



MINUTES
STATE ELECTION BOARD MEETING
Wednesday, June 21, 2023
Georgia State Capitol, Room 341
Atlanta, Georgia
9:00 A.M.

I. CALL TO ORDER AND INTRODUCTORY REMARKS

Judge Duffey called the meeting to order at 9:06 A.M. Mr. Lindsey delivered the invocation. Andrew McMillen led the Board in the Pledge of Allegiance. Judge Duffey made opening remarks

The Board discussed a motion to reconsider the determinations made on June 20, 2023 regarding SEB 2020-001 respondent Denise Cobb. The Board voted to continue the case. Moved by Lindsey. Seconded by Ghazal. Passed 5-0.

The Board also discussed the Beta update from the Dominion voting machines. Ms. McGowan provided legal disclosures. Mr. Blake Evans and Mr. Michael Barnes discussed what the Dominion software update included, and answered questions from the Board members.

II. PETITION FOR AMENDMENT OF RULE 183-1-12

Ms. Marilyn Marks and Ms. Jeanne Dufort each spoke about their parallel petitions for amendment of Rule 183-1-12. Charlene McGowan, General Counsel for the Secretary of State's office spoke on their request for the Board to deny the petition. After each party's presentation and discussion from Chairman Duffey, Mr. Lindsey, Ms. Tindall-Ghazal, Mr. Mashburn, and Dr. Johnston, there was a motion by Lindsey to deny the petition. Ghazal seconded. Passed 5-0.

The Board discussed creating a committee of five representatives, as determined by the Chair, that would propose rules about reporting on breaches, and make recommendations for the next legislative session to the general assembly. The committee would comprise of two members of the Board, one Democrat and one Republican, and three representatives from county election offices. Lindsey moved. Mashburn seconded. Passed 5-0.

III. INVESTIGATIONS REPORTS

The investigation reports to be considered are listed below according to the disposition recommended by the investigation staff.

Cases Continued

Case No. 2020-086 Floyd County (August 11, 2020 Runoff Election)

Case No. 2020-234 DeKalb County (Absentee Ballot Processing)

Violation Cases Recommended for Letters of Instruction or Referral to the Attorney General's Office

Case No. 2019-043 Paulding County (Enclosed Space Violation) 11

Case No. 2020-089 Fulton County (Photography at Polls) 14

Case No. 2020-120 Fulton County (Poll Watcher Issue) 24

Case No. 2020-147 Paulding County (Absentee Ballots) 26

Case No. 2020-179 Numerous Counties (Deceased Voters) 27

Case No. 2020-183 Jackson County (Unlawful Assistance) 28

Case No. 2020-234 DeKalb County (Absentee Ballot Processing) 29

Case No. 2020-280 Morgan County (Pictures in Polling Places)

As to Case No. 2019-043, Lindsey moved to dismiss allegations against Paulding County, and requested that SOS send instructions to county about designation of enclosed spaces. Mashburn seconded. Passed 5-0. Mashburn moved to refer respondents Marilyn Marks, Rhonda Jo Martin, and Richard DeMillo to the Attorney General's office. Motion failed by lack of a second. Lindsey moved to dismiss. Johnston seconded. Passed 5-0.

Break for lunch at 12:24 P.M.

Return from lunch at 1:32 P.M.

As to Case No. 2020-089, Lindsey moved to find violation and send letter of instruction. Duffey moved to strike letter of instruction, and to refer to Attorney General's office with request for entry of consent order. Lindsey seconded. Passed 5-0.

As to Case No. 2020-120, Johnston moved to refer to Attorney General's office. Lindsey seconded. Passed 5-0.

As to Case No. 2020-147, Mashburn moved to send letters of instruction to respondents from Paulding County Board of Elections. Seconded by Lindsey. Passed 5-0. Lindsey moved to refer April King to Attorney General's office. Seconded by Mashburn. Passed 5-0. Mashburn moved to refer Janna Gresham to the Attorney General's office. Seconded by Johnston. Passed 5-0. Ghazal moved to dismiss allegations against Audrey Taylor. Lindsey seconded. Passed 5-0. Ghazal moved to send a letter of instruction to Brenda Mitchell. Mashburn seconded. Passed 5-0.

As to Case No. 2020-179, Mashburn moved to refer Jeffrey Laws to the Attorney General's office and the appropriate District Attorney's office. Lindsey seconded. Passed 5-0. Duffey asked that an investigation be opened against the counties involved.

As to Case No. 2020-183, Lindsey moved to send a letter of instruction to Jacob Sherman regarding providing false statements, but dismiss all other allegations in the case. Mashburn seconded. Passed 5-0.

As to Case No. 2020-234, the respondents were present and requested a continuance to the next meeting. Judge Duffey granted the request.

As to Case No. 2020-280, Lindsey moved to send a letter of instruction to Rosslyn Blalock Haynemayer. Duffey seconded. Passed 5-0. Lindsey moved to refer Lori Michelle Frost to the Attorney General's office. Duffey seconded. Passed 5-0. Lindsey moved to send a letter of instruction to Luther Daniel "Luke" Wilkins. Duffey seconded. Passed 5-0.

IV. ATTORNEY GENERAL REPORT

Consent Orders

SEB2020-034 Montgomery County
Ghazal moved, Johnston seconded. Passed 5-0.0

SEB2016-110 Long County
Lindsey moved, Ghazal seconded. Passed 5-0.

SEB2021-181 Fulton County
Lindsey moved, Ghazal seconded. Passed 4-1.

Final Orders

SEB2017-081 City of Sparta
Lindsey recused himself from voting. Ghazal moved, Mashburn seconded. Passed 4-0.

V. PUBLIC COMMENT

The following individuals made public comments: Judy Sophioropoulos, Joy Wasson, Liz Throop, Aileen Nakamura, Sylvia Albea, Kristin Nabers, Kelli Persons, Greg Landon, Frank Shneider, Erik Christensen, Julie Adams, Gail Lee, Elena Merina

VI. ADJOURNMENT

Johnston moved to adjourn, Ghazal seconded. Passed 5-0. Adjourned at 4:51 P.M.