chair Dr. Johnston stated for the record:

“You asked for emails to document my request for looking for double voting cases. I have an email from December 29, 2023 to Ms. McGowan at the Secretary of State’s Office, Blake Evans at the Secretary of State’s Office, and the rest of our Board.

“The email states: ‘The goal of voter list maintenance is to provide an accurate and current eligible voter list for each election so that every eligible person may vote once. The temptation and opportunity for voter fraud must be minimized by having a good voter list. Please provide the ERIC list of possible double voters from 2020, 2021, 2022, and 2023. Although every possible double voting incident should be investigated individually, the entire list may provide patterns or indicators that should be evaluated and reviewed.’

“The response was from our Chairman, our prior Chairman, that this should be asked in an open records request, which it was. And the response was from the Secretary of State’ office: ‘The Secretary’s Office is required by law to keep the requested information confidential.’ And then a bland follow-up sentence. ‘We’d be happy to provide the Board with information on the extensive list maintenance activities the election division is undertaken this year to ensure that Georgia has the cleanest voter rolls in the nation going into 2024.’

“I asked again in an email that said ‘Please provide the Board the information on the extensive list maintenance activities the division has undertaken this year and last year. What do you mean by cleanest in the nation? According to Election Assistance Commission, Georgia is the 10th worst in the US in voter roll measures. Georgia has more registered voters than the voting age population. How many possible double voters were found? Certainly, the total number provided by ERIC is not confidential information. Best regards.’ And no response was given.

“So just for the record, there’s been an interest in these double voters. There have been articles in the paper in the AJC about double voting cases going directly to the district attorneys after investigation and not being presented to the Board first as a complete investigation. I’m glad that if they are confident that those investigations have provided enough evidence to refer directly to the district attorney, you (Chairman Fervier) said in the article also in the paper that you thought it should be brought to the State Election Board or at least the Board informed first and I appreciate that.”

b. Insurance

The discussion about insurance focused on the need for the Board to explore obtaining Director's and Officer's liability insurance for its Members. This need arose from legal matters involving a Board Member, highlighting that legal representation is not guaranteed by the state of Georgia for volunteer, appointed Members of the State Election Board. The Board members expressed concerns that they were initially informed they would be covered by the Attorney General's office, which turned out not to be the case. The Board agreed on the importance of having

insurance to cover legal expenses in situations where the state does not provide representation. There was a consensus to explore insurance options to ensure Board members are protected while performing their duties. The options will be discussed in the October meeting after more research.

Added item to the agenda:

c. Resolutions

1. Presentation of Resolution to make recommendations to the General Assembly

Motion: Vice Chair Dr. Johnston motioned to send the resolution presented to the General Assembly for their consideration to end no excuse absentee voting. After discussion, Vice Chair Dr. Johnston motioned that the resolution be brought up at the October 22nd meeting so the Board may review it. The Vice Chair noted that the resolution had been proposed before. The Chairman stated there was no need to have a motion and to add it the agenda for the October meeting.

2. Vice Chair Dr. Johnston has a resolution for the General Assembly to consider requiring timely receipt of all ballots, specifically addressing the deadline for ballot receipt to be 7:00 p.m. on election day. This is to also include uniformed and overseas citizen absentee voting UOCAVA ballots. The only ballots that should be considered after 7:00 p.m. on election day are provisional ballots. Vice Chair Dr. Johnston asked for this to be added to the October 22nd agenda.

d. Letter of Support on behalf of the Board

Vice Chair Dr. Johnston proposed to the Board to send a letter of support to the Election Assistance Commission regarding federal voter registration applications while it is in the rule-making phase for comments and letters to be received. Chairman Fervier proposed the Vice Chair Dr. Johnston write the letter and send it to the Board to review.

e. Special Presentations

Vice Chair Dr. Johnston asked if the Secretary of State could provide some information to the Board about what it has done to plan or to begin implementation for voting without the use of QR codes starting next July. Chairman Fervier requested that it be added to the October 22nd agenda. Member King suggested that they invite Blake Evans with the Secretary of State's Office to hear directly from the SOS what their plan is. Chairman Fervier agreed and then mentioned an invite be made to whomever the Board deem necessary to provide technical expertise for them.

f. Pre-Meetings

Vice Chairman Dr. Johnston wanted clarification on the procedures of pre-meetings. Chairman Fervier described pre-meetings as an informal practice, where the chairman would review proposed cases with the Secretary of State's Investigators. He noted recent discussions about the last pre-meeting and suggested future discussions on their format, though he was not prepared to address it at the moment during the Board meeting.

1. Board members, however, emphasized the critical role of pre-meetings for facilitating case discussions, ensuring smoother main meetings, and maintaining transparency.
2. They highlighted that the current controversy arose from Chairman Fervier holding a pre-meeting without informing other board members, which they viewed as a lack of collaboration and an obstruction of committee process.
3. Despite the Chairman Fervier's reluctance to engage further on the topic, board members affirmed the importance of continuing pre-meetings.

The Board recessed for a 5-minute Break and then came back to order.

IX. PUBLIC COMMENT

The following individuals gave public comment: Michael Beach, Don Hackney, Mr. Bush, Aileen Nakamura, Liz Throop, Tamara Favorito, Garland Favorito, and Ralph O'Connor.

X. ADJOURNMENT

The Board adjourned at 4:33 p.m.

The Chair entertained a motion to adjourn. Passed 3-0 with no opposition.