

MINUTES
STATE ELECTION BOARD MEETING
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Monday, August 22, 2022
8:30 a.m.

Pursuant to O.C.G.A. § § 50-14-1 *et seq.*, the State Election Board (“Board”) conducted its public meeting with the minutes of such recorded as follows:

BOARD MEMBERS PRESENT:

William S. Duffey Jr., Chair
Matthew Mashburn
Sara Ghazal
Edward Lindsey
Dr. Janice Johnston

**SECRETARY OF STATE STAFF
MEMBERS PRESENT:**

Ryan Germany, General Counsel
Blake Evans, Elections Director
Nic Northen, Election Systems Manager
Sara Koth, Chief Investigator
Steven Ellis, Deputy General Counsel
Meaghan Kelling, Legal Affairs Coordinator

ATTORNEY GENERAL’S OFFICE

COUNSEL PRESENT:

Charlene McGowan, Assistant Attorney General

I. CALL TO ORDER AND INTRODUCTORY REMARKS

Chair Duffey called the State Election Board (“Board”) meeting to order at approximately 8:33 a.m. A quorum was present for each Board action taken. The following Board members attended the meeting: Chair William Duffey, Matthew Mashburn, Sara Ghazal, Dr. Janice Johnston, and Edward Lindsey. Dr. Johnston delivered the invocation and led the Board in the Pledge of Allegiance. Chair Duffey gave introductory remarks.

II. APPROVAL OF BOARD MEETING MINUTES

Mr. Lindsey moved to approve the minutes of the May 17, 2022, State Election Board meeting. Mrs. Ghazal seconded the motion. The motion passed 5-0.

III. UPDATE ON FULTON COUNTY PERFORMANCE REVIEW

Secretary of State General Counsel Ryan Germany provided an update on the Fulton County Performance Review.

**IV. REPORT ON PROPOSED METHOD FOR THE ACCEPTANCE AND
EQUITABLE DISTRIBUTION OF GRANT FUNDS FOR ELECTION
ADMINISTRATION**

Secretary of State General Counsel Ryan Germany provided background and a summary of the report. The report was taken under advisement.

V. INVESTIGATIONS REPORTS

The Board next considered the cases prepared by the Investigations Division.

A. Consent Cases

1. *After discussion, the Board voted to continue and partially dismiss the complaints below as follows:*

Case No. 2020-225 Henry County (Public Viewing)

Mr. Lindsey moved to continue this case. Mrs. Ghazal seconded the motion.

The motion passed 5-0.

Case No. 2020-228 Fulton County (Updating of Voter Records)

Mrs. Donna Hinges was recognized to speak to the allegations in the complaint in which she was named as a Respondent. Mr. Lindsey moved to continue the complaint. Dr. Johnston seconded. The motion passed 5-0. All other complaints in this case were dismissed.

Mr. Mashburn moved to dismiss the cases listed below. Mr. Lindsey seconded the motion. The motion passed 5-0.

Case No. 2018-106 Dougherty County (Qualification of Electors)

Case No. 2020-168 Mitchell County (Found Ballots)

Case No. 2020-185 Carroll County (Unsecured Ballots)

Case No. 2020-210 Chatham County (Multiple Complaints)

Case No. 2020-211 Richmond County (Absentee Ballot Issues)

Case No. 2020-214 Gwinnett County (Absentee Ballot Issues)

Case No. 2020-230 Multiple Counties (Voter Registration Drives)

Case No. 2020-232 DeKalb County (ADA Complaints)

Case No. 2020-246 DeKalb County (Residency)

Case No. 2020-270 DeKalb County (AB Drop Box Issues)

Case No. 2020-286 Fulton County (Poll Watcher Issues)

Case No. 2021-007 Bartow County (Photographing Ballot During Voting)

Case No. 2021-017 Multiple County (Registration Fraud)

Case No. 2021-022 Fulton County (Residency Excess Voting)

Case No. 2021-030 Terrell County (Food for Voting)

Case No. 2021-037 Hall County (Absentee Ballot Fraud)

Case No. 2021-046 Brooks County (Voter Registration Issue)

Mrs. Ghazal pulled case off for comment and moved to continue the case. The motion failed for lack of a second.

Case No. 2021-069 DeKalb County (Absentee Ballot Fraud)

Case No. 2021-082 DeKalb County (Public Inspections)

Case No. 2021-087 Brooks County (Improper Processing of Absentee Ballots)

Case No. 2022-012 Cherokee County (Credit for Voting)

Case No. 2022-018 City of Midville-Burke County (Candidate Qualifying Issue)

Case No. 2022-023 Cherokee County (Double Voter)
Case No. 2022-031 Fulton County (Voter Fraud)
Case No. 2022-032 Hart County (Ballot Harvesting)
Case No. 2022-033 Forsyth County (Precinct 19 Challenged Voters)
Case No. 2022-039 Gordon County (Vote Buying)
Case No. 2022-059 Walker County (Voter Took Photograph)
Case No. 2022-064 DeKalb County (Vote Scan Issue)
Case No. 2022-065 Fulton County (Ponce Library)
Case No. 2022-069 Fulton County (Wolf Creek Library)
Case No. 2022-074 Gwinnett County (Ballot Harvesting Rainbow Track Suit)
Case No. 2022-087 Floyd County (Districting Issue Letter in Mailbox)
Case No. 2022-108 Clayton County (Ballot Harvesting)
Case No. 2022-113 Gwinnett County (Ballot Harvesting Black Infiniti M35)
Case No. 2022-114 Cobb County (Voter Fraud)
Case No. 2022-115 Fulton County (Districting Issue in Milton)
Case No. 2022-118 Fulton County (Voter Fraud Nursing Home)
Case No. 2022-134 Gwinnett County (Poll Manager Requirements)
Case No. 2022-149 Douglas County (Absentee Ballot Dropbox Outside)

B. Letter Cases

- 1. Case No. 2020-123 Hancock County (Illegal Campaigning)**
After discussion of the investigative findings, the Board voted to continue the case.
- 2. Case No. 2021-031 Thomas County (Food for Voting)**
After discussion of the investigative findings, the Board voted to issue the Respondents Black Voters Matter Fund and the Thomas County NAACP a Letter of Instruction for violation of O.C.G.A. § 21-2-570.
- 3. Case No. 2021-038 Hall County (Unqualified Voter)**
After discussion of the investigative findings, the Board voted to issue to Respondents Suzannah Eubanks and Rachelle Edwards a Letter of Instruction for violation of O.C.G.A. § 21-2-217 (4).
- 4. Case No. 2021-040 Muscogee County (Voter Privacy Issue)**
After discussion of the investigative findings, the Board voted to issue the Respondent a Letter of Instruction.
- 5. Case No. 2021-080 Carroll County (Residency Issue)**
James Burns was recognized to speak about case. After discussion of the investigative findings, the Board voted to issue Respondents Ronald Wright and Lisa Wright a Letter of Instruction for violation of O.C.G.A. § 21-2-217 (a) (1).

- 6. Case No. 2022-020 Habersham County (150 Feet Rule)**
Respondent Mark Reed was recognized to speak on the case and requested the case be dismissed. After discussion of the investigative findings, Mr. Lindsey moved to dismiss the case. Mr. Mashburn seconded the motion. The motion passed 5-0.
- 7. Case No. 2022-028 Richmond County (Voter Registration-New GA Project)**
Chair Duffey continued the case.
- 8. Case No. 2022-034 Dade County (Absentee By Mail Mailed Prior to 04/25/22)**
After discussion of the investigative findings, the Board voted to issue Respondent Tammie Lowanna Vaughn a Letter of Instruction for violation of O.C.G.A. § 21-2-384 (a) (2).
- 9. Case No. 2022-048 Fulton County (Ballot Marking Device Photo)**
After discussion of the investigative findings, the Board voted to issue Respondents Shirley Michelle Orris and Inga Sharon Willis a Letter of Instruction for violation of O.C.G.A. § 21-2-413.
- 10. Case No. 2022-105 Multi-County (2022 Primary)**
After discussion of the investigative findings, the Board voted to issue Respondents Charles Dave, Shontay Jones, Brenda Hodges, Al McCranie, Glenda Ferguson, Zachary Manifold, Ameika Pitts, Elenore Gale, Laura Cox, Adrienne Ray, and Carlos Nelson a Letter of Instruction for violation of O.C.G.A. § 21-2-421.

**Mr. Mashburn moved to approve the recommendations. Mr. Lindsey seconded the motion. The motion passed 5-0.*

*The Board took a break at approximately 11:33 a.m. and returned at approximately 11:52 a.m.

C. Violations Cases

- 1. Case No. 2020-003 Sumter County (Poll Watchers)**
Chair Duffey continued the case.
- 2. Case No. 2020-029 DeKalb County (Election Issues)**
Chair Duffey continued the case.
- 3. Case No. 2020-030 Gwinnett County (Election Day Issues)**
Chief Investigator Sara Koth presented the case and recommended that Respondent Kristi Royston be referred to the Attorney General's Office for

violation of O.C.G.A. § 21-2-328, SEB Rule 183-1-12-.09(2), O.C.G.A. § 21-2-403, SEB Rule 183-1-12.11(c), O.C.G.A. § 21-2-436, and O.C.G.A. § 21-2-437.

Mrs. Wilson, Counsel for Gwinnett County, was recognized to speak.

Mr. Mashburn moved to accept the recommendation and refer Respondent Kristi Royston to the Attorney General's Office for a prompt hearing. Dr. Johnston seconded the motion. The motion passed 5-0.

4. Case No. 2020-033 Stephens County (Procedures for Tabulation of ABs)

Chief Investigator Sara Koth presented the case and recommended that Respondents Eureka Gober and the Stephens County Board of Elections and Registration be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-450 (c) (3) and O.C.G.A. § 21-2-493 (b).

Mr. Lindsey moved to accept the recommendation and refer Respondents Eureka Gober and the Stephens County Board of Elections and Registration to the Attorney General's Office for a prompt hearing. Mr. Mashburn seconded the motion. The motion passed 5-0.

5. Case No. 2020-034 Montgomery County (Duty to Secure Election Records)

Chief Investigator Sara Koth presented the case and recommended that Respondents Probate Judge Rubie Sanders, Chief Registrar Bobbie Carpenter, and the Montgomery County Board of Registrars be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-500(a).

Probate Judge Rubie Sanders and Bobbie Carpenter were recognized to speak

Mr. Lindsey moved to accept the recommendation and refer Respondents Probate Judge Rubie Sanders, Chief Registrar Bobbie Carpenter, and the Montgomery County Board of Registrars be referred to the Attorney General's Office. Mr. Mashburn seconded the motion. The motion passed 5-0.

6. Case No. 2020-039 Sumter County (Problems at the Polling Place)

Chief Investigator Sara Koth presented the case and recommended that Respondent Ethel Hollis be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-218.

Mrs. Ghazal moved to issue the Respondent Ethel Hollis a Letter of Instruction for violation of O.C.G.A. § 21-2-218. Mr. Mashburn seconded the motion. The motion passed 5-0.

7. Case No. 2020-048 Decatur County (Double Voters)

Chief Investigator Sara Koth presented the case and recommended that Respondents Pamela Rouse, Larry Clemons, Shirley Story, and Lloyd Story Jr. be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-572.

Chief Investigator Koth recommended that Respondents Carol Heard, Charles Murphy, Margaret Bryant, and the Decatur County Board of Elections and Registration be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-388(2).

Chief Investigator Koth recommended that Respondents Carol Heard, Margaret Bryant, and the Decatur County Board of Elections and Registration be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-590.

Mr. Lindsey moved to accept the recommendation and refer the Respondents to the Attorney General's Office for a prompt hearing. Mr. Mashburn seconded. The motion passed 5-0.

8. Case No. 2020-061 McIntosh County (Problems at the Poll)

Chief Investigator Sara Koth presented the case and recommended that Respondents Elenore Gale and the McIntosh County Board of Elections and Registration be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-388.

Mr. Lindsey moved to accept the recommendation and refer Respondents Elenore Gale and the McIntosh County Board of Elections and Registration to the Attorney General's Office. Mrs. Ghazal seconded the motion. The motion passed 5-0.

9. Case No. 2020-062 Chatham County (Absentee Ballot Processing)

Chair Duffey continued the case.

10. Case No. 2020-073 Troup County (Ballots Not Deposited in Scanner)

Chief Investigator Sara Koth presented the case and recommended that Respondents Lonnie Hollis, Albert Prado, Detrick Higgins, and Johnnie Freeman be referred to the Attorney General's Office for violation of SEB Rule 183-1-12.11(9).

Chief Investigator Koth recommended that Respondents Andrew Harper and Denise Cotton be referred to the Attorney General's Office for violation of SEB Rule 183-1-12.11(7).

Chief Investigator Koth recommended that Respondent Lonnie Hollis be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-413(e).

Respondent Lonnie Hollis was recognized to speak to the case.

Mr. Mashburn moved to accept the recommendation and refer Respondents Lonnie Hollis, Albert Prado, Detrick Higgins, and Johnnie Freeman to the Attorney General's Office. Mr. Mashburn moved to issue Respondents Andrew Harper and Denise Cotton a Letter of Instruction for violation of SEB Rule 183-1-12.11(9). Mr. Mashburn moved to dismiss the case against Respondent Lonnie Hollis. Dr. Johnston seconded the motion. The motion passed 5-0.

11. Case No. 2021-088 City of Arlington (Absentee Ballot Applications)

Chief Investigator Sara Koth presented the case and recommended that Respondent Shirley Jackson be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-381(a)(1)(A)(F).

Chief Investigator Koth recommended that Respondents Sarah Causey, Brook Diehl and the Calhoun County Board of Registrars be referred to the Attorney General's Office for violation of O.C.G.A. § 21-2-597.

Mr. Lindsey moved to accept the recommendation and refer Respondents Shirley Jackson, Sarah Causey, Brook Diehl, and the Calhoun County Board of Registrars to the Attorney General's Office. Mr. Mashburn seconded the motion. The motion passed 5-0.

VI. EXECUTIVE SESSION

At approximately 12:54 p.m., the Board entered into executive session. The Board returned to the meeting at approximately 2:14 p.m. During executive session, the Board consulted with legal counsel and discussed pending litigation. No action was taken.

VII. ATTORNEY GENERAL REPORT

Assistant Attorney General Charlene McGowan presented the Attorney General's Report. Mr. Lindsey moved to approve the action recommended by the Attorney General in the cases listed below. Mr. Mashburn seconded the motion. The motion passed 5-0.

Consent Orders

SEB 2011-059	Hancock County
SEB 2016-062	Hancock County
SEB 2017-074	Fulton County (City of Atlanta)
SEB 2018-055	Forsyth County
SEB 2019-021	Newton County
SEB 2019-037	Tattnall County (City of Glennville)

SEB 2019-053 Troup County
SEB 2020-023 Gilmer County
SEB 2020-087 Bibb County
SEB 2020-126 Houston County
SEB 2020-199 Walton County
SEB 2021-095 Taylor County

Consolidated Consent Orders

SEB 2015-073; Hancock County (City of Sparta)
2017-043; and
2017-081
SEB 2016-090; Peach County
2018-008
SEB2017-075; Fulton County (City of Forest Park)
2019-033; and
2019-042

Final Orders

SEB 2011-059 Hancock County
SEB 2020-090 Catoosa County

VIII. PUBLIC COMMENT

The following individuals provided comments: Frank Schneider, William Quinn, George Balbona, Karen Davenport, Candace Hall, Pamela Reardon, John Walters, Betsy Jorgenson (on behalf of Ted Metz), Larry LeSueur, Earl Ferguson, JJ Jorgensen, Cindy Battles.

IX. ADJOURNMENT

Mr. Lindsey moved to adjourn the meeting at approximately 3:55 p.m. Mr. Mashburn seconded the motion. The motion passed 5-0.