

THE OFFICE OF SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF:
STATE ELECTION BOARD MEETING

Zoom Audio-conference

MARCH 16, 2022
10:00 A.M.

MARY K MCMAHAN, CCR, 2757
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APPEARANCE OF THE PANEL

Matt Mashburn, Acting Chair

Sara Tindall Ghazal

Janice Johnston

Ed Lindsey

ALSO PRESENT:

Ryan Germany, General Counsel

Maggie Haisty, Legislative Affairs Director

Charlene McGowan, Assistant Attorney General

James Callaway, Deputy Chief Investigator

Vincent Zagorin, Investigator

Paul Braun, 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 **MR. MASHBURN:** Welcome. This is the meeting
3 of the Georgia State Election Board.

4 My name is Matt Mashburn. As the senior
5 member of the board, I will call the meeting to
6 order. And the first thing I'll do is call the
7 roll in order to establish a quorum. I am here.
8 Matt Mashburn.

9 The next senior member is appointed by the
10 Democratic party. Sarah Tindall Ghazal.

11 **MRS. GHAZAL:** Here.

12 **MR. MASHBURN:** The next junior member is Ed
13 Lindsey, appointed by the House.

14 **MR. LINDSEY:** Here.

15 **MR. MASHBURN:** The next and our newest
16 member, Dr. Jan Johnston is appointed by the
17 Republican party.

18 **DR. JOHNSTON:** Present.

19 **MR. MASHBURN:** So the entire board is here
20 and a quorum is present.

21 So the next thing on our agenda is to do our
22 invocation. And I'll invite our newest member to
23 do the invocation if she'd like.

24 **DR. JOHNSTON:** Yes. Thank you.

25 (Invocation)

1 **MR. MASHBURN:** And at this time I'll ask
2 those in attendance to stand and ask Dr. Johnston
3 if she'd like to lead the Pledge of Allegiance.

4 (Pledge of Allegiance)

5 **MR. MASHBURN:** Thank you. Please be seated.

6 The next thing on our agenda is the election
7 of the acting chair.

8 For those that don't follow this every
9 minute of every day, the vice chair was appointed
10 to the commissioner of the department of
11 administrative services and therefore ended her
12 tenure of the board. And that left the board
13 without a vice chair and an acting chair.

14 So the first thing on our agenda now is to
15 elect an acting chair. I will put my name in
16 nomination as acting chair simply because when I
17 was in seventh grade we asked our teacher if we
18 could vote for ourselves and the teacher said:
19 If you don't think you should do it, you
20 shouldn't be in nomination.

21 So are there any other nominations for
22 acting chair? Hearing none, I will call for a
23 vote. All those in favor of Matt Mashburn being
24 the active chair say aye.

25 **THE BOARD MEMBERS:** Aye.

1 **MR. GERMANY:** Needs to be a second.

2 **MR. MASHBURN:** Oh, I'm sorry. Is there a --

3 **DR. JOHNSTON:** Second.

4 **MR. MASHBURN:** Thank you, Dr. Jan Johnston.

5 Thank you, Ryan, for bringing that to my
6 attention.

7 All those in favor say aye.

8 **THE BOARD MEMBERS:** Aye.

9 **MR. MASHBURN:** All those opposed say nay.

10 Motion -- or the election carries, four zero.

11 The next item on the agenda is the
12 introduction of the new members.

13 And I'd like to introduce the Honorable Ed
14 Lindsey, the appointee of the House.

15 Anything you'd like to say? We welcome you,
16 but is there anything you'd like to say?

17 **MR. LINDSEY:** Well, thank you very much.

18 And I think we have a very full calendar here and
19 I know there's a lot of folks online who want to
20 hear some of the evidence, so I'll keep it short.
21 I'm very humbled that the Speaker and the House
22 have named me as a member of this committee.

23 And for those who are listening, I think I
24 speak for everyone that I've talked to on this
25 board. Our sole concern is that we make sure

1 that our elections in this state are open and
2 fair and transparent and that people in Georgia
3 have confidence in the outcome because that's a
4 cornerstone of democracy as was stated so
5 eloquently by Dr. Johnston in prayer.

6 I thank you for having me and I look forward
7 to working with everyone on the committee and on
8 the staff.

9 **MR. MASHBURN:** Welcome.

10 Next I'll introduce our newest member,
11 Dr. Jan Johnston. And anything you'd like to
12 say? We welcome you to the board.

13 **DR. JOHNSTON:** Thank you. Well, let me
14 share a story with you. I started as a citizen
15 who had some free time and wanted to volunteer.
16 My interest and curiosity was working as a poll
17 watcher/monitor/observer in absentee ballot
18 processing. This experience was followed by
19 participation in as many aspects of the election
20 process as I could do from the grass-roots level.

21 These interests then broadened to
22 understanding the larger picture of elections
23 processing, operations, and conduct. Naturally
24 this led to a study of elections law, election
25 systems, and oversight of our elections.

1 Prior to this so-called free time, I had
2 been a physician in the Atlanta community,
3 serving and learning from colleagues and patients
4 for over thirty-five years. Medicine is
5 demanding, requiring dedication, advocacy,
6 objectivity, critical-thinking, thoroughness,
7 continual learning, and constant review and
8 improvement.

9 The practice of medicine may seem different
10 than the administration of elections, however
11 both share a commitment to fair, ethical, legal,
12 and orderly conduct. Additionally, both provide
13 for uniform and nondiscriminatory standards,
14 whether for a patient or for an elector.

15 My special interests are (indiscernible)
16 maintenance for security and outside contracts,
17 absentee voting safeguards security, and working
18 toward the same requirements as in-person voting;
19 vulnerable elector advocacy and protection;
20 protection of election department from outside
21 influences, money, or manpower, partisan or
22 private, direct or indirect; ballot security and
23 voting systems.

24 Thank you for your time. I look forward to
25 working with each of you and to guard the

1 election process every step of the way so the
2 outcome is a trusted successive entry.

3 **MR. MASHBURN:** Welcome. We welcome you to
4 the board.

5 The next item on our agenda is the approval
6 of the board minutes. The board has had a
7 package delivered to them and made available.

8 Has everyone studied it in sufficient detail
9 that they are ready to consider a motion to
10 approve the board minutes?

11 **MRS. GHAZAL:** I so move.

12 **MR. MASHBURN:** Sara Ghazal has made the
13 motion. Is there a second?

14 **MR. LINDSEY:** Second.

15 **MR. MASHBURN:** Ed Lindsey has seconded. All
16 those in favor say aye.

17 **THE BOARD MEMBERS:** Aye.

18 **MR. MASHBURN:** All those opposed?

19 So the minutes are approved unanimously.

20 The next item is we move to public comment.
21 The time for public comment is two minutes. We
22 should have a timer set up. And so the excellent
23 staff here -- the board has no staff and no
24 budget, so we rely heavily on the secretary of
25 state's staff. And the secretary of state has

1 made excellent staff available to us and we thank
2 them for all their hard work and their
3 participation.

4 So we'll let y'all run the -- one of the
5 things they do is they set up how people sign up,
6 and so we let them control that -- and let you
7 announce the first speaker.

8 **MS. HAISTY:** All right. Our first person
9 signed up for public comment is Lindsey Favero.

10 **MR. MASHBURN:** Are you there? Lindsey?

11 **MS. FAVERO:** Hi. Lindsey's here. Good --

12 **MR. MASHBURN:** We can hear you. Please go
13 ahead.

14 **MS. FAVERO:** Good morning. My name is
15 Lindsey Favero and I'm a resident of Cobb County.
16 I encourage the state election board to support
17 counties, including Fulton, with running free and
18 fair elections and help them prepare for the
19 upcoming primary and general election.

20 The performance review could threaten local
21 control of Fulton County which is the county with
22 the most voters of color. And last fall a state
23 monitor found no evidence of dishonesty or fraud.
24 And claims of fraud are driven by misinformation
25 campaigns. Local control of election

1 administration should not be taken away from
2 Fulton County or any other county. And instead
3 of entertaining partisan misinformation, the
4 state election board should focus its time and
5 energy on ensuring every county has resources and
6 support to enable every registered voter to
7 exercise their freedom to vote in all twenty-two
8 election -- all 2022 elections.

9 And that's all. Thank you all for your
10 time.

11 **MR. MASHBURN:** Thank you for your comment.

12 The next speaker?

13 **MS. HAISTY:** The next speaker is Dr. Ngina
14 Sydney Jemmott.

15 **DR. JEMMOTT:** Good morning.

16 **MR. MASHBURN:** Please go ahead. We can hear
17 you.

18 **DR. JEMMOTT:** Okay. Okay. My name is
19 Dr. Ngina Sydney Jemmott, and I've been a
20 resident of Fulton County for ten years.

21 The state election board should focus its
22 time and energy on ensuring every one of
23 Georgia's 159 counties has the resources and
24 support needed to enable every eligible
25 registered voter to exercise their freedom to

1 vote in all of the 2022 elections. Rather than
2 helping counties prepare for the upcoming primary
3 general election, the state election board is
4 entertaining a performance review board. From
5 the start, advocates warned a performance review
6 board could threaten local control of Fulton
7 County which is the county in Georgia with the
8 most voters of color.

9 The state election board should not serve as
10 a partisan-fueled obstacle. Irrespective of what
11 the Fulton County Review Board recommends, I
12 encourage the state election board to support
13 counties like Fulton in their endeavor to run
14 free and fair elections.

15 Thank you for your time.

16 **MR. MASHBURN:** Thank you.

17 Our next speaker?

18 **MS. HAISTY:** Our next speaker is Kent Buis.
19 You're allowed to speak now.

20 **MR. MASHBURN:** Please go ahead.

21 **MR. BUIS:** Good morning. My name is Kent
22 Buis --

23 **MR. MASHBURN:** We can hear you.

24 **MR. BUIS:** All right. My name is Kent Buis
25 and I'm a resident of Cobb County.

1 Instead of helping counties to prepare for
2 the upcoming primary and general election, the
3 state election board is entertaining a
4 performance review board that could threaten the
5 local control of Fulton County over its own
6 elections. Whatever the Fulton Review Board
7 recommends, I encourage the state election board
8 to support counties like Fulton in their endeavor
9 to run free and fair elections.

10 The current trends in Georgia, making it
11 harder to vote and easier to carry a gun, must be
12 reversed. The state election board should focus
13 its time and energy on ensuring every one of our
14 hundred and fifty-nine counties has the resources
15 and support needed to enable every eligible
16 registered voter to exercise their freedom to
17 vote in all of the 2022 elections.

18 Thank you.

19 **MR. MASHBURN:** Thank you.

20 Next speaker?

21 **MS. HAISTY:** The next speaker is Naomi Bock.

22 **MR. MASHBURN:** Naomi Bock, please proceed.

23 **DR. BOCK:** Thank you. Can you hear me?

24 **MR. MASHBURN:** We can hear you. Please
25 proceed.

1 **DR. BOCK:** Thank you. My name is Dr. Naomi
2 Bock. I am a resident of DeKalb County where I
3 went to elementary school a few years back.

4 I urge the board to focus its time and
5 energy on ensuring every one of our 159 counties
6 has the resources and support needed to enable
7 every one of our eligible registered voters to
8 exercise their freedom to vote in all of the
9 twenty-two -- 2022 elections.

10 Thank you.

11 **MR. MASHBURN:** Thank you.

12 Next speaker?

13 **MS. HAISTY:** Our next speaker is Patty
14 Pflum. Give me one second to ... you should be
15 able to unmute now.

16 **MR. MASHBURN:** Patty Pflum?

17 **MS. PFLUM:** Can you hear me?

18 **MR. MASHBURN:** Yes, we can hear you. Please
19 proceed.

20 **MS. PFLUM:** I'm a resident of Fulton County.
21 I tried to follow the counting of votes in the
22 2020 election and all of the things that happened
23 after the election. And I have seen no evidence
24 that there are any significant problems with the
25 Fulton County system.

1 I was glad to hear Dr. Jan Johnston say in
2 her introduction that she is a doctor. And the
3 idea of a Fulton review board and potential
4 takeover by the state reminds me of a doctor
5 prescribing a -- prescribing something to cure a
6 disease that the patient doesn't have.

7 I hope that the state board of elections
8 will wait until there is solid factual evidence
9 of election fraud before they decide to review
10 any county's systems and take it over.

11 Thank you.

12 **MR. MASHBURN:** Thank you for your comment.

13 The next speaker?

14 **MS. HAISTY:** Our next speaker is Opal Baker.

15 **MR. MASHBURN:** Opal Baker?

16 **MS. BAKER:** Yes. Good morning. My name is
17 Opal Baker and --

18 **MR. MASHBURN:** We can hear you.

19 **MS. BAKER:** -- I'm a resident -- okay. I'm
20 a resident of Fulton County. As a Georgia voter,
21 I am really fed up and really extremely anxious
22 about the direction that voter rights has taken
23 in Georgia and I feel under attack by the
24 legislature in this state. And I'm very confused
25 about why this board is wasting valuable time and

1 resources on the farce of a performance review
2 board for elections officials.

3 And why is Fulton County such a priority for
4 this nonsense? It is not lost on me that Fulton
5 County has the highest population of eligible
6 registered voters of color. Your attention
7 should be focused on the upcoming primary and the
8 general elections and making sure that all of our
9 counties have the support and resources that they
10 need to help voters exercise their right to vote
11 in free and fair elections.

12 Fulton County needs your help, not your
13 harassment. Since petty Republican politics has
14 made it harder for -- to vote by mail for
15 Georgians -- voters have to have -- put their
16 lives and livelihood at risk to come out to vote.
17 In case you've forgotten, we're still in a
18 pandemic and we -- and you should be helping all
19 our counties prepare to get voters safely through
20 the polls and to cast their -- our ballots in a
21 safe manner and in a safe environment.

22 Many of us are terrified about standing in
23 line for long periods around people we don't know
24 because our polling stations are understaffed,
25 underequipped, underresourced, and overworked.

1 Please stop the nonsense. Just stop -- just
2 stop and get rid of the ridiculous petty things
3 that make it harder for our elections workers and
4 support all of our counties, all of our counties
5 including Fulton, with the resources needed to
6 ensure free and fair elections for all eligible
7 and registered voters.

8 Thank you.

9 **MR. MASHBURN:** Thank you for your comment.

10 Next speaker?

11 **MS. HAISTY:** Our next speaker is Pamela
12 Reardon.

13 **MR. MASHBURN:** Pamela Reardon, you should be
14 unmuted. Pamela Reardon?

15 **MS. HAISTY:** Pamela Reardon, you've been
16 given the ability to speak now. We'll ask you to
17 unmute your microphone if you'd like to be heard.

18 **MS. REARDON:** I should've known that. I
19 haven't done Zoom for a while. Sorry. All
20 right.

21 **MR. MASHBURN:** We can hear you. Please
22 proceed.

23 **MS. REARDON:** Okay. Thank you. Thank you.
24 I'm on Fulton County -- or sorry, I live in Cobb
25 County and heavily involved with elections.

1 I'm -- I'm -- it's comical. It's comical --
2 let's just call it comical -- that the Democrats
3 have their talking points of this morning and
4 they're all saying the same thing.

5 Well, mine's not going to be a talking
6 point. This is reality. In Fulton County, the
7 elections have been poorly run and they needed a
8 review. In fact, in the municipal, my son-in-law
9 went to vote at a place for the mayor's election
10 and they didn't even ask for his photo ID.

11 So you can't tell me -- and another poll
12 manager didn't know that a hundred and fifty
13 ballots cannot be dropped off by a ballot
14 harvester. So there is plenty of room for
15 improvement.

16 I really called because I do not think that
17 the secretary of state had the authority without
18 the backup of the board. I did not see a meeting
19 where the board authorized the expense of five
20 million dollars for a system called Salesforce,
21 who has also just recently been -- had a huge
22 breach of data and they were hacked. So I really
23 want this reviewed by the board and that decision
24 revoked.

25 Thank you very much.

1 **MR. MASHBURN:** Thank you for your comments.
2 The next speaker?

3 **MS. HAISTY:** Our next speaker is Michael
4 Garza.

5 **MR. MASHBURN:** Michael Garza, you should be
6 unmuted. Please proceed.

7 **MR. GARZA:** Hi. Can everyone hear me?

8 **MR. MASHBURN:** We can hear you.

9 **MR. GARZA:** Hi. My name is Michael Garza
10 and I'm a resident of Cobb County. I promise I
11 don't have any talking points here. I'm here to
12 advocate for the board and legislators to do more
13 to protect the voting rights of Georgians, in
14 particular for seniors and those with
15 disabilities throughout the state that have been
16 impacted by changes to the absentee voting rules.

17 Last year I went door to door for a local
18 special election to alert people that an election
19 was taking place in their district. In that time
20 I met many seniors living in retirement and
21 assisted-living communities in the area.

22 One in particular was Beverly who has
23 multiple medical issues including having just had
24 a life-saving organ transplant just a month
25 earlier. She did not receive her absentee ballot

1 automatically and was shocked to learn that it
2 was past the time that she could resolve her
3 issue and her only method to vote would be in
4 person. That was problematic as she doesn't
5 drive and could barely walk, even with the
6 assistance of a walker.

7 She's not alone. This is the story of
8 countless other Georgians in similar situations.
9 And as it stands now, there are even fewer
10 options for these people than in previous
11 elections. The online portal is no longer
12 available. A message says: Our online portal is
13 undergoing maintenance to better serve you for
14 future elections. All other options require a
15 printer that many may not have, a fax machine
16 that most do not have, or a drive to a
17 registrar's office that many will not be able to
18 make.

19 This is not a right or left issue. These
20 are people from our greatest generation and span
21 all political ideologies. They fought in wars
22 for our country. They've lived through Jim Crow
23 and immigration. They fought for the right to
24 vote besides others who died for that right.
25 They deserve better and I am asking that this

1 board and this state provide them better access
2 to the ballot box in 2022 and future elections.

3 Thank you for your time.

4 **MR. MASHBURN:** Thank you for your comment.

5 Next speaker?

6 **MS. HAISTY:** Our next speaker is Larry
7 LeSueur.

8 **MR. MASHBURN:** Larry LeSueur, you should be
9 unmuted.

10 **MR. LESUEUR:** Yes. Hello. My name is Larry
11 LeSueur. I live in Cherokee County. And I just
12 presented a list of questions regarding
13 statistics for the voting fraud cases that is
14 currently being handled by the secretary of state
15 and turned over by the state election board.

16 I actually was not expecting to speak. I
17 just presented these data points I'm looking for.
18 And I'm wondering if we can't get information as
19 to the total number of cases that have been
20 turned over to the attorney general and what we
21 can expect to hear back from the disposition of
22 those cases.

23 There's lots of talk about and legislation
24 being passed that supposedly address these
25 issues, but no one has any statistics that they

1 can provide, such as where these voter fraud
2 cases occurred, were they stopped. We have voter
3 fraud cases that made it to the ballot box. Did
4 they -- were there actual votes cast that were
5 fraudulent? Were they stopped before they could
6 vote? Were these people stopped after they
7 registered or before they registered? Without
8 this information, we can't make informed
9 decisions as to how we address the problems and
10 how we make the system better.

11 There's one case that was on the secretary
12 of state's website. Bill Price, who was in
13 Florida, caught on camera, conspiring to travel
14 and convince others to travel to Georgia just to
15 vote in the special election in 2021. I still
16 haven't heard anything about the disposition of
17 that case either.

18 But in -- the last thing I want to note is
19 without this information, it's just impossible to
20 make an informed decision as to how well the
21 system is working or it's not working. There's
22 an old adage for carpenters: Measure twice, cut
23 once. And what we're seeing now is that we
24 haven't even measured and people are trying to
25 make decisions on how to change the system and

1 it's obviously going to be problematic down the
2 road.

3 Thank you.

4 **MR. MASHBURN:** Thank you for your comment.
5 Our next speaker?

6 **MS. HAISTY:** Our next speaker is Sally
7 Larrick.

8 **MR. MASHBURN:** Sally Larrick, you should be
9 unmuted.

10 **MS. LARRICK:** Hello. Good morning. My name
11 is Sally Larrick. I'm a resident of DeKalb
12 County. Thank you for giving me the opportunity
13 to speak this morning.

14 I'm a citizen concerned about the access to
15 voting for all voters in Georgia, in all hundred
16 and fifty-nine counties. I believe the state
17 election board should spend its valuable time
18 making sure that every county has the resources
19 it needs to administer elections instead of
20 threatening to take away local control of
21 elections in Fulton County.

22 Please focus on supporting all county boards
23 of elections to enable all of their voters to
24 cast ballots. Please focus on ensuring voter
25 access to elections in Georgia.

1 Thank you.

2 **MR. MASHBURN:** Thank you for your comment.

3 The next speaker?

4 **MS. HAISTY:** Our next speaker is Latonia
5 Jenkins.

6 You should be able to unmute yourself now.

7 **MR. MASHBURN:** Proceed.

8 **MS. JENKINS:** Oh, good morning. My name is
9 Latonia Jenkins. I'm a resident of Gwinnett
10 County.

11 The state election board should be focused
12 on ensuring the resources and support needed to
13 enable every eligible registered voter to
14 exercise their freedom to vote. And as mentioned
15 by earlier members, they said open, fair, and
16 transparent and guarding the election process.

17 But here, instead of helping the counties,
18 it -- to prepare for the primary general
19 election, it appears we're entertaining a
20 performance review board in Fulton County, which
21 is the county with the most voters of color,
22 registered voters of color.

23 So whatever you recommend, we encourage
24 that.

25 **MS. HAISTY:** It supports counties like

1 Fulton in their endeavor to run free and fair
2 elections. And we hope that you will focus your
3 time and energy ensuring every one of the hundred
4 and fifty-nine counties have the resources they
5 need to enable every voter to exercise their
6 freedom to vote in the 2022 elections.

7 Thank you.

8 **MR. MASHBURN:** Thank you for your comment.

9 The next speaker?

10 **MS. HAISTY:** Our next speaker is Jane
11 Mezoff.

12 **MR. MASHBURN:** Please proceed. You should
13 ...

14 **MS. MEZOFF:** Can you --

15 **MS. HAISTY:** You should be able to unmute --

16 **MS. MEZOFF:** -- hear me?

17 **MS. HAISTY:** -- yourself now. Yes.

18 **MR. MASHBURN:** We can hear you.

19 **MS. MEZOFF:** Great. Good morning. My name
20 is Jane Mezoff and I've been a resident and a
21 voter in DeKalb County for twenty-seven years.
22 I've also never made public comment before 2022,
23 but I think it's really important that all of us
24 get involved.

25 I would like to begin by thanking you and

1 saying welcome to the two new board members. I
2 want to thank you all for everything you've done
3 and everything that you're going to be doing to
4 help keep our democracy safe and secure.

5 I would like to take issue with one thing
6 that an earlier commenters said. It's not a
7 right or left issue. It's not Democrat or
8 Republican. It's American, it's democracy, and
9 it's important.

10 So I'd just like to say I'm commenting today
11 because, as others have mentioned, I'm concerned
12 about this issue of a performance review board.
13 I think, as others have mentioned, we -- we are
14 all concerned about the fact that it's targeting
15 Fulton County, which, as everyone has pointed
16 out, is one of the most diverse counties in terms
17 of registered voters in the state. Whatever the
18 Fulton review board ends up doing, I encourage
19 the state election board to support counties in
20 Georgia that are striving to run free and fair
21 elections. And I strongly urge you not to fall
22 prey to attempts to make you a partisan obstacle
23 that is fueled by the big lie about the election
24 of 2020 being unfair.

25 I urge the state election board to do

1 everything it can and use all of its energy and
2 resources to ensure that every single registered
3 voter has the opportunity to exercise this most
4 precious right. It matters not -- it matters now
5 more than ever.

6 Thank you. I appreciate it.

7 **MR. MASHBURN:** Thank you for your comment.

8 Next speaker?

9 **MS. HAISTY:** Our next speaker is Daniela
10 Sullivan-Marzahl.

11 You should be allowed to unmute now.

12 **MS. SULLIVAN-MARZ AHL:** Hi. I'm a chaplain.
13 Can you hear me?

14 **MR. MASHBURN:** We can hear you. We can hear
15 you.

16 **MS. SULLIVAN-MARZ AHL:** I'm a chaplain and I
17 hear many things. And I'm definitely praying for
18 this election and all that you're doing.

19 My family came out of the Holocaust. And
20 one of the things that I have to say is that they
21 always warned me about politicians and keeping
22 people accountable. So what I want to encourage
23 you as a board to do -- and I think you're trying
24 to do it -- is to hold people accountable.
25 Because one of the things that really bothers me

1 is what is happening to the all of the evidence.

2 I heard Patrick Witt has a computer with
3 1600 documents on it that nobody has seen because
4 of death threats. My husband worked with
5 Homeland Security and just retired; I know death
6 threats are real. And nobody's talking about
7 that.

8 I also know with the propaganda that Hitler
9 did that the media twisted a lot of things. And
10 people later said, well, if we would've just
11 known. People were blinded.

12 So what I want to encourage you as a board
13 to do is to restore the integrity to the
14 elections. Because people shouldn't be afraid if
15 you look at stuff if it's not there. You know,
16 if there's no sin, you don't have to be
17 concerned. But if there is sin, you need to ask
18 God's forgiveness because we are one nation under
19 God, indivisible, with liberty and justice for
20 all.

21 This isn't a partisan-fueled issue. It's an
22 issue of concern. And it happens around the
23 world. And now it's happening in America because
24 we have changed. And are we still doing in God
25 we trust? I am. I think a lot of people are.

1 So I'm trusting that God will use you to uncover
2 what's out there. And if people are being
3 threatened with their lives and politicians are
4 afraid that they're going to get killed, you need
5 to take a look at that because Hitler bumped
6 people off when they disagreed with him.

7 So things haven't changed in history. We're
8 going through things right now in the world and
9 we all know that bullies are bullies. So what we
10 need to do is get back to the heart of the
11 matter.

12 So I applaud you for having the guts to have
13 both sides come together and look at this issue.
14 But I really pray that you do because the
15 feedback I'm getting from everybody is they don't
16 even want to vote because they don't think their
17 vote matters. And that doesn't matter whether
18 you're a person of color --

19 **MR. MASHBURN:** Thank you.

20 **MS. SULLIVAN-MARZ AHL:** -- or a person who's
21 voting, you know?

22 (Timer sounds)

23 **MS. SULLIVAN-MARZ AHL:** That it's the --

24 **MR. MASHBURN:** Thank you for your comment.
25 Thank you for your comment.

1 **MS. SULLIVAN-MARZAHL:** So thank you.

2 **MR. MASHBURN:** Thank you for your comment.

3 Thank you.

4 **MS. SULLIVAN-MARZAHL:** God bless you.

5 **MR. MASHBURN:** Who's our next speaker?

6 **MS. HAISTY:** Our next speaker is Sonia Frix.

7 You should be allowed to unmute now.

8 **MR. MASHBURN:** Sonia Frix, please proceed.

9 **MS. FRIX:** Thank you. I've -- I'm nervous.

10 My concerns are --

11 **MR. MASHBURN:** Don't need to be nervous.

12 **MS. FRIX:** Well, my concerns are primarily
13 about people with disabilities, the elderly, and
14 caregivers and shift workers because that's my
15 family. And I'm concerned that disabled voters
16 are not going to have time to get -- if there's a
17 problem with their mail-in ballot, they're not
18 going to have time to get that mail-in ballot
19 corrected before -- before the cutoff date.

20 And I'm also concerned that -- I'm also
21 concerned that -- well, let me put it this way.
22 I heard gov -- that Governor Kemp -- under these
23 new rules, Governor Kemp would not have been able
24 to vote in the last election because he got sick.
25 And if our own governor can't vote in an

1 election, that's telling us something isn't
2 working right. I mean our governor needs to be
3 able to vote. And if we've got laws such that
4 the governor can't vote, what's that saying about
5 the rest of us? That's just not right.

6 And I live in DeKalb County. And I hear
7 that Fulton County's going under some kind of
8 election review. And I'm concerned if Fulton
9 County goes under review, DeKalb County's going
10 to be next. All my years of living in DeKalb, I
11 have never been concerned about my vote. I have
12 always had confidence in my vote in DeKalb
13 County.

14 And I'm wondering who is going to pay for
15 all of this. As a taxpayer, I do not want to
16 have to pay for this. And I would rather the
17 state spend its resources getting voter regis --
18 (Timer sounds)

19 **MS. FRIX:** -- getting voter education out
20 and -- about these --

21 **MR. MASHBURN:** Thank you.

22 **MS. FRIX:** -- new voting rules.

23 **MR. MASHBURN:** Thank you. Thank you for
24 your comment. Thank you.

25 Next speaker?

1 **MS. HAISTY:** Our next speaker is Kyle
2 Carter.

3 You should be allowed to unmute now.

4 **MR. MASHBURN:** Kyle Carter, please proceed.

5 **MR. CARTER:** Hello? Can you hear me?

6 **MR. MASHBURN:** Yes, we can hear you. Please
7 proceed.

8 **MR. CARTER:** Yeah. Hello. Thank you. Good
9 morning, everybody. I'm a resident of Cobb
10 County. And my concerns are that, like, if there
11 is a -- a voter issue in Fulton County, I think
12 it's unfair to say that it's isolated in just
13 that one county.

14 If there is going to be a performance
15 review, it should be throughout all 159 counties.
16 And then it is a disservice to the rest of the
17 counties to not give them the ability to improve
18 their voting process.

19 Now, I do understand that this would be a --
20 a very thorough process. And for that reason, I
21 think with the upcoming elections, it is more
22 pressing to ensure that we have resources and
23 accessibility for all voters -- all voters across
24 the state of Georgia.

25 Thank you. Thank you.

1 **MR. MASHBURN:** I thank you for your comment.
2 Next speaker?

3 **MS. HAISTY:** Our next speaker is John James.

4 **MR. MASHBURN:** John James, you should be
5 unmuted. Please proceed. John James? Be sure
6 you've unmuted yourself, please. John James?

7 **MR. CROSS:** Sorry. Sorry. I apologize.

8 **MR. MASHBURN:** We can hear you.

9 **MR. CROSS:** I don't --

10 **MR. MASHBURN:** We can hear you. Please
11 proceed.

12 **MR. CROSS:** I don't know why I said John
13 James. My name is David Cross. I'm a resident
14 of Gwinnett County and I'm part of a team,
15 working in support of Voter GA, investigating the
16 2020 election -- general election in Fulton
17 County.

18 Contrary to public opinion about the big lie
19 and the unwitting blind trust of the public, our
20 findings so far have revealed so many errors in
21 Fulton County that the vote count cannot be
22 replicated with any of Fulton County's data.

23 For instance, Fulton County deleted 374,000
24 ballot images, which is a violation of election
25 procedure and publishable by state law with a

1 fine of \$100,000 per ballot image.

2 Fulton County is also missing security files
3 for over 511,000 ballot images that authenticate
4 nearly every vote cast.

5 Last, Fulton County recently provided our
6 group with tabulator tapes that were not signed
7 for over 311,000 advance votes, another violation
8 of election procedure.

9 I truly appreciate the board members
10 volunteering their time. I know it's a thankless
11 effort sometimes. And I hope you'll take the
12 citizens' complaints and requests for
13 investigation seriously and follow through with
14 reviewing the facts that show the processes and
15 procedures were willfully ignored.

16 Our goal is the same as yours. Not to
17 hinder voters but to secure election integrity
18 and protect our Democratic Republic.

19 Thank you.

20 **MR. MASHBURN:** Thank you for your comment.

21 **MS. HAISTY:** That's our last speaker.

22 **MR. MASHBURN:** That completes the public
23 comment portion of our agenda.

24 And at this time, we will move to an update
25 on rulemaking by Ryan Germany.

1 Mr. Germany, please go ahead.

2 **MR. GERMANY:** Thank you, Mr. Chairman. This
3 is Ryan Germany from the secretary of state's
4 office. We wanted to give a quick update to the
5 board on rulemaking procedures as we get into
6 this election year. We did some rule updates
7 last year as y'all remember regarding SB202.

8 I believe there's still some updates and
9 clarifications that could be made to help ensure
10 that the voting process this year goes well. The
11 process that we have in place is we have a rules
12 working group that consists of some board
13 members, some county election officials, some
14 members of the secretary of state's staff. And
15 we have tried to work out language in that group
16 and then bring it to the board for posting and
17 for public comment and then for adoption after
18 that.

19 So the types of rules that we're looking at
20 are rules regarding -- there's a requirement in
21 SB202 to use security paper for ballots, which
22 was something that I think we were looking at
23 doing anyway. And we've been working with the
24 system vendor on security paper. But I think
25 it'd be helpful for counties as well as the

1 public to -- you know, if we can kind of define
2 what -- what exactly that paper is going to be
3 like -- of course, you know, not in a way that, I
4 think, the security -- parts of that paper were
5 no longer copyable, but that -- so the people can
6 know what -- what exactly we're dealing with.

7 And that -- that's -- I think that's
8 something we should take up with the working
9 group, plus verifying reconciliation and
10 canvassing procedures that really occur after
11 elections. We want to make sure that counties
12 are doing those procedures that are -- that are
13 not new, that have been in law, frankly, for a
14 long time, but to make sure that that's being
15 handled in a way that's transparent and
16 consistent throughout the state.

17 I think another thing we're going to see
18 this year that we'll probably see to or that
19 we've seen in the past is poll watchers. You
20 know, I think this year everyone kind of knows
21 that Georgia is going to have a close and
22 high-profile election. So both parties should be
23 interested in making sure that they are taking
24 advantage of their poll watcher program that the
25 law allows. But as that happens, then we've got

1 to make sure that it works for, one, the poll
2 watchers can have appropriate access and, two,
3 that the election officials are able to do their
4 duties safely, without interference.

5 So we want -- kind of think the rules to
6 help -- to help clarify that would be helpful.

7 Then I think we'll also probably see some
8 rules regarding the absentee ballot process as --
9 as we implement the requirements of SB202.

10 And I would say to the people who are here,
11 if there's other things or particular rules that
12 we should be looking at, please let us know --
13 let the secretary of state's office know -- and
14 then we can add those to the agenda for things we
15 should be looking at.

16 And so finally, on rulemaking, I think we do
17 want to have rules in place prior to the May
18 primary, which is May 24th. So that really means
19 from a timing perspective we need to bring some
20 rules next month to the board. And that's what
21 we're working on doing. I do think we'll
22 probably have to continue to work on rules and
23 change rules, even though these are posted or
24 adopted, throughout the year, as we kind of see
25 how they're working with what we need to adjust

1 to. But I think as to the rules, at least we'll
2 get them posted. So then we can have an idea of
3 the things that we're looking at for this year.

4 Happy to take any questions, Mr. Chair.

5 **MR. MASHBURN:** Any comments or questions
6 from the board for Mr. Germany?

7 **MR. LINDSEY:** Yeah, I guess I do just in
8 terms of the timetable that we have. If you
9 could sort of help us for those of us that are
10 new to the board. You've got to post it for so
11 much time frame before we can actually vote on
12 it. What's the time frame? When can we expect
13 this to be posted so it can make the -- May 24th
14 is only two months away. And, you know, all
15 these counties have got to be set up and ready
16 based on those rules. So just if you could help
17 me out with that.

18 **MR. GERMANY:** So the process for the rules
19 we promulgate follow the process set out in the
20 Administrative Procedure Act. And the first part
21 is posting rules for public comment. So we would
22 bring rules and present rules to the board to
23 post for public comment.

24 At that point, they have to be posted for
25 thirty days. We had another meeting thirty days

1 later to vote to adopt the rules. And what we've
2 done in the past when we've been in these
3 situations is we hear public comment and a lot of
4 times we get some good public comments, like, oh,
5 we should change some language to fix it.

6 And what we've done in the past that I think
7 has worked is we'll adopt the rule that we posted
8 so it's in place. And the public comment is
9 usually, you know, kind of a minor change to that
10 rule. And then we -- and then you vote at the
11 same time to post that amended rule. And then
12 you have to come back thirty days later and adopt
13 that amended rule.

14 So it is -- I do envision this being a
15 throughout-the-year process. And then after --
16 after we go to adopt it, it's effective twenty
17 days later. So I think, you know, a lot of these
18 of rules would not be, you know, quote, unquote,
19 effective for the primary.

20 But the idea was to get the counties and the
21 parties and everyone involved. Here are the
22 rules that are going to be in place and, you
23 know, they essentially have been passed. They'll
24 go ahead and follow them to the best of their
25 ability. And then we can learn from them to see

1 if we need to -- to adjust anything. We'll have
2 a May primary, a June runoff thirty days after
3 the May primary -- or twenty-eight days after the
4 May primary. And then, of course, a November
5 election and then a -- potentially a December
6 runoff as well.

7 **MR. MASHBURN:** Ryan, that jogged something
8 in my mind in that we do constantly adjust and
9 constantly look at things or how things are
10 working. And one thing that we had started with,
11 but we didn't have enough time to get it done
12 before a previous election was the introduction
13 of pictograms on some of the ballots that were to
14 tell the voter don't -- you know, fill in the
15 circle, don't put "x" marks and things like that.

16 So if I could just get that on the top, back
17 on the agenda, I'd like to -- for us to look at
18 that again and get that back on the top, top of
19 the stack if we could. Because I thought we had
20 some really good proposals that we were looking
21 at and we were up against some time frames. So
22 --

23 **MR. GERMANY:** For what -- for, like, what
24 the -- instructions on absentee ballots?

25 **MR. MASHBURN:** Yeah, correct. Yeah,

1 correct.

2 So thank you for that report. Y'all do a
3 great service to the people of Georgia and we
4 appreciate all of the hard work that goes on
5 behind-the-scenes every day, all day long. So
6 thank you for that.

7 You don't get any respite, though, because
8 the next item on the agenda is the update of the
9 Fulton County Performance Review Board -- or
10 panel.

11 And Ryan Germany is also is on that panel.
12 So I ask for an update on that.

13 **MR. GERMANY:** Certainly, Mr. Chairman.
14 There's not much of an update to give on the
15 performance review. The goal, when we started,
16 was to have it completed by the end of the last
17 calendar. I think we all knew that was an
18 aggressive goal.

19 But the reason it was a goal is because we
20 knew -- or I knew once the calendar year started
21 and the legislature came back and we had other
22 kind of litigation items the agenda, it'd be very
23 hard to continue to complete that process.

24 So that is potentially what happened is we
25 -- I say "we," it's really me who's been sort of

1 caught up with other duties. And so we
2 have observed the municipal elections last year,
3 conducted interviews of Fulton staff. We had
4 additional interviews to conduct of Fulton staff
5 and other people as well who have things they
6 want to share with us about Fulton County
7 elections.

8 And so we hope to finalize that quickly.
9 And I would say before the May primary would be a
10 new goal so that we can bring that to you guys --
11 to the board for -- for then the board to
12 consider.

13 **MR. MASHBURN:** Well, again, I thank you for
14 your hard work in that regard.

15 Any questions or comments from the board?

16 Well, we thank you. We thank you for all of
17 the hard work that you and your panel put in on
18 that.

19 At this time, the agenda moves to
20 investigations and reports. And so I'll just ask
21 the board, does anyone need a ten-minute break or
22 ready to press on. It's kind of a nice breaking
23 point if anybody needs a break, but I think we'll
24 press on. Okay.

25 So we begin with the investigation reports.

1 And the first one on the calendar that I -- oh,
2 we've got the consent cases. And just to
3 familiarize the new members of the board to this,
4 we normally take the consent cases as a block.
5 But if the board members want to pull a
6 particular one out to discuss it in particular,
7 they're free to do so. And otherwise they're
8 usually handled as a block.

9 But I'm informed -- nope, we don't have any
10 continuances. So at this point, I'll entertain a
11 motion regarding the consent cases.

12 **MRS. GHAZAL:** I move to consider them as a
13 block, but I also think it would be helpful to
14 explain what a consent case means. Not just for
15 the folks here at the table but for other people
16 who are listening. Because when they see the
17 agenda and see the complaints here, it can be
18 very confusing to folks who don't understand the
19 language.

20 **MR. MASHBURN:** I think that's an excellent
21 suggestion and we have Charlene McGowan of the
22 attorney general's office who negotiates consent
23 orders among her many duties. If she'd like to
24 give an overview of --

25 **MRS. GHAZAL:** Not the cases --

1 **MR. MASHBURN:** Not a particular case, but
2 how --

3 **MRS. GHAZAL:** -- per se, but what does it
4 mean. What does a consent case mean?

5 **MS. MCGOWAN:** So if we're talking about the
6 consent cases that the secretary of state's
7 investigative division is presenting, these are
8 cases where the secretary of state's office
9 investigative division have investigated the
10 complaint that was received by the office and
11 made a determination that no violation of the
12 elections code has occurred.

13 When we were talking about consent cases
14 presented by the attorney general's office, those
15 are cases where the board previously voted to
16 refer the case over to the attorney general's
17 office because they determined that there was
18 probable cause a violation has occurred.

19 And those cases where I'm presenting a
20 consent order, then the attorney general's office
21 has negotiated a resolution by agreement with the
22 respondent that was referred to our office for
23 any election code violation.

24 **DR. JOHNSTON:** I have a question about a
25 case.

1 **MR. MASHBURN:** Dr. Johnston, well, let's --
2 hang on just a second and I'll -- and I'll
3 recognize you in just a second.

4 I think Charlene very gently was able to
5 correct me that she doesn't do the consent cases,
6 that her -- but I appreciate her kindness
7 directed toward the chair.

8 But thank you for that explanation.

9 She did a good job with it.

10 **MRS. GHAZAL:** Absolutely. And that is
11 exactly my point so that people who are listening
12 and seeing the agenda understand that while some
13 of the words on the agenda look alarming, the
14 point that the invest -- these have all been
15 investigated and no violations have actually been
16 found in these cases.

17 So I move that we consider them as a block.

18 **MR. MASHBURN:** Let's -- I put Dr. Johnston
19 on hold. So let me let her ask her question
20 first.

21 **DR. JOHNSTON:** So, yes. So are these the
22 consent orders from --

23 **MR. MASHBURN:** No, that was my mistake. I
24 confused everybody, confusing consent cases and
25 consent orders. So these are the consent cases

1 from the secretary of state's investigative
2 office.

3 **DR. JOHNSTON:** No question.

4 **MR. MASHBURN:** Okay. Thank you.

5 So now we're --

6 **MRS. GHAZAL:** Yes. And I --

7 **MR. MASHBURN:** I appreciate everybody's
8 patience with the chair as I mumbled my way
9 through this. But thank you.

10 So now we're ready for Mrs. Ghazal's motion.

11 **MRS. GHAZAL:** Yes.

12 **MR. MASHBURN:** And your motion is to --

13 **MRS. GHAZAL:** I move that we accept the
14 investigations as a block.

15 **MR. MASHBURN:** There's been a motion to
16 approve the consent cases from the secretary of
17 state's investigators as a block. Is there a
18 second?

19 **MR. LINDSEY:** There is a second from me.
20 And I think it's worth letting the folks who are
21 online know that these were matters that were
22 sent to the board members prior to give us a
23 chance to review them to take a vote on it. I
24 just -- I think I just wanted the folks who are
25 listening in to know that and that we have

1 reviewed those prior to the hearing.

2 **MR. MASHBURN:** There's a motion and a
3 second. Discussion? No discussion.

4 Is the board ready to vote? Okay. All
5 those in favor say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MR. MASHBURN:** All those opposed say nay.
8 Motion passes unanimously to adopt the consent
9 cases as a block.

10 The next thing on the agenda is new cases.
11 With regard to new cases, SEB case number
12 2021-129, DeKalb County, has been continued based
13 on a notice issue. So that's been continued.

14 So we move to SEB case number 2021-181.

15 **MR. CALLAWAY:** Yes, sir. Thank you,
16 Mr. Chairman, members of the board.

17 SEB 2021-181, Fulton County, data review.
18 The complaint was that there was a report of
19 errors in risk-limiting audit numbers uploaded
20 from Fulton County elections to the Georgia
21 Secretary of State.

22 We conducted an investigation using two of
23 our investigators with our office. We reviewed
24 the findings of the complaints and there was
25 thirty-six issues and there was numerous examples

1 of human error while inputting data into the Arlo
2 open source software system. But there was no
3 evidence discovered to suggest criminal behavior.
4 I believe the errors were due to batch sheet
5 being entered twice under different headings.

6 And at this time, we're going to do
7 something a little different. Instead of me
8 sitting here, reading finding, finding, finding,
9 we're going to have the actual investigators that
10 worked the case tell you here today what their
11 findings were and go through the case that they
12 worked.

13 So Investigator Braun and Investigator
14 Zagorin.

15 **MR. MASHBURN:** Any objections? Without
16 objection, that's how we'll do it.

17 Please proceed.

18 **MR. ZAGORIN:** I'm Investigator Vincent
19 Zagorin, Georgia Secretary of State's Office. So
20 we -- when this complaint came in, we had to look
21 at all the batch sheets that were listed online
22 in the system. There was four or five different
23 dropdowns we had to go into. None of these were
24 in order. Nothing was in order by scanner or by
25 batch sheet. There might be a scanner 1, let's

1 say, that had, like, five or six in row 20
2 through 26, but then it would jump to 200 or then
3 it would jump to a completely different scanner.
4 We had to go through and kind of figure all this
5 out.

6 So when I went through from the complaint
7 that was submitted -- so, for instance -- there's
8 a way you can follow. I don't know if you guys
9 have a copy of this. They're in this white book.
10 There is a copy of these sheets.

11 The first one on there was absentee scanner
12 3 and scanner 1 both had batch 111s. What
13 happened was it showed that scanner 3, batch 111
14 was entered twice. We can go to that page. It's
15 in the section that's marked 3-B and 3-C on the
16 little tab. In the next, like, three pages over,
17 you'll find out where I'm at.

18 **MR. MASHBURN:** Okay. Everybody -- everybody
19 caught up?

20 Okay. Please proceed.

21 **MR. ZAGORIN:** If you look at this, it says
22 absentee scanner 3, batch 111 is in there twice.
23 So when I looked at this and we found this, I was
24 able to determine that the first one, the scanner
25 3, batch 111, was actually scanner 1. So once I

1 started going through this and figured it out, I
2 looked at it as if you had each scanner lined up
3 in a row and every batch, from one to whatever
4 the bottom number is, they all had different
5 amounts, 320 or (indiscernible).

6 So in scanner 3, you would've had two batch
7 111s but you wouldn't've had a 111 in scanner 1.
8 So you would've been able to conclude that one of
9 those should be moved over to scanner 1 as you go
10 down the list. So there were some that were like
11 that.

12 There was another one in here -- put it in
13 the right order -- if you go next to the last two
14 pages in this section, it's be scanner 1 dash 97,
15 second to the last page. That was one that I
16 located pretty quickly. When you look at that,
17 there's two scanner 1s, number 97. However we
18 pulled the batch sheet, one of them was actually
19 number 47. And the four was written kind of
20 oddly, so the person thought it was 97.

21 So once again, just going down the list,
22 there'd be two in the 97 spot. You have to take
23 one of those out and move it to the 47 spot. So
24 now it's starting to -- to fall into place. So
25 there was that issue with some of these where

1 they were just put in the wrong section.

2 If you go back to the beginning and flip the
3 page, it'll have scanner 1, batch 18 is entered
4 twice. And it was entered twice because if you
5 look at the top part in the section, it says --

6 **UNIDENTIFIED SPEAKER:** Let's back up.

7 **MR. ZAGORIN:** Back to the beginning?

8 **UNIDENTIFIED SPEAKER:** Yes. Eighty-three --

9 **UNIDENTIFIED SPEAKER:** No, three of four,
10 okay.

11 **MR. ZAGORIN:** So the first was entered as
12 absentee scanner 1, batch 18. That's all written
13 out. The next one was entered scanner 1, batch
14 18. So the system did not catch that. So they
15 were entered. It was a -- an enter error, but if
16 you look at it, where someone had typed it all
17 the way out, and the next person probably
18 thought, "I'm not going to type all that," so
19 they abbreviated it. The system didn't catch it.

20 Arlo is aware of that and there's ways to
21 fix that, but at the time it wasn't found. So
22 that's how that one -- those were handled.

23 We had a few -- the next one, page 4, she
24 has the same issue: One printed out, one is
25 abbreviated. So there was a few of those that

1 are like that in there. Just like the other
2 ones, they were just put in the wrong spot.

3 Then the other issue that came up was -- if
4 you go to page -- I guess it would be page 5
5 is -- so it shows a hundred for Candidate A and
6 zero for Candidate B, which the way the specifics
7 work, regardless of what part of the state you're
8 in, you're not going to have completely a hundred
9 or two hundred for one candidate.

10 So the county said what could've happened is
11 they took the batch and they divided it by
12 candidate and then they just scanned it by
13 candidate. So somewhere in here we would have
14 the other candidate with numbers that would be a
15 hundred to zero the other way, which we do in one
16 of these sections.

17 But those do not match -- those batch sheets
18 do not match what this complainant went in and
19 looked at and actually said that they looked at.
20 They don't match. So there really isn't a
21 determination on was someone just rushed for time
22 or did they just put a hundred and moved on. And
23 that looks like what could've happened here.
24 But, like I said, that did happen both ways. You
25 know, maybe if you go over to page 7 -- or no --

1 yeah. So page 7's the same, where it did that.

2 Now, there was one that wasn't in here that
3 I found myself where Candidate B had in the
4 neighborhood of 230 to nothing, going the other
5 way. And the complainant told us: We found that
6 but we didn't add it in here. So to me, if I'm
7 looking at this objectively and I have to look at
8 everything, it has to go both ways. You can't
9 just play this where it helps one side and you
10 see something else on the other side and leave it
11 out. So that was -- kind of got our attention.

12 Then if you continue through this, there is
13 page 8. The same one is entered twice, but I had
14 found where the first one was actually scanner 1,
15 batch 210. So that was going to the scanner 1,
16 it wouldn't have been part of scanner 2. So this
17 scanner 2, 237 was actually correct.

18 Some of the other ones, the number were off
19 just a little bit. With 238, those numbers were
20 off. You know, on here it has candidate -- and
21 one of the candidates, 2259 and zero. It was
22 actually four and forty-nine is what the numbers
23 would've been. But even on -- for the batch she
24 showed, but even on there -- well, the
25 complainant found those numbers were a little bit

1 off.

2 The next one, page 10, the top one's going
3 to be a different batch or scanner. At the
4 bottom one, we were able to find the match of two
5 two forty.

6 So I don't know if there's anything in here
7 that's different from those three different
8 scenarios where they just had the different --
9 oh, this was interesting too.

10 So number 12, so number 12 is a -- there's
11 two of these in here that showed several
12 different batches and then one total here.

13 **MR. MASHBURN:** Are you on -- I'm sorry to
14 interrupt you. Are you on page 12 or
15 inconsistency 12?

16 **MR. ZAGORIN:** So twelve of forty.

17 **MR. MASHBURN:** Okay. Page 12. Okay. Thank
18 you. I'm sorry to interrupt.

19 **MR. ZAGORIN:** No worry. So the totals at
20 the bottom are correct. But the problem is when
21 they show their work on how they got there. So
22 if you look -- like, it says number 243. At the
23 top, it shows seven ninety and one. At the
24 bottom, it shows twenty-one seventy-three and
25 two. Like I said, the bottom numbers all match.

1 They all get to the right total at the bottom.
2 It's just the numbers in between for some reason
3 don't match. So I don't know how they got the
4 correct number at the bottom but the numbers were
5 wrong in individual batches.

6 And there's a couple different ones -- those
7 are in here -- that did the same thing, where the
8 totals always matched, just the numbers in
9 between didn't match. Like, some of them where
10 they would do -- like, it shows two -- 244 to 249
11 and it has the numbers which match the numbers at
12 the bottom. They just didn't add the 243 in
13 there. Once you added 243, it would've corrected
14 it and it's lined up properly.

15 So, like I said, the total number was
16 correct, just when they showed their work it was
17 off. We couldn't figure out how they put the
18 number wrong at the top and got it right at the
19 bottom.

20 So that was all the different -- like I
21 said, each one of these basically has one of
22 those three different scenarios of what went
23 wrong. Either it was entered wrong because they
24 didn't fill it out and do it the same way -- they
25 didn't put absentee scanner instead of AB scanner

1 or they went to a different batch than what they
2 showed -- and you could -- you can show that and
3 find those.

4 Like I said, on the totals, the ones that
5 had the big totals, they were all -- they matched
6 even though the other numbers didn't.

7 And then there was -- I believe there was
8 one where they inverted the numbers. They
9 inverted Candidate C. In Candidate B, they --
10 they just inverted those numbers. You can see
11 where the numbers were inverted. So if you
12 switched them over, it wasn't really a major
13 thing.

14 But most of it was the data entry and when
15 they -- they put it in. So you can see where the
16 issues were on all of these.

17 Any questions on anything?

18 **MR. MASHBURN:** Questions from the board?

19 **MRS. GHAZAL:** I don't have any questions,
20 but I have grateful thanks that you were able to
21 spend the amount of time it must've taken to sort
22 through this and understand it. And I appreciate
23 you spelling it out so clearly. I understand
24 exactly what you're saying and what happened
25 here. I don't think I could have come to these

1 conclusions. So I appreciate everything that
2 you've put into this.

3 **MR. ZAGORIN:** (indiscernible)

4 **DR. JOHNSTON:** So I have a question. How
5 much off were these numbers when you looked at
6 all of this again?

7 **MR. ZAGORIN:** I just looked at these that
8 were sent in in the complaint. Like I said, a
9 few time I would find others that I would stumble
10 across it. But I didn't pull those into this.

11 But I didn't go back through to take out the
12 ones that were in there twice and try to figure
13 out exactly what the number was. But I could
14 tell what the issue was. I could that, like I
15 said, 97 wasn't in there twice; it was actually
16 97 and 47. Then the ones that were in there
17 twice, I didn't sit there and write out the --
18 the specific number. I didn't go that far with
19 this.

20 **MR. LINDSEY:** Well, my comment actually is
21 going to echo some of the public comments that
22 we've heard. Some of the public comments in
23 which they expressed concern on the resources,
24 being how people voted rather than helping out at
25 the next election. And it would be helpful if

1 our local county folks had a consistent entry
2 system so that we would not -- so when citizens
3 have a reasonable complaint when they see these
4 inconsistencies that we do not have to devote as
5 many man-hours -- and I don't even want to think
6 about how many man-hours you had to devote to
7 these.

8 And so it sort of goes to the importance of
9 getting our local counties -- employees trained
10 properly so that there is a consistency out there
11 so that, you know, when citizens understandably
12 go in and do a review, that we don't come up with
13 these kind of issues that then come to the board
14 for a complaint and they'll be used for an
15 investigation.

16 And so we need to figure out a way to
17 rectify that. This is the sort of thing -- you
18 know, I'm sitting there, writing down various
19 things as you go along: Inconsistent entry and
20 garbage in, garbage out. I'm not a computer
21 expert but I do remember that from my computer
22 classes. And we need to figure out a way to get
23 our local county folks to be able to enter things
24 consistently so that others can have confidence
25 in the outcome and we don't have to devote

1 resources that you're having to devote to kind of
2 untangle when you have a simply entry problem.

3 **MR. ZAGORIN:** There was one other issue that
4 came up with the system. I think Ryan Germany
5 was going to address that.

6 **MR. GERMANY:** Well, yes. Thanks, Ed.
7 Additionally as part of the investigation, we
8 looked at not just what -- what Zagorin just --
9 Investigator Zagorin just went through but trying
10 to look at the context of where these occurred.

11 As part of that, we, of course, talked to --
12 to Fulton County, and they're here. And also, a
13 Mr. Rossi, the complainant, is here and I know
14 would like to address the board after the
15 investigator's presentation.

16 But we also reached out to Voting Works, who
17 they assisted Georgia in implementing our audit
18 procedures. And software that was used is a
19 software called Arlo that Voting Works utilizes.

20 You guys remember that a full hand count was
21 not, I think, completely contemplated in our
22 audit. It was a risk-limiting audit. It's
23 supposed to be a review of -- of basically
24 particular ballots and you compare them to see
25 what the machine count is. And then there's a

1 formula that comes up with how many you have to
2 review to reach a statistical confidence level.

3 And I'm already getting outside of my area.
4 But the problem is if the result is so close,
5 the -- the number of ballots you have to pull
6 individually becomes so large, that it's --
7 frankly, you just have to look at every ballot.
8 It's actually more manageable.

9 And so we had to -- with the result being so
10 close and the secretary determining that he
11 wanted to audit the presidential election, which,
12 of course, would be the closest results, then we
13 had to move to a full hand count. And we also
14 put in a time in. So you've got to be done
15 counting by this time. We actually had to extend
16 that time by twenty-four hours so that Fulton
17 County could finish -- finish their audit because
18 as has been pointed out by multiple people today,
19 they have the -- the largest number of ballots in
20 the state.

21 And so I think what we -- we found a few
22 things kind of is what I'm getting at. One, that
23 time crunch, of course, contributed to that
24 Fulton County did not have -- and Voting Works
25 was working with every county. In other counties

1 they had time to go back and do a -- you know,
2 essentially proofread their data entry and catch
3 mistakes.

4 Data entry mistakes happen. Whenever we've
5 got humans entering data, we're going to have
6 data entry mistakes. In a hand count, there's
7 going to be human error, not just in the count
8 but also in the data entry.

9 So Voting Works put out a couple things that
10 I think are relevant for you guys. One, that
11 these are the type of data entry issues that they
12 see in an audit. At Fulton County, the level was
13 higher because of that time crunch. They didn't
14 have time to do that kind of quality assurance
15 check that a lot of counties do.

16 But then, three, that the -- nothing that
17 they are seeing here changes the overall
18 conclusion in their minds of the audit, which is
19 to confirm the result. The audit is not meant to
20 get the exact same count. In fact, that would
21 not be expected. It's going to be -- the whole
22 point is to confirm, though, the -- the winner
23 won and that they've -- and Voting Works saw
24 nothing here that would change that conclusion,
25 the -- of the audit in their minds.

1 They also did mention that there were some,
2 I think -- they're making some improvements to
3 Arlo to kind of make these kind of data entry
4 errors lessen in the future. And so I believe, I
5 think, we will have that benefit in the future,
6 these improvements to Arlo. It had to do with
7 basically naming conventions and kind of not
8 allowing people to -- to double-enter these.

9 And what happened in Fulton is they
10 initially -- you want to have one person entering
11 all the data. That's ideal. In Fulton, we
12 have -- they can't do that. They don't --
13 they're not going to have the time. So they had
14 to bring another person in to enter data, at
15 least one more person. And when you have that,
16 that's when you start having maybe some confusion
17 about, hey, has this already been entered or has
18 this not been.

19 So I just wanted to provide that context
20 from Voting Works. And I do know that both
21 Mr. Rossi and Fulton County are here as well.

22 **MR. MASHBURN:** Questions from the board?

23 **MRS. GHAZAL:** Well, just while I definitely
24 appreciate that a hand count audit was not
25 anticipated, I think we need to look down the

1 road and make sure that we do have proper
2 procedures in place for naming protocols so that
3 it's standardized.

4 And if -- if the Arlo platform can have
5 drop-down menus as opposed to having to hard key
6 things in, that could help prevent some of these
7 errors and just clean it up on the -- on the
8 front end.

9 And training beforehand, before literally on
10 the fly. I was there and saw how it was being
11 done and I admire how hard everybody worked to
12 make it work, but if we can prepare and
13 anticipate that we may come down to this again --
14 I hope to God we never do, but, you know, an
15 ounce of prevention and all of that.

16 So I think this board needs to be working on
17 that, looking down the road.

18 **MR. GERMANY:** And that's a good point. And
19 I should have something about that in the
20 rulemaking --

21 **MRS. GHAZAL:** Yeah.

22 **MR. GERMANY:** -- update. I think that's
23 something we need to look at in rules because the
24 main thing from Voting Works is in order to do
25 that, to have a drop-down menu, which they --

1 they've actually -- they mentioned they've put in
2 extra tools in Arlo to have -- to prevent entry
3 of duplicate batches and flag missing batches. I
4 think --

5 **MRS. GHAZAL:** Yeah.

6 **MR. GERMANY:** -- both of which occurred
7 here. But in order to do that, you've got to
8 have a really good what they call ballot
9 manifest, which is where you're -- where you're
10 tracking that -- that stuff on the front end.
11 And so I think we can do things as a board, y'all
12 can do things as a board, to, you know -- the law
13 only requires the audit after the November
14 general election.

15 But I think the board can probably require
16 audits more often than that to help counties be
17 prepared for that audit, and especially the
18 ballot manifest. I think that should be done
19 every time. You know, the more -- the more time
20 someone does something, the better at it they'll
21 get. So I think that's another thing we should
22 look at from a rulemaking perspective.

23 **MR. MASHBURN:** I think you mentioned that
24 you were splitting your presentation between two
25 investigators. Is the other investigator

1 expected to be --

2 **MR. BRAUN:** No.

3 **MR. CALLAWAY:** Mr. Braun, do you have
4 anything else to add?

5 **MR. BRAUN:** No.

6 **MR. CALLAWAY:** But if he doesn't have
7 anything else to add, we can ...

8 **MR. MASHBURN:** Okay. All right.

9 **MR. CALLAWAY:** So our recommendation from
10 investigations is to bind the case over to the
11 attorney general's office for SEB rule violation
12 183-1-15-.04(2)2, preparing for audits, when
13 Fulton County election employees and staff
14 misidentified and duplicated audit batch sheet
15 data when it was being entered into Arlo.

16 And that's going to be our recommendation to
17 the board.

18 **MR. MASHBURN:** And I believe you mentioned
19 Mr. Rossi is the complainant who would like to
20 speak on this topic.

21 **MS. HAISTY:** Yes. We have multiple people
22 who have signed up to speak to this case.

23 **MR. MASHBURN:** All right.

24 **MS. HAISTY:** First person who signed up to
25 speak is Lindsey Favero who should be able to

1 unmute herself now.

2 **MR. MASHBURN:** Lindsey Favero?

3 **MS. FAVERO:** I am -- I --

4 **MR. MASHBURN:** Unmute and you can speak.

5 **MS. FAVERO:** I was signing --

6 **MR. MASHBURN:** Can you hear me?

7 **THE BOARD MEMBERS:** I was signing up for
8 public comment before, and I was -- I'm really
9 new to this so I didn't realize I accidentally
10 signed up for this part. So I don't have
11 anything to say. Thank you.

12 **MR. MASHBURN:** Okay. Thank you. Thank you.

13 **MS. HAISTY:** All right. Next we have Joseph
14 Rossi and Jack James signed up. You'll have to
15 forgive me; there are multiple John James on the
16 list of attendees. So I'm unsure which one is
17 the correct one.

18 So please identify yourself.

19 **MR. ROSSI:** Okay.

20 **MR. MASHBURN:** This is Mr. Rossi?

21 **MR. ROSSI:** Yes. This is Joseph Rossi. Can
22 you hear me?

23 **MR. MASHBURN:** Yes, sir, we can hear you.

24 Go ahead.

25 **MR. ROSSI:** And I have attorney Jack James

1 here with me. And he goes by John also, so ...

2 Well, wow, if you listen to the
3 investigators -- is it my time to speak now?

4 **MR. MASHBURN:** Hang on, Mr. Rossi.

5 Mr. Rossi, let me interrupt you for just a
6 second.

7 Is John James here as your attorney or is in
8 his private as a citizen?

9 (Audio interference)

10 **MR. MASHBURN:** Or -- we're trying to unmute
11 you.

12 **UNIDENTIFIED SPEAKER:** Mr. Chair?

13 **MR. MASHBURN:** Just a second. We're having
14 a little technical difficulty. Hello?

15 **UNIDENTIFIED SPEAKER:** I think it would be
16 better to handle Mr. Rossi first and get
17 Mr. James to figure out --

18 **MR. MASHBURN:** Okay. Yeah.

19 **UNIDENTIFIED SPEAKER:** -- next.

20 **MR. MASHBURN:** Yeah. Is the problem on
21 Mr. James's end? If so, we'll let Mr. Rossi
22 proceed and then we'll let Mr. James speak after
23 Mr. Rossi.

24 **UNIDENTIFIED SPEAKER:** He appears to have
25 left the stream.

1 **MR. MASHBURN:** They -- are they going to
2 re-sign in probably?

3 **MS. HAISTY:** They're re-signing in.

4 We have Cheryl Ringer from Fulton County who
5 would like to speak.

6 **MR. ROSSI:** I'm on, if Mr. Rossi can speak.

7 **MR. MASHBURN:** Okay. Mr. Rossi, please go
8 ahead.

9 **MR. ROSSI:** Okay. Well, hopefully we get
10 ample time to share with you a lot of the
11 documents we have. And just to answer your
12 question up front, attorney Jack James is a
13 personal friend. He's not acting as my attorney
14 on this case.

15 But is it now time for us --

16 **MR. MASHBURN:** Okay. Thank you for that
17 clarification.

18 **MR. ROSSI:** Is it now time to present our
19 data?

20 **MR. MASHBURN:** The floor is yours.

21 **MR. ROSSI:** Thank you.

22 Wow. Listening to the inspectors, if your
23 head's not spinning from an accounting
24 standpoint, I don't know what would make it spin.

25 But before I introduce ourselves and go

1 through our data, I just wanted to clarify one
2 thing. As we did and as they did a very thorough
3 job, but one of the comments he made was that we
4 did not go back and take care of both sides. And
5 I believe he referred to a number of 230s, the
6 zero was on the other side.

7 When we get to the report that I presented
8 to you, I will show you in Error 31, out of a
9 spirit of being factual, we did account for both
10 sides and I did go back. The actual number was
11 zero to one thirty, not zero to two thirty. But
12 anyways, I wanted to clarify that up front. But
13 we were not -- we were looking at this strictly
14 from a factual standpoint, not a partisan
15 standpoint.

16 But anyways, I will proceed. And I believe
17 there was -- one other question which was asked
18 was what was the totality of the errors, and I
19 will speak to that and tell you what we found
20 with the totality of the errors. I don't think
21 the inspectors were able to provide that number.

22 But anyways, let me introduce myself again.
23 My name is Joseph Rossi. I'm a retired executive
24 from PepsiCo, 34 years. I'm a chemical engineer
25 by degree. And I now teach at a local technical

1 college here.

2 Mr. Jack James is a mechanical engineer and
3 an attorney and a good friend of mine. And again
4 he's not acting on my behalf as my attorney. We
5 do not work for each other. That's how we know
6 each other out.

7 When we went into this, we used ground rules
8 that I used in my executive career which is,
9 number one, stick to the facts, no smoke-blowing.
10 Be respectful but be persistent. And those that
11 I've communicated with from the governor's office
12 to the secretary of state's office hopefully will
13 attest that we've been respectful but we've
14 certainly been persistent.

15 And then the last thing is to take action
16 and get results. And we could talk about this,
17 but the goal is to take action and get results.

18 Those were our ground rules.

19 So what I'd like to do to start with is
20 refer you to that white three-ring binder. I
21 presume the state election board has a copy of
22 that by now; is that correct?

23 **MR. MASHBURN:** Yes, we have a copy of a
24 three-ring binder.

25 **MR. ROSSI:** Okay. So a picture is worth a

1 thousand words and I'm going to go through a lot
2 of data. And if you get bored or overwhelmed
3 with the data, the message I want to send is
4 you've got the governor on the top of that cover
5 and --

6 **MR. MASHBURN:** Well, I'm actually going to
7 stop you right there, Mr. Rossi.

8 **MR. ROSSI:** Yep.

9 **MR. MASHBURN:** I did have a reaction to
10 that. And in my opinion as the chair, it is
11 highly irregular for a complainant to make
12 statements regarding parties that are not
13 respondents to the motion or to the matter at
14 hand. So I'm going to ask you to keep your
15 comments to the respondent at hand rather than
16 third parties that are not respondents to this
17 action, please.

18 **MR. ROSSI:** Okay. But didn't the governor
19 issue the letter requesting that the board do the
20 investigation?

21 **MR. MASHBURN:** That -- that's fine.

22 **MR. ROSSI:** Okay. I was just referring --

23 **MR. MASHBURN:** That's part of the record.

24 **MR. ROSSI:** I think part of the data and
25 part of the record is that the governor said that

1 the hand audit was sloppy and inconsistent. And
2 my point was that the secretary of state's office
3 said the hand audit was accurate. And we have to
4 reconcile that for the citizens of Georgia, being
5 the odds between the two highest officials was my
6 point.

7 **MR. MASHBURN:** That's not before the board
8 on this issue.

9 **MR. ROSSI:** Okay.

10 **MR. MASHBURN:** So the respondent in this
11 action is Fulton County.

12 **MR. ROSSI:** Okay. Well, let me -- can I
13 proceed with our data then?

14 **MR. MASHBURN:** Sure.

15 **MR. ROSSI:** Okay. So our objective, if you
16 go to the table of contents, was to align on
17 resolution plan for the publicly posted RLA
18 report for Fulton, which we have determined has
19 errors which the governor has determined is
20 inconsistent and sloppy and does not build public
21 confidence, to quote his letter, and which now
22 the investigators per their investigation have
23 verified that.

24 The background I'll share is if this were an
25 annual report for a company, it would not be left

1 standing as a credible accounting document. And
2 I would say an annual report is as important or
3 a -- the presidential election is as important as
4 a company's annual report.

5 And then on that letter there, you do see
6 the governor's -- quotes from the governor's
7 office and you see the posting on the secretary
8 of state's office which says that it's accurately
9 portrayed. And that's where I say that. The two
10 public officials, the highest authority in this
11 manner, are in opposite positions from that
12 standpoint.

13 So now what I'll do is I'll refer you to the
14 batch tally sheets, how this all started. And
15 I'm not a -- I'm not an expert in this, but I got
16 interested in the numbers. So I started to try
17 to understand what was going on.

18 And the first thing I found that there was
19 what I'll call signs of incompetence in the
20 secretary of state's office. And I'll refer you
21 to sections one eighty one --

22 **MR. MASHBURN:** All right. Mr. Rossi, I'm
23 going to have to -- I'm going to have to caution
24 you again. Fulton County is the respondent.
25 This is not a hearing about the secretary of

1 state.

2 **MR. ROSSI:** Okay. The errors reside on the
3 secretary of state's website. So we believe they
4 have some responsibility for the errors being on
5 their website, even though they may have been
6 generated in Fulton County.

7 **MR. MASHBURN:** But that question is not
8 before the board.

9 **MR. ROSSI:** Who determines the questions
10 before the board?

11 **MR. MASHBURN:** We -- what is your -- I do,
12 as the chair.

13 **MR. ROSSI:** Okay. So we're not allowed to
14 ask questions about errors that are posted on the
15 secretary of state's website?

16 **MR. MASHBURN:** It doesn't help your case.

17 **MR. ROSSI:** But does that mean I can't
18 present my case and let people decide whether it
19 helps my case? You're going to just cancel it?

20 **MR. MASHBURN:** Your case -- your case is to
21 be presented against Fulton County as the
22 respondent. It's not fair to bring in third
23 parties that don't have notice that this hearing
24 is about them, that they may prepare a response.
25 So it's just not -- it's not fair to present

1 evidence against people that haven't had a chance
2 to review your evidence and have notice that
3 they're parties to the hearing. And so I'm just
4 not going to admit evidence about other people's
5 actions or nonactions. This is about Fulton
6 County.

7 **MR. ROSSI:** Well, we -- we beg to disagree
8 with that. I don't know all the rules and
9 regulations, but since the very beginning of
10 this, we have been adamant about that we don't
11 know where the errors were generated but we do
12 know the errors exist on the secretary of state's
13 public website. So that should be part of the
14 case. And we --

15 **MR. MASHBURN:** My ruling and your objection
16 are on the record. So please proceed.

17 **MR. ROSSI:** Okay.

18 **MR. MASHBURN:** Keep your comments limited to
19 the respondent to this action and not third
20 parties who don't have notice of this hearing.

21 **MR. ROSSI:** Okay. Should I go to the --
22 section 2, then, the thirty-six errors? Election
23 code --

24 **MR. MASHBURN:** The floor is yours.

25 **MR. ROSSI:** Okay. So if you refer to --

1 well, I mean, section 2 has to do with e-mails
2 that were sent, correspondence between the
3 secretary of state's office and myself. And
4 you're saying we do not want to review those; is
5 that correct?

6 **MR. MASHBURN:** My statement is that Fulton
7 County is the respondent to this action and not
8 the secretary of state. If it is germane to the
9 action against Fulton County, such that Fulton
10 County has notice that they should respond to
11 this, that's fair -- that's fair. But it's
12 not -- it's not a fair forum right now for you to
13 say that the secretary of state or the attorney
14 general did something correctly or incorrectly.
15 That's outside the scope of this hearing.

16 **MR. ROSSI:** Okay. Well, I will jump down to
17 number 3 on our section there. And basically the
18 thirty-six errors, sections 3-A, it starts with
19 -- is the -- basically it's the Excel spreadsheet
20 that was on the secretary of state's website and
21 that document highlights the thirty-six errors
22 very similarly to what the governor's report did
23 as well as the prior investigators that were
24 reporting out on those errors.

25 And I don't know if I need to go through any

1 of those errors, but they're similar in manner to
2 what the investigators thought were somewhat
3 misidentified, some were duplicated. So the only
4 thing I would add, other than if you want to go
5 through every one of those errors, I'd be glad to
6 do that. When I added up those thirty-six
7 errors -- I think there was a question earlier to
8 the investigators which they didn't have a
9 response to: What was the net impact of those
10 errors? And I found the net impact of those
11 thirty-six errors was 4,081 net incremental for
12 Candidate Biden. And that would be shown on the
13 last page of that audit report.

14 **MR. MASHBURN:** You're in 3-A?

15 **MR. ROSSI:** I would be in three -- no, I
16 would be -- let's see. Yeah. 3-A. Okay.

17 **MR. MASHBURN:** Last page was 3-A?

18 **MR. ROSSI:** No. Hold on a second. I'm
19 sorry. Yeah, that would be 3-A, the very last
20 page. I think you should have a circled number
21 at the bottom right --

22 **MR. MASHBURN:** Yes.

23 **MR. ROSSI:** -- is that correct?

24 **MR. MASHBURN:** Bottom right corner. It's
25 circled in blue ink. Yes, sir.

1 **MR. ROSSI:** 4,081 false delta total.

2 So at least when I added up the thirty-six
3 errors, I found the answer to the question from
4 earlier. I found that gave one candidate a 4,081
5 vote error. If you add up the --

6 **MR. MASHBURN:** Okay.

7 **MR. ROSSI:** And I just wanted to highlight
8 that so someone may be able to go back and review
9 and determine if that's correct. But that's what
10 I was able to determine.

11 **MR. MASHBURN:** Got it. Thank you.

12 **MR. ROSSI:** Okay.

13 **MR. MASHBURN:** I think that was in answer to
14 Dr. Johnston's question.

15 **DR. JOHNSTON:** Yeah.

16 **MR. ROSSI:** Right.

17 **MR. MASHBURN:** Do you any further questions,
18 Dr. Johnston, about this topic? Or is that what
19 you were looking for?

20 **DR. JOHNSTON:** I'll wait till --

21 **MR. MASHBURN:** Okay.

22 **DR. JOHNSTON:** -- Mr. Rossi finishes.

23 **MR. MASHBURN:** Okay. Please go ahead.

24 **MR. ROSSI:** Okay. 3-B was the governor's
25 letter, which I'm sure you've seen. And the only

1 thing I wanted to highlight on that, that he did
2 make the comment that our findings were factual
3 in nature. And I just wanted to reiterate that.

4 3-D is the report that the investigator was
5 referring to earlier. 3-E is a statement on the
6 secretary of state's website that says the hand
7 audit accurately portrayed the results of the
8 election. And I would challenge that, based on
9 the 4081 number that we found.

10 3-F, I think Voter Works was referred to.
11 So I have a section in there that shows what
12 Voter Works was responsible for doing, if you go
13 to that. It says 3-F, the Carter Center. And I
14 really don't know what the chain of command was
15 or who hired who. Maybe you guys could shed
16 light on that. But somehow the Carter Center was
17 involved and Voter Works was involved.

18 And then, if you go to the third page of
19 that 3-F section, there is a comment in their
20 report about data entry and results. And then
21 there's a footnote down at the bottom that talks
22 about their responsibility for checking missing
23 and duplicated batches, which I would ask the
24 question -- it was pretty easy to find these
25 errors on that -- on that Excel spreadsheet if

1 someone would've just gone in afterwards and
2 checked themselves. I wonder what their
3 responsibility was and who hired them and who
4 paid for them. But I'm not sure what they did,
5 but obviously they didn't catch the accounting
6 errors that we referred to and the investigators
7 referred to earlier, which is something I think
8 that needs to be looked at as well.

9 And then the 3-G I just put in there
10 because -- I know this is being set as a Fulton
11 County issue only -- I do want you to know that
12 we looked at DeKalb County and there's very
13 similar errors with the DeKalb County hand audit.
14 And I've got, in 3-G, if you want to go through
15 that, you can see that those errors add up to
16 over a thousand incremental false votes there as
17 well.

18 So it tells me it's much broader than just
19 Fulton County, that this is a systemic issue
20 which I continue to ask the question. We can't
21 have a hundred and fifty-nine county free-for-all
22 in Georgia. At some point, some entity has to be
23 responsible for the accuracy of the original
24 count or the hand audit count.

25 I mean, at this point, you're saying I can't

1 bring up the secretary of state's office but it
2 seems to me logically that they would be that
3 responsible entity. But I won't bring -- bring
4 up anything on that further.

5 3-H is just a follow-up letter from my local
6 representatives Mr. Shaw Blackmon and Larry
7 Walker. I appreciate their support.

8 So before I get into my recommendations, are
9 there any questions? Or should I finish with the
10 recommendations and then go for questions?

11 **MR. MASHBURN:** I think you should go ahead
12 and continue because that might raise the
13 questions. So go ahead.

14 **MR. ROSSI:** Okay. Well, you know, you could
15 bring up a lot of errors, but I think that's just
16 whining and complaining unless you come up with
17 potential recommendations and leave it to you
18 guys to be the group that decides what's the
19 right actions to take. But hopefully there'll be
20 some good solid actions coming out of the hard
21 work that we did and, obviously, the governor's
22 office did and the secretary of state's
23 investigators.

24 So the first thing that we feel pretty
25 strongly about is, I think, at the end of this

1 we'll all agree that -- that that publicly
2 announced, publicly displayed hand audit as the
3 governor's letter says is sloppy, inconsistent,
4 and does not build public confidence. And, in
5 fact I think I heard someone say it's
6 inconsistent, someone says it has errors. But I
7 believe we owe it to the public for someone to
8 footnote or put a disclaimer on that report, that
9 it is under investigation for those errors. I
10 think the public deserves that. So that is our
11 first recommendation.

12 We had asked that the secretary of state --
13 until we get to the bottom of this, one way or
14 another, that that statement that says that the
15 hand audit for Fulton County accurately reflected
16 the results of the election -- based on the
17 numbers we've come up with, we think that
18 statement should be retracted.

19 And then the last invest -- the last
20 recommendation is -- based on the accounting,
21 this document that's extremely difficult to
22 follow and has a lot of errors, inconsistencies,
23 and is sloppy, I don't think we're ever going to
24 understand what really happened until somebody
25 releases and counts the absentee ballots from

1 Fulton County. I think that's the only way to
2 really answer the question as to how many ballots
3 there really were and were all of those
4 ballots legal ballots.

5 At the end of the day, if it comes out
6 perfectly fine, then great, we've established
7 credibility. And if the end of the day, it
8 doesn't come out perfectly fine, then we know
9 that we've got a lot of work to do.

10 So those are my recommendations.

11 **MR. MASHBURN:** Thank you for your
12 presentation. And I know you put in a ton of
13 work in doing this, and so we always appreciate
14 citizens devoting their time and effort to work
15 on election-related matters. So thank you very
16 much for your efforts as a citizen.

17 Questions for the board? Questions from the
18 board?

19 **MRS. GHAZAL:** Yes. This is Sara Ghazal.

20 Mr. Rossi, I do appreciate your interest and
21 concerns with elections. But you said you looked
22 at Fulton and DeKalb. Is there any reason in
23 particular you chose those two counties? Are you
24 a resident of either of those counties?

25 **MR. ROSSI:** No. I'm a resident of Houston,

1 but I looked at Houston as well, ma'am. And
2 their numbers were almost perfect.

3 **MRS. GHAZAL:** Are you -- I also want to
4 reiterate what Mr. Germany said, that -- and I
5 think the word "audit" is extremely confusing for
6 folks, especially people who've been in the
7 corporate world and understand what corporate
8 audits look like.

9 As Mr. Germany said, an election audit is a
10 different animal, and it's really -- the outcome
11 of an election audit is simply to identify the
12 proper -- that the count was accurate and
13 identified the right candidate. And I think
14 that's important for people to understand. And
15 the terminology makes it very confusing.

16 It's not supposed to be a one-to-one
17 recount. A recount was also conducted and that's
18 a different thing altogether. The recount looked
19 at the number of votes and, in fact, the count
20 was valid.

21 The audit is to identify whether or not the
22 right candidate won. So I just want to leave it
23 at that.

24 **DR. JOHNSTON:** Well, I'd like to add --

25 **MR. ROSSI:** Am I allowed to respond to that

1 or -- or I'm not allowed to respond?

2 **MR. MASHBURN:** No. Dr. Johnston has the
3 floor.

4 **DR. JOHNSTON:** This is a char -- was
5 characterized as risk limiting audit which is
6 really just a statistical tool. And it's just a
7 shortcut to avoid a full audit recount, although
8 risk limiting audit can proceed on to a full
9 recount, which according to Ms. Jones, that
10 happened.

11 But with a difference of over 4,000 count, I
12 would wonder about whether we can actually rely
13 on the veracity of the Fulton County risk
14 limiting audit. I'm concerned about this
15 organization. I'm concerned about this confusing
16 record-keeping, whether it's scanner destination
17 or input errors or system errors or maybe ballots
18 were grouped or whether it was not enough time or
19 multiple employee data entry designation.

20 There are so many issues to consider with
21 this case.

22 **MR. MASHBURN:** Thank you, Dr. Johnston.

23 Mr. Rossi, if you'd like to comment briefly
24 and then we'll turn the floor over to
25 Mr. James -- attorney James.

1 **MR. ROSSI:** Okay. I was just responding to
2 the board member that was saying that it
3 determined the right outcome of the election.
4 And I would put that in question based on the
5 number of errors that we found for one county in
6 one subset of the total 525,000 votes.

7 **MR. MASHBURN:** All right.

8 Mr. James? Is that right? Your last name
9 is James? Or is your first name James?

10 **MR. JAMES:** Last name is James.

11 **MR. MASHBURN:** Am I insulting you
12 unintentionally?

13 **MR. JAMES:** No, that's fine.

14 **MR. MASHBURN:** Jack James. It's attorney
15 James, okay. Attorney James, do you -- you have
16 anything you'd like to add, sir?

17 **MR. JAMES:** (indiscernible)

18 **MR. MASHBURN:** Hey, Mr. James, we're having
19 trouble hearing you. It sounds like you're on a
20 speaker phone.

21 **MR. JAMES:** Can you hear me better now?

22 **MR. MASHBURN:** There you go. There you go.
23 Yes, sir. Perfect.

24 **MR. JAMES:** Thank you. My presentation was
25 going to be directed at the responsibility --

1 overall responsibility for elections in Georgia.
2 And you've already stated that that's really not
3 the issue to be presented to the board today.

4 But it has come up in our previous
5 conversations with members of the secretary of
6 state as to who is alternately responsible for
7 the elections in Georgia. And we just believe
8 that while Fulton County counts the votes, the
9 ultimate responsibility for assuring that the
10 votes are correct falls with the secretary of
11 state. And that is per the Georgia Constitution
12 and per different Georgia code sections which
13 assign the responsibility to the secretary of
14 state, in particular -- let me just get here a
15 second. In particular, code section 21-2-50(b)
16 clearly states that the secretary of state is the
17 chief elections officer.

18 And then we also believe that per the code
19 where the errors were noted, the results should
20 have been returned to Fulton County to correct
21 the errors. And this was never done. These
22 errors were reported to the secretary of state in
23 February of 2021, these errors on the risk
24 limiting audit, which you've also talked about.

25 So we believe that Fulton County should've

1 been required to correct these errors that we've
2 been talking about all day. And this did not
3 happen and we're concerned that the code section,
4 which is O.C.G.A. 21-2-499, was not followed
5 specifically and the errors were not corrected.

6 **MR. MASHBURN:** Okay. Thank you.

7 I think we have Fulton County signed up as
8 the respondent. Are there any more signed up on
9 behalf of the complainant?

10 **MS. HAISTY:** Yes. There is Cheryl Ringer
11 from Fulton County.

12 **MR. MASHBURN:** Okay. Cheryl Ringer,
13 respondent from Fulton County, you have the
14 floor.

15 **MS. RINGER:** Thank you, Chair.

16 **MR. MASHBURN:** You can unmute yourself.

17 **MS. RINGER:** Can you hear me, sir?

18 **MR. MASHBURN:** Yes, we can hear you clearly.
19 Thank you.

20 **MS. RINGER:** Okay. Thank you. So I would
21 note that if Fulton County had been aware of the
22 recommendation of the investigators, we would
23 have moved to have this matter continued because
24 we weren't provided with the investigative report
25 or the recommendation.

1 When I talked to members of the secretary of
2 state's staff, I was told that because of the
3 findings of Voter Works and that what happened in
4 Fulton County was similar to what they saw in
5 other counties, that the recommendation would not
6 be to bind this over.

7 And so I would express to the board that
8 that's exactly what we've heard. That Fulton
9 County is a larger county, we required more
10 licenses and that should've been provided to us
11 up front. It wasn't and so we had to play
12 catch-up to meet the deadline that was put upon
13 us by the secretary of state.

14 In doing so, we had other people who
15 tasked -- who were tasked with inputting the
16 information. They were -- there was no training
17 provided. And so we come to find out later that
18 there were different name conventions. There was
19 not a way to go back and do Q&A. There was not a
20 drop-down menu to go back. And so we had issues
21 that we did not have the ability to go back and
22 fix because of time problems.

23 This is not an issue that was just one of
24 Fulton County. In fact, Voter Works told us that
25 they saw these issues in other counties, but

1 Fulton County did not have the time to go back
2 and fix the errors because of the number of votes
3 that we had to get into the system in the
4 timeline that was given to us. Because the same
5 thing happened at other counties, Fulton County
6 should not be penalized. Because this happened
7 in DeKalb County, Fulton County should not be
8 penalized.

9 Instead what should happen -- and I don't
10 remember if it was member Ghazal or member
11 Dr. Johnston that gave you exactly the
12 recommendations that Fulton County had provided
13 in response to the governor's letter.

14 There should be training provided to the
15 counties for whenever we're going to have a risk
16 limiting audit. If ever we have a risk limiting
17 audit in the future, we need to have training so
18 everyone is on the same page. That didn't happen
19 with this. There needs to be naming conventions
20 that everyone across the state uses and that
21 didn't happen in this instance. And there should
22 be drop-down menus so that there will be an easy
23 way to go and access what has already been
24 entered so that the counties can do Q&A and do
25 some searches on their own. That was not part of

1 the system.

2 And so because we know that there were
3 issues with the system, Fulton County should not
4 be penalized.

5 I will note as well not only were we not
6 provided with the investigative report that the
7 investigator read, we also were not provided with
8 the three-ring binder that Mr. Rossi spoke to.
9 That was just provided to us by your secretary of
10 state's office, Mr. Germany.

11 So Fulton County, in fact, although we were
12 made aware that this matter would be on the
13 agenda today, we were not provided with
14 sufficient information really to prepare
15 ourselves and to defend ourselves as the chair
16 noted when referring (indiscernible) third-party.

17 So we were hampered, one, with the audit,
18 and, two, we've been hampered with the way in
19 which this hearing was conducted. Again, we ask
20 that the matter not be bound over to the AG,
21 instead that there will be some work done to
22 implement the recommendations to assist the
23 counties and to support and upgrade the Arlo
24 system.

25 Are there any questions for Fulton County?

1 **MR. MASHBURN:** Any questions for Fulton
2 County from the board? Okay.

3 Seeing no questions, thank you for your
4 presentation. We appreciate it.

5 At this time --

6 **MR. ZAGORIN:** Mr. Chairman, if I could?

7 **MR. MASHBURN:** Yeah.

8 **MR. ZAGORIN:** When you're doing these
9 numbers, as the other board member had mentioned
10 earlier -- and I don't know if Mr. Rossi did this
11 when he came up with the total of 4,000, but the
12 ones that we noted that they listed as a double,
13 where they actually went in in two different
14 spots, that he actually took those out so they
15 were no longer doubles. So there wasn't as many
16 doubles as these sheets do because we know that,
17 like, 97 wasn't doubled. One was 47. One was
18 97. So we can't count that as a double.

19 I don't know if -- and there was one in here
20 that was completely off. It was 950 to zero
21 because on the sheet someone wrote 95 batches
22 when it should've been just 95 votes. So you can
23 take a hundred and five from there because that's
24 not what it was.

25 So it's -- when you go back and take all

1 those numbers out, I don't know if you still have
2 that 4,000 number because some of them are not
3 doubles.

4 So just to address that ...

5 **MR. MASHBURN:** Okay. At this time -- Ryan?

6 **MR. GERMANY:** May I make one --

7 **MR. MASHBURN:** Sure.

8 **MR. GERMANY:** -- one point. The only thing
9 I was going to say, our elections director Blake
10 Evans is here. It might be helpful if you would
11 allow him to talk a little bit about the training
12 that was provided to counties for risk limiting
13 audits. And then of course, there was a pivot to
14 doing a full hand count. But I think that's
15 more, you know, (indiscernible) to ...

16 **MR. MASHBURN:** Any objection by the board?
17 Without objection, please proceed.

18 **MR. EVANS:** So in preparation for a
19 postelection recertification audit in 2020, one
20 of the -- couple of the things we did is with
21 several counties our office was able to do
22 smaller pilots of what an audit could be like.
23 This was going to be our first statewide audit
24 with paper. And so we did -- we tried out a
25 couple different styles of audits, a more

1 traditional audit where you simply randomly
2 select a container of ballots from a scanner and
3 then you count those and you compare it to the
4 scanner tape.

5 But essentially what is considered widely to
6 be the best type of audit in the elections
7 business is the risk limiting audit. And so we
8 audited -- or we piloted that in a couple of
9 counties. We piloted it in Fulton County after
10 the presidential preference primary. Piloted it
11 in Glynn County among others. And then we also
12 had webinars and a series of trainings leading up
13 to the risk limiting audit following
14 November 2020.

15 There was a state election board rule that
16 was put out that kind of created a more specific
17 framework of what the audit was going to be like,
18 how the contest would be collected and things
19 like that.

20 Following the election, due to the -- as has
21 already been discussed, due to the margin --
22 there could've been another contest that was
23 selected with a wider margin and it would've been
24 a sampling of ballots that would've been
25 selected, which is what Arlo was built for is a

1 sampling of ballots. But, you know, I think in
2 my opinion it was in the public's best interest
3 to choose the presidential contest with that
4 narrow margin, to audit it, and to confirm the
5 outcome of the election.

6 And so counties were trained on how to
7 create ballot manifests on how to use Arlo. And
8 then, when the decision was made to choose a
9 presidential contest, we did develop a training
10 that was given about 24 to 48 hours after the
11 decision was made about the adjustments that were
12 being made to the process since it was going from
13 a random sampling to a full hand count.

14 And that training was delivered, and then
15 the audit commenced essentially. Immediately
16 following that, the counties had about six days
17 to complete the audit.

18 **MR. MASHBURN:** Thank you.

19 Questions by the board?

20 **DR. JOHNSTON:** I have a question. If Fulton
21 County is responsible for their counts and
22 they're responsible for their audit, I would -- I
23 guess I would say they're accountable for
24 results. If they weren't aware of a problem and
25 they were rushed and they're large and they say

1 they weren't trained and there were issues with
2 the system, did anybody in Fulton County follow
3 up and recheck their numbers after all was said
4 and done? Or did they take it upon themselves to
5 recheck --

6 **MR. EVANS:** So the order of events that
7 happened was, first, the machine count, and then
8 the hand audit. And then following the hand
9 audit, there was a recount by the machine of
10 all -- of all the ballots.

11 And so I don't know if they went back and
12 checked their hand count, but there was a
13 subsequent machine count following the hand
14 audit.

15 **DR. JOHNSTON:** Right. So it seems that
16 Fulton County had so many issues and they were so
17 rushed and pressed for time and it was definitely
18 a highly contested election. Did they after the
19 fact go back and check themselves like an
20 accountant would do?

21 **MR. EVANS:** I feel like that would be better
22 asked of Fulton.

23 **MR. MASHBURN:** Refresh my recollection of
24 Fulton's representative's name, please.

25 **MS. HAISTY:** Cheryl Ringer.

1 **MR. MASHBURN:** Attorney Ringer, would you
2 like for -- I assume you're an attorney; correct?
3 Attorney Ringer, are you with us?

4 **MS. RINGER:** Yes, I am with you, but I am
5 not able to answer that question. I do know that
6 the members of our staff are attending a meeting.
7 Okay. I'm sorry getting a message from one of
8 the members. Hold on.

9 **MR. MASHBURN:** Take your time. Take your
10 time.

11 **MS. RINGER:** Okay. So I am -- so our
12 elections director is saying that we rechecked
13 Arlo as much as possible. You know, I assume
14 that is while they were putting it in. I don't
15 know about the ability to go back and recheck
16 after. We do not have the ability to put
17 anything else in Arlo.

18 Is it a possibility to unmute Nadine
19 Williams?

20 **MR. MASHBURN:** We're checking. We'll let
21 you know.

22 **MR. GERMANY:** One thing I'll add, while
23 Maggie is looking at that, is keep in mind
24 that -- this is for the board -- the certified
25 results of the election are, you know, the

1 initial machine count and then the recount from
2 the machine already certified. So the audit
3 numbers are not part of any certified results.

4 **MS. HAISTY:** Nadine Williams should be
5 allowed to speak now.

6 **MR. MASHBURN:** Ms. Williams, we should be
7 able to hear you if you're unmuted --

8 **MS. WILLIAMS:** Can you hear me now?

9 **MR. MASHBURN:** -- on your side. Yes, we
10 hear you clearly.

11 **MS. WILLIAMS:** Okay. I'm sorry. We did
12 have a team that went into the system to attempt
13 to doublecheck Arlo before the deadline. The
14 problem with the system for Arlo is that if you
15 did not -- let me go back, I'm sorry.

16 Since it -- since it doesn't have a
17 drop-down box with our batch titles in it,
18 although the secretary of state asked for our
19 batch names prior to the -- the audit, the batch
20 names were not in the system.

21 So each person had to type in the batch
22 name. But if you did not enter the batch name
23 exactly as a person typed it, with exactly the
24 capital letter, the space, any symbols, you could
25 not find that batch name exactly. So as we tried

1 to go back and check for balances, if you were
2 not able to find that exact way it was typed, it
3 could cause a duplicate.

4 So we attempted to go back in and do a
5 checks and balances, but if you were not -- and
6 you took out any duplicates that were -- if there
7 were any possibility of a duplicate or any type
8 of double entry, you took those out. But, again,
9 if the system would've had a drop-down box, it
10 would've eliminate -- it would've helped to
11 recheck some ballots.

12 But we did do -- we did try to do -- we did
13 do a -- like I said, we did do some checks and
14 balances before we submitted the final before the
15 deadline. And that's why there were so little
16 inconsistencies. We had over one -- over 1,900
17 batch sheets that we entered and there was, like,
18 (indiscernible) inconsistencies found by
19 Mr. Rossi, but that's where -- but we didn't
20 check a lot of this because -- before the
21 deadline. But a drop-down box would have
22 eliminated -- would've eliminated that situation.

23 **DR. JOHNSTON:** Ms. Williams, I understand
24 that. But after the deadline, when you had the
25 leisure of time and the opportunity to relook at

1 the data entry and the total, did anybody in the
2 office circle back and check the numbers?

3 **MS. WILLIAMS:** The results -- like I said,
4 the -- as the person stated, the results were
5 not -- the results did not change. The winner
6 was the same. So there was nothing to go back
7 and check.

8 So that's why -- we knew that the -- we know
9 that there was nothing -- that nothing had
10 changed. So there was nothing to go back and --
11 we wanted to make sure everything was as
12 consistent as possible, but, no, we -- we
13 didn't -- everything balanced out over all of the
14 numbers and we did not go back and check anything
15 else. No, ma'am.

16 If it would've changed any of the results,
17 it would've been a concern. But there was no
18 concern as far as anything (indiscernible),
19 anything more than (indiscernible). The results
20 did not change.

21 **MRS. GHAZAL:** This is Sara Ghazal. Have you
22 had a chance to sit down with your board and come
23 up with any -- and this is a suggestion not just
24 for Fulton but any other county that may be
25 listening, but to, perhaps, come up with a series

1 of recommendations on, moving forward, what would
2 improve the process and what you need -- and I'm
3 sure you've been working with the secretary of
4 state's office on this, but I think from my
5 perspective, as we move forward and look at
6 rulemaking, it would be really helpful to
7 understand from the county perspective the tools
8 that you feel like you need, moving forward, so
9 that we can have confidence in the process and so
10 that we minimize errors moving forward.

11 **MS. WILLIAMS:** I believe our attorney noted
12 that in the letter that was sent back in
13 response. But our concern would be mainly for us
14 to have -- as was said, to have more than one
15 license so we could've started off with more than
16 one person entering batch sheets. Because it was
17 such a large county, we would've had to have more
18 than one person being allowed to enter batch
19 sheets from the onset. And, of course, for us
20 having a bigger -- we could have the same
21 deadline. We wouldn't miss that deadline, but we
22 would just have to have more licenses and start
23 from the very beginning.

24 And, of course, this is a better system that
25 would just be able to not -- to be able to

1 catch -- the system itself, it just doesn't allow
2 for human error in data entry. If the batch
3 titles would've been there, it wouldn't have
4 allowed you to make your own title for the batch
5 sheets and it would've been our biggest concern.
6 But we did express those things in the letter, I
7 believe, in the response letter.

8 **MRS. GHAZAL:** Thank you.

9 **MR. GERMANY:** I would add too -- this is
10 Ryan Germany -- that the recommendation for the
11 tools that Fulton County made specifically,
12 having kind of a drop-down to eliminate
13 double-entry and also to eliminate, I think,
14 missed batches, are some of the tools that Voting
15 Works said that they have added to Arlo.

16 Now, Voting Works said that, you know, the
17 efficacy of those tools depends on the quality of
18 the ballot manifest.

19 **MRS. GHAZAL:** Yep.

20 **MR. GERMANY:** That's where they're drawn
21 from. So there's no system that's going to
22 eliminate human error in data entry. It's going
23 to hopefully make it harder -- make it easier to
24 catch, but, you know, that's, I think, something
25 really for whatever type of audit we end up doing

1 is that, I think, as the board considers rules,
2 the ballot manifest is really crucial. And
3 that's a data entry thing as well.

4 **MRS. GHAZAL:** And that's backing up a couple
5 of steps and looking at the reconciliation and
6 canvass process.

7 **MR. GERMANY:** Even before that --

8 **MRS. GHAZAL:** Right. Right.

9 **MR. GERMANY:** -- because the ballot
10 manifests are made kind of as --

11 **MRS. GHAZAL:** Right.

12 **MR. GERMANY:** -- kind of as things are
13 scanned. But, yes, that's correct.

14 **MRS. GHAZAL:** Thank you.

15 **MR. MASHBURN:** Do we have a recommendation
16 from the investigators to bind the case over to
17 the --

18 **MR. CALLAWAY:** This is Jim --

19 **MR. MASHBURN:** No, I'm sorry.

20 **MR. CALLAWAY:** One other thing worth
21 noting -- and if I understand correctly and I'll
22 ask some folks to correct me if I've got my data
23 wrong -- you know, basically, what we're doing
24 here is the sufficiency of the hand count when it
25 comes to these batches. And I do think it's

1 worth noting that in the -- that in the original
2 reporting, in terms of it's done electronically,
3 the difference between the original and then the
4 hand recount were only 634 votes in Fulton County
5 out of 525,000 votes cast, possibly 525,000 votes
6 cast.

7 But that said, you know, I do appreciate
8 that Mr. Rossi has brought this forward because I
9 do see some inconsistencies in how the process
10 was done and that does -- that will always raise
11 concerns for citizens who want to make sure that
12 the -- the elections are accurate.

13 But -- and -- I also want to express to
14 Fulton County the fact that we have decided to
15 turn it over to the attorney general's office,
16 that's not a final determination, merely a
17 request that they conduct a more thorough
18 investigation. And I think that that's something
19 that needs to be pointed out to them. This isn't
20 a final determination matter.

21 **MR. MASHBURN:** I thank you for your
22 comments. That's an excellent segue into me
23 asking the view of the board. I'm ready to
24 entertain a motion if any member of the board is
25 ready to make one.

1 There's been a recommendation to bind the
2 case over to the attorney general.

3 **DR. JOHNSTON:** Seconded.

4 **MR. MASHBURN:** Well, you would be making the
5 motion.

6 **DR. JOHNSTON:** Oh, I'll make it.

7 **MR. MASHBURN:** Okay. Dr. Johnston makes the
8 motion. Is there a second?

9 **MR. LINDSEY:** I'll second.

10 **MR. MASHBURN:** That's been seconded by
11 Mr. Lindsey. Any discussion?

12 **MRS. GHAZAL:** I'm going to express some
13 concern about sending to the attorney general a
14 case that's been, as far as I can tell,
15 incredibly thoroughly investigated. And the
16 errors that have been found are human data entry
17 errors.

18 And I'm concerned about tying up resources
19 with the attorney general's office looking at --
20 when, in fact, the biggest problems were with the
21 platform and the resource allocation and not any
22 malfeasance or nonfeasance.

23 I think this is just a natural result of the
24 processes that were put in place because of the
25 time constraints. So I am not going to support

1 the motion.

2 **MR. MASHBURN:** Further discussion? All
3 those --

4 **MR. LINDSEY:** My assumption is that that
5 will be something that would be taken into
6 account by the attorney general, given the level
7 of inconsistencies that we're seeing here. And
8 that could be part of any kind of determination
9 by the attorney general as to what go forward to,
10 working with the secretary of state's office,
11 trying to formulate a solution here because we
12 don't -- you know, while I appreciate the time
13 restraints that Fulton County was under, I do
14 want to make sure that our elections are not just
15 accurate but -- but have the necessary data that
16 will make those like Mr. Rossi, who do -- do do
17 citizen reviews and have done a very good one,
18 you know, can have reasonable confidence in the
19 outcome, not just that the recount is accurate
20 but also that citizens have confidence in it.

21 And for that reason, while I'm not convinced
22 that there's any kind of malfeasance going on
23 here other than some errors, I do think that the
24 errors were serious enough for further
25 investigation.

1 And that's the reason for the motion. Thank
2 you.

3 **MR. MASHBURN:** Further discussion? Ready to
4 vote? All those in favor of the motion to bind
5 the case over to the attorney general say aye.

6 **THE BOARD MEMBERS:** Aye.

7 **MR. MASHBURN:** All those opposed?

8 **MRS. GHAZAL:** Nay.

9 **MR. MASHBURN:** Motion is carried.

10 And that completes the agenda prior to
11 executive session. And so at this point, I'll
12 entertain a motion that the board enter into
13 executive session.

14 **MRS. GHAZAL:** I so move.

15 **MR. MASHBURN:** Moved by Ms. Ghazal.

16 **MR. LINDSEY:** Second.

17 **DR. JOHNSTON:** Second.

18 **MR. MASHBURN:** Seconded by Dr. Johnston and
19 Mr. Lindsey. So all those in favor?

20 **THE BOARD MEMBERS:** Aye.

21 **MR. MASHBURN:** So at this point, we will
22 mute the microphones and move into executive
23 session. Thank you.

24 (pause)

25 **MR. MASHBURN:** We're back on the record for

1 just a moment. Everyone has been so kind to
2 point out the chair's errors in a diplomatic and
3 kind way. It was pointed out to me that I did
4 not give a time that we were likely to adjourn --
5 I mean reconvene.

6 And so the time is now 12:15. We are going
7 to reconvene at 1:00. 1:00 we'll be back on the
8 record. Thank you.

9 (Executive session from 12:15 until 1:03.)

10 **MR. MASHBURN:** We'd like to welcome
11 everybody back to the state election board,
12 March 16th meeting. We are reconvening after
13 executive session. I see -- there's no need to
14 take roll. I can just put on the record that all
15 of the board members are here. So a quorum is in
16 order.

17 We went into executive session for purposes
18 of discussing pending and potential litigation
19 and for the board to authorize subpoenas in case
20 number 2020-10, Dougherty County, and 2022-003,
21 ballot harvesting.

22 And so with that, the next item on the
23 agenda is the attorney general's report. And we
24 have Charlene McGowan from the attorney general's
25 office here. So I'll turn the floor over to

1 Charlene.

2 **MS. MCGOWAN:** Thank you, Mr. Chairman.

3 For the attorney general report today, I am
4 presenting a number of consent orders and final
5 orders that are listed in the meeting agenda.

6 Two of these are consolidated consent orders
7 with Hancock County and Cobb County that resolve
8 a number of outstanding cases in one order.

9 I also have a number of final orders that
10 are issuing cease-and-desist orders or reprimands
11 in the six cases that are listed on the agenda.
12 And I'm happy to answer any questions that the
13 board may have about individual cases, but
14 otherwise we recommend that the board vote to
15 approve the consent orders and final orders.

16 **MR. MASHBURN:** Thank you. Are there any
17 board members that wish to take any particular
18 case out of the block? Seeing none, are there
19 any questions that the board members have for
20 Charlene about those listed under consent orders?

21 **DR. JOHNSTON:** I have a question.

22 **MR. MASHBURN:** Okay.

23 **DR. JOHNSTON:** Ms. McGowan, on consent order
24 2021-062.

25 **MS. MCGOWAN:** Yes. The Walker County case,

1 yes.

2 **DR. JOHNSTON:** So there was a violation of
3 21-2-571. And I just had a question as to the
4 recommended fine -- the finding. That is the
5 case that is a felony.

6 **MS. MCGOWAN:** Yes, a violation of 21-2-571
7 is a felony offense. The respondent in that case
8 was also -- was referred to our office for civil
9 administrative legal proceedings and that
10 respondent was also referred to the local
11 district attorney for possible criminal
12 prosecution.

13 Our office does not handle the criminal
14 prosecution side of things. So this is just
15 resolving -- like I said, it will just resolve
16 the civil side of the matter and the case is --
17 is still possibly going to be criminally
18 prosecuted.

19 **DR. JOHNSTON:** Thank you.

20 **MR. MASHBURN:** Thank you. Any further
21 questions by the board members about any of the
22 cases? I'm prepared to entertain a motion to
23 approve the consent orders as recommended by
24 block. Anybody wish to make that motion?

25 **MRS. GHAZAL:** So moved.

1 **MR. MASHBURN:** Ms. Ghazal has made a motion.
2 Is there a second?

3 **MR. LINDSEY:** Second.

4 **MR. MASHBURN:** Mr. Lindsey has seconded.
5 And all those -- any discussion?

6 **MR. LINDSEY:** I'll have discussion just for
7 those who were listening in. These were provided
8 to us prior and we have reviewed them.

9 **MR. MASHBURN:** Good point. All those in
10 favor say aye.

11 **THE BOARD MEMBERS:** Aye.

12 **MR. MASHBURN:** All those opposed say nay.
13 Passes unanimously.

14 Is there any -- or would you like to move to
15 consolidated consent orders, Charlene?

16 **MS. MCGOWAN:** We're just voting on the
17 consent orders?

18 **MR. MASHBURN:** Yes.

19 **MS. MCGOWAN:** Yes. We can move to the
20 consolidated consent orders. And again, these
21 are for Hancock County and Cobb County, resolving
22 a number of cases that are -- the numbers are
23 listed on the agenda. Again I'm happy to
24 entertain any questions that the board may have
25 about the specific orders, but otherwise our

1 office's recommendation is that the board vote to
2 approve the consolidated consent orders.

3 **DR. JOHNSTON:** I have a question.

4 **MR. MASHBURN:** Dr. Johnston.

5 **DR. JOHNSTON:** The consolidated consent
6 order 2017-033, there were stolen election
7 materials. And I couldn't quite understand from
8 the wording. In the summary, says: Never
9 recovered because -- they were never recovered
10 because they were dumped into a dumpster or --
11 and I wasn't sure whether they ultimately were
12 recovered or just never recovered. There were
13 poll pads, scanners, DRE memory cards, cell
14 phones.

15 **MS. MCGOWAN:** My understanding is that there
16 were -- some of the election components that had
17 been stolen were not ultimately recovered is what
18 we were able to glean from the investigation.

19 **DR. JOHNSTON:** Okay. So never recovered
20 because they went to the dumpsite. I didn't know
21 if an investigator had information on that.

22 **MRS. GHAZAL:** If I could also clarify that
23 we're talking about barcode scanners not ballot
24 scanners. These are just the hand-held barcode
25 scanners.

1 **MS. MCGOWAN:** Yeah. And this is back in
2 2017. So this is a prior. It was the DRE --

3 **DR. JOHNSTON:** Okay.

4 **MS. MCGOWAN:** -- equipment.

5 This is a case where -- for the people
6 listening, this is a case where there was some
7 election mater -- election equipment that was in
8 a vehicle that was stolen by an intervening
9 criminal actor. And some of the election
10 machinery or components were not recovered
11 because of the theft.

12 **DR. JOHNSTON:** Okay. And we do not use that
13 election material now?

14 **MS. MCGOWAN:** That's correct.

15 **DR. JOHNSTON:** Okay. Thank you.

16 **MR. MASHBURN:** Good question. Okay. Any
17 board member like to pull out any consolidated
18 consent order case for a particular consideration
19 or mention? Okay. Hearing none, now I'll
20 entertain a motion to approve the consolidated
21 consent orders as proposed en bloc.

22 **DR. JOHNSTON:** Moved.

23 **MR. MASHBURN:** Dr. Johnston has made a
24 motion. Is there a second?

25 **MRS. GHAZAL:** Second.

1 **MR. MASHBURN:** Ms. Ghazal has seconded. Any
2 discussion? All those in favor say aye.

3 **THE BOARD MEMBERS:** Aye.

4 **MR. MASHBURN:** All those opposed would say
5 nay. Passes unanimously.

6 Now move to final orders. Attorney McGowan.

7 **MS. MCGOWAN:** For the final orders section,
8 we're presenting for the board's consideration
9 five final orders. One of them goes along with
10 2011-059 out of Hancock County. While we
11 resolved that case with the board of elections
12 and registration in a consolidated consent order,
13 there's some individual respondents they're
14 issuing final orders against. And these are all
15 orders where we are issuing a cease-and-desist
16 order or a public reprimand.

17 I'm happy to answer any questions that the
18 board may have, otherwise we recommend that the
19 board vote to approve the final orders.

20 **MR. MASHBURN:** Questions or comments by the
21 board? Any board member like to take any case
22 out for particular discussion? Seeing none, now
23 would be the time I would entertain a motion to
24 approve final orders listed in the agenda en bloc
25 -- in a block.

1 **DR. JOHNSTON:** I move that we approve final
2 orders.

3 **MR. MASHBURN:** Dr. Johnston has made the
4 motion. Is there a second?

5 **MR. LINDSEY:** Second.

6 **MR. MASHBURN:** Mr. Lindsey has made the
7 second. Any discussion? Seeing none, all those
8 in favor say aye.

9 **THE BOARD MEMBERS:** Aye.

10 **MR. MASHBURN:** All those opposed would say
11 nay. Passes unanimously. That completes the
12 items on the agenda.

13 We would like to once again welcome our
14 newest members to the unpaid and unstaffed role
15 that you've now undertaken for the good of the
16 citizens of Georgia. And we thank you for your
17 willingness to serve the public in this capacity
18 and we welcome you and look forward to working
19 with you in the future. And thank you for your
20 willingness to serve.

21 And at this point if we're ready to adjourn,
22 I'll hear a motion to adjourn.

23 **MRS. GHAZAL:** So moved.

24 **MR. MASHBURN:** Ms. Ghazal has made the
25 motion.

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DR. JOHNSTON: Second.

MR. MASHBURN: Dr. Johnston has seconded.
All -- we have no discussion. All those in
favor, aye.

THE BOARD MEMBERS: Aye.

MR. MASHBURN: Aye. We are -- all those
opposed? We are adjourned.

Thank you, everyone.

(Concluded at 1:13 p.m.)

CERTIFICATE

STATE OF GEORGIA

I hereby certify that the foregoing meeting was taken down via Zoom Webinar and was reduced to typewriting under my direction; that the foregoing transcript is a true and correct record given to the best of my ability.

The above certification is expressly withdrawn upon the disassembly or photocopying of the foregoing transcript, unless said disassembly or photocopying is done under the auspices of the undersigned and electronic signature is attached thereon.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties; nor am I financially interested in the action.

This, the 31st day of March, 2022.

****Mary K McMahan****

Mary K McMahan, CCR, CVR, RPR, FPR
Certified Court Reporter
Certificate Number 2757