

THE OFFICE OF THE SECRETARY OF STATE
STATE OF GEORGIA

IN THE MATTER OF THE:

STATE ELECTION BOARD HEARING

GEORGIA STATE CAPITOL BUILDING
ROOM 341
ATLANTA, GEORGIA 30334

TUESDAY, DECEMBER 13, 2016
10:00 A.M.

PRESIDING OFFICER

BRIAN KEMP
SECRETARY OF STATE
STATE OF GEORGIA

LATASHA D. BETHEL, CCR
HAPPY FACES COURT REPORTING
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APPEARANCE OF THE PANEL FROM LEFT TO RIGHT

Rebecca N. Sullivan, Board Member, Georgia State of
Election

Brian P. Kemp, Chairperson, State Election Board,
Secretary of State, State of Georgia David J. Worley,
Board Member, Georgia State of Election

ALSO PRESENT IN ORDER OF PRESENTATION

Russell Lewis, Sr., Chief Investigator, Investigations
Division, Secretary of State Office

M. Frances Watson, Investigations Supervisor,
Investigations Division, Secretary of State Office

Chris Harvey, Elections Director, Secretary of State Office

Cristina Correia, Office of the Attorney General, State of
Georgia

MR. SECRETARY: Good morning, once again. I'm going to officially call the Tuesday, December 13th, State Election Board meeting to order. Our first order of business on our agenda will be the invocation and the pledge. So if you will pray with me, I will lead us in the invocation and the pledge.

INVOCATION

PLEDGE OF ALLEGIANCE

MR. SECRETARY: Alright. Next agenda item is we've got two sets of minutes to approve from previous meetings. The first one was our Tuesday, June 28th, 2016 meeting. Do we have a motion to approve or amend?

MS. SULLIVAN: So moved.

MR. WORLEY: Second.

MR. SECRETARY: Ms. Sullivan moves that we approve. Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign. That motion carries and we have approved those minutes. The next meeting was the special-called State Election Board meeting on July 22nd, 2016. Do we have a motion to approve or amend?

MR. WORLEY: So moved.

MS. SULLIVAN: Second.

MR. SECRETARY: Mr. Worley moves. Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor of approving those minutes signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries as well. Our next agenda item is our public comment period. As I said earlier, unrelated to our case agenda today we have -- and we've got a couple of people -- we will put those up but to get us started, first is Nicholas Granger. So if you would just come up. Just come on up. We will give you this mic. Well, you can stay right there if you would like. What we need you to do, if you don't mind, is give us your full name and your address for the record and then you will have two minutes to speak with us.

MR. GRANGER: Nicholas Granger, 44 Pryor Street, Atlanta, Georgia 30307.

UNIDENTIFIED SPEAKER: I think he's a little nervous.

MR. SECRETARY: You don't have to be nervous. Just tell us what is on your mind. You want us to come back to you in a minute?

MR. GRANGER: Yeah.

MR. SECRETARY: All right, we'll do that. Annette Salavantz? Did I pronounce that correctly?

MS. SALAVANTZ: (Inaudible) Do you want me to stand? This is my first time doing this.

MR. SECRETARY: You can if you would like. You are welcome to stand.

MS. SALAVANTZ: So I'm here as a mother. As a woman. As someone whose parents left a country to live in a democratic nation and I'm really concerned about what I'm hearing in the news in terms of the tampering of our election and I want to know what's being done about it. I want to know if

democracy exists, why it matters. What can I count on you guys for. That's my comment.

MR. SECRETARY: Okay, thank you very much. Okay, Molly Dailey?

MS. DAILEY: Right here. I don't think my mic is working.

MR. SECRETARY: Yeah, it is going to be hard for me to use the mic. We are going to have to get you to come up. You can use the wireless mic.

MS. DAILEY: My name is Molly Dailey. I'm from Marietta, Georgia.

MR. SECRETARY: If you don't mind, just give us your name and address for the record.

MS. DAVIS: My name is Molly Dailey. My address is 899 Power Spring Road, Southeast, Apartment C-15, Marietta, Georgia 30067. I am here today to ask you to please reconsider an electoral vote for Donald Trump. Please abstain from allowing a demagogue to lead our country. In light of recent (indiscernible) with Russia, I implore you to reconsider the intended purpose of the electoral college. Additionally, I have a comment for Secretary Kemp regarding status of his inquiry to the Department of Homeland Security regarding the recent (inaudible). Thank you.

MR. SECRETARY: Thank you very much for being here. I would just note for any of you who may be here today, this is normally a quarterly-type meeting that we have of the State Election Board. This has nothing to do nor do any of the board members serving on the State Election Board -- we have nothing to do with the electoral college vote that will occur -- that's going to be this coming Monday which will also be in the State Capitol. But that's a completely separate meeting and issue. Just so you'll know that.

UNIDENTIFIED SPEAKER: Excuse me. Is that meeting a public meeting?

MR. SECRETARY: That is a good question. I'm not real sure.

I believe it is but I don't want to give you a hundred percent answer on that. Okay, Chris Malone? You can come on up.

MR. MALONE: Hi, my name is Chris Malone. My address is

1016 Howell Mill Road, Apartment 1210, Atlanta, Georgia 30318. First, I'd like to thank you for giving us the opportunity to be able to have a public comment here and even though I understand that nobody on the board is one of the electors for the electoral college, I would still like to encourage everybody on the board because I feel that your presence -- basically, you guys have a lot more say if you were to talk to any of the electors than we would and I strongly encourage you to talk about what it means to be able to vote in the electoral college. It was established so that you can make sure we don't have anyone who has foreign ties leading this great country. To be able to make sure we don't have anybody who is a demagogue and also to be able to have someone who is able to provide us with a competent and great administration. I feel that Donald Trump is not able to provide us with any of those. So I strongly encourage you guys to talk to our electors and see if you can persuade them to either vote for another Republican or abstain from voting. Thank you very much.

MR. SECRETARY: Thank you for being here. Okay, Lee Ash or Leah?

MS. ASH: Hi, good morning. My name is Leah Ash. My address is 934 Grandview Way, Acworth, Georgia 30101. I am kind of restating some of the others. I assume all of the comments are going to be along the same line here, which is just publicly being able to state that a lot of us feel like our nation is in the middle of a crisis right now. Although I truly believe that Hillary Clinton is the candidate that the electoral college's vote should go towards, if our electoral college is unable, for whatever reason, to cast their vote based on party values, based on whatever for Hillary Clinton, I would like to publicly implore them to cast their vote for Mitt Romney and save us from Donald Trump for the good of our nation and in keeping with the job of the electoral college, which is to save us from an unqualified

candidate who would eventually damage our entire democracy. Thank you very much.

MR. SECRETARY: Thank you for being here. Let's see here, Louise Lastic. Did I say that right? I'm sure I probably didn't.

MS. LASTIC: You did. Louise Lastic, 100 Christophers Run, Alpharetta, Georgia 30004 and I'm here today as a mother of three, also as a businesswoman. I feel that our country is going the wrong way. I think it is very important that we take care of all Americans. I don't like the separation that this election has created and I think it's time to fight and I agree that if we cannot have a delegate vote for Hillary Clinton, then just abstain from doing that. So I just feel it's time to take back our country and the popular vote is what won. Thank you.

MR. SECRETARY: Thank you very much. Okay, Georgia Von.

MS. VON: I'm Georgia Von. 1446 Thompson Road Alpharetta, Georgia. I am imploring to please speak on behalf of us. I'm an American citizen and I really want to stand up for us and investigate and get all the answers to what is going on. We have so many questions and we would like to have answers because it just seems so blurred and I just challenge you to represent all of us. Thank you.

MR. SECRETARY: Thank you very much. Cary Tucker?

MS. TUCKER: I'm Cary Tucker. You can find me at 4000 Dunwoody Park in Dunwoody, Georgia. I am here as much as anybody else. I'm concerned about the electors and want to thank you for letting us come in and speak our minds. I am asking and imploring you to talk to the State electors that you have in power to just please not allow Donald Trump to become our president. The issues with the Russian involvement and the hackers has me very concerned mostly because, from what I understand of the incident is, basically he did not comply with whatever these hackers wanted but the RNC did and I find that to be deplorable. If

there is anything that we can do, just let us know. Thank you for letting us speak our mind.

MR. SECRETARY: Thank you. Alan Tucker.

MR. TUCKER: Good morning, my name is Alan Tucker. I also live at 4000 Dunwoody Park Dunwoody, Georgia, Apartment 1004, 30338. Thank you for having this commentary. I would also like to say, like many of us here, to register my very sincere concern about the direction this country is headed and the greatness of the vote the electoral college is about to make and why I sincerely respect the position and the power that is vested in the electoral college and the very odd position that we're in right now. I would ask to truly do the electoral duty and look at the constitution of the United States, especially, what the electoral college is intended to prevent and to my mind and to the minds of many others we are very concerned that Donald Trump does not match those requirements. News articles seem to be (inaudible) more every day. So thank you for your time. Thank you for this public comment.

MR. SECRETARY: Thank you. Gina Trugman.

MS. TRUGMAN: Hi, I'm Gina Trugman. I live at 3070 Greensbe (phonetic) Way, Alpharetta, Georgia 30009. I'm a mother and have four children and they're adopted from -- two from Honduras, two from China. My youngest daughter has already been told to go back to her country. I'm very concerned about the divisiveness that Donald Trump has brought to this country and I don't think that not being the average white person does not make you not an American. My kids should be treated exactly like every other kid and have a future in this country.

I'm also concerned about his financial ties to Russia and Turkey. We don't know whatever country is going to come up in the next few days. There should be a full investigation because we don't want somebody controlling our country that has ties to another country that could potentially harm our country. We need to make it safe for everyone not just this generation but every generation and generations to come.

And also I'm concerned because every person that he has appointed to a job or position is the exact opposite of what that job requires. So we have to take care of the environment. We have to take care of health care. We have to take care of kids going to college because if all our kids went to college, this country would be awesome. We would be correcting everything. We'd have new alternatives to energy. We'd have medication that doesn't kill our bodies; it would actually heal them and we need to make sure that's what is done. So please talk to the electoral voters because if they vote for Trump, it's all just going to go downhill; it's just not going to go for the better and we owe our children the best and our grandchildren and our great-grandchildren. Thank you very much.

MR. SECRETARY: Thank you. Holly Smolen.

MS. SMOLEN: Hi, I'm Holly Smolen. I live in 919 Ormewood (phonetic) terrace Atlanta, Georgia 30316. I am here for the first time. I just came to voice -- there are two things that are top of mind for me under the current election. One is the ongoing investigation of hacking into the election this year and I would encourage everyone sitting up there to be active and vigilant about how that's going and to monitor how that has impacted the elections office. Secondly, since the election, I have been thinking a lot about the current state of immigration and the fact that Georgia has one of the worst records for granting amnesty. I don't know if this is the time or the place but that has been very top of the line of the ingoing administration's opinions of goods of immigration and even cracking down a bit more. So, I appreciate everybody's time.

MR. SECRETARY: Thank you. Okay, Megan Surpen.

MS. SURPEN: Hello, my name is Megan Surpen. My address is 803 West Howard Avenue Decatur, Georgia. I'm here to just add one more voice to implore to anyone who has an ear of the electors to pass on to them that they should abstain from voting for Donald Trump.

MR. SECRETARY: Thank you very much. Gretchen Jacobson.

MS. JACOBSON: Good morning, my name is Gretchen Jacobson. I live at 1046 Delaware Avenue Southeast in Atlanta 30316. First of all, I would like to thank you for having this open comment period especially because I think many of us are here to comment on things that are specifically about the meeting of the electoral board. One thing has changed a little bit of what I was going to say here but since we are talking about the Georgia Electoral Board, my understanding is that one of the things you're responsible for is keeping honesty, integrity and safety in the election process. To keep the election fair and to give all citizens the ability to properly vote, should they choose to.

Having said that, in a more global standpoint we have heard much comments in this election cycle about foreign influence and involvement in our election process, about the corruption of voting machines, voting machines not being properly maintained so even if there was not a serious possibility of vote mishandling, that they are not kept in proper working order. So there can't be problems with people's votes not being properly counted or attributed.

Also, I want to continue to urge the election board to check the integrity of the voter box. That they are properly done. To resist the jury meandering and the redrawing of districts for political gain of either parties or any parties and that polling places be open in locations that are easy for all voters to reach. I noticed that there was a huge uptick [sic] of early voting this year and I've heard many stories of very long lines of people not being able to -- well, being able to vote but having to wait for extremely long periods and I think we also need to address that because most of those early polling places were not open on the weekend it seems or it was one day --

MR. SECRETARY: Ms. Jacobson, your time is up. So if you can wrap it up.

MS. JACOBSON: All right, thank you very much.

MR. SECRETARY: Next we have Rachel Patzer.

MS. PATZER: Thank you so much. My name is Rachel Patzer.

My address is 312 Gordon Avenue Atlanta, Georgia 30307. So, I'm here today. I'm a mother of two. I'm a professor at Emory University. I'm a teacher and I'm actually an independent voter. I've voted for Republicans and Democrats and Libertarians, so. I'm here because I have some of the same concerns that many the others have but my main point I would like to make is around evidence and facts. I would urge those in this room to consider getting bipartisan facts supporting demand that we get a briefing from the CIA about potential for foreign involvement in our elections. When we voted on November 8th, we assumed this was a failure. We had all the information available that this is a fair election process. I think there's a lot of evidence that, that has not been the case. So, I would ask, -- before the electors go and vote on December 19th that we have a security briefing -- bipartisan security briefing on this matter. Thank you so much for all of you.

MR. SECRETARY: Thank you. John Fortune. Welcome back.

MR. FORTUNE: Hi, my name is John Fortune at P.O. Box 808 Decatur, Georgia 30031. I've come to speak regarding the insecurity of our election system. I'm a computer professional. I programmed and consulted for some 20 years and I'm sorry to inform you all that our election system is completely insecure and instead of security being a word applied to it, it should be described as porosity in Georgia. There have been over twenty hacks documented by a team of the particular voting machine we use here in Georgia, the people TTS (phonetic) and you can get a copy of that report and if you're willing to risk being charged with a felony, you could change the results in entire counties or across the state. We've tried as a multiparty coalition to introduce bills year after year to address this problem. This problem has been known for quite some time by all Secretaries of State going back to Kathy Cox. We've introduced into the record here at the State Election Board multiple times the conviction papers of Jeffrey Dean (phonetic) who was the lead programmer at the company that subsequently became Diebold Election Systems. He was convicted of, I believe, seventeen counts of sophisticated computer fraud before he became employed at the company that subsequently became Diebold Election Systems. There is no

excuse for retaining such a porous and easily hacked system in this state --

MR. SECRETARY: Mr. Fortune, your time is up. So, if you can wrap up?

MR. FORTUNE: In 2006 multi-partisan efforts wrote a bill called SB 591. I look forward to working with Secretary Kemp, Governor Deal and good legislators from all parties to try and get this bill passed to resolve the inherent insecurity of our voting system.

MR. SECRETARY: Thank you very much. Next, we have Jane Washburn.

MS. WASHBURN: Hello, my name is Jane Washburn. My address is 3201 Henderson Mill Road Atlanta, Georgia 30341. As far as I'm concerned this is not a partisan issue. I have nothing against the Republican Party. Nothing against the Democratic Party. Nothing against the Libertarian or anybody else. This is about the integrity of the republic and of the constitution. The purpose of the electoral college as outlined by Alexander Hamilton in Article 68 of the Federalist papers, his rationale for the electoral college was as a final check to prevent someone from taking the office of the President of the United States -- a final check to prevent someone from taking office, who is clearly unqualified and has conflicts of interest, has ties to foreign nations that may be hostile to the United States. This is a historic moment. This is the first time in US history -- and I think that says a lot for us as a country. This is the first time in US history that this function of the electoral college can and should be invoked. Thank you very much.

MR. SECRETARY: Thank you. Next we've got Triona James. Hope I said that right.

MS. JAMES: Yes, you did. Good morning, I am the current reigning Miss Georgia and we've met before like earlier in the year and thank you. I want to say first and foremost thank you for allowing us to have a voice and continue to have a voice in the state of Georgia and to this open forum.

I am here and I concur with most of the sentiments and expressions that I've heard today with everyone. One, I implore the electoral college to take a look at everything. I have no problem with Republicans, Democrats, Libertarians, Green party or any of them other parties. I just want everyone to be informed. In order for us to make an informed decision, we need to be informed. We need to have the whole picture and I just feel like the picture is not being presented to the powers that be in order for them to understand what the American people are saying. I think that not just the minority vote but I think that our votes are being suppressed. I think what the people are saying -- the powers that be are saying is that our vote doesn't count.

What I'm afraid of is that people will -- this next election 2018 when we go back to the ballot box or 2020, that people will say what's the point, I'm not voting, the powers that be, they are just going to do what they do. My grandmother voted for the second time in her life. She's 93 years old and she was like yeah, I'll go, I'll register to vote but what's the point and that's what I'm afraid of. Afraid that our democracy is under attack. That our vote won't matter and that's why I'm here. Look at the whole picture. Look at the Russian ties.

Look at the fact that the President-elect has not released his tax returns in order for us, as American, to see what those ties are. So not only that but just look at the whole picture. I have the Dwarfin (phonetic) report. I have copies for the electoral college on the Dwarfin (phonetic) report and I want to be able to present that as well. I have enough copies for everyone. Thank you so much.

MR. SECRETARY: Thank you. Okay, Rosemary Kimbell.

MS. KIMBELL: Hello, my name is Rosemary Kimbell. I reside at 3015 Wildcat Bridge Road Bryson, Georgia 30662. I'm here again expressing my concerns to you. I know that you probably are able to speak with the electoral college better than us and I want to thank you for giving us the opportunity to come on. I believe that Donald Trump is not a leader. Since he has been campaigning, hate crimes in

this country have gone up by 35 percent. Many of my friends who have never been affected by hate crimes are being told to go back to their country or being dealt with rudely at stops and stoplights in downtown Atlanta. We're all experiencing things that we never had to experience in our lifetime and that is a result of this man's rhetoric and his condoning this type of language and behavior and it is unacceptable. It's not American and this isn't the leader that we need running our country or being a leader of the world. So, thank you for your time.

MR. SECRETARY: Thank you. Okay, Kelly Edwards.

MS. EDWARDS: Hello, my name is Kelly Edwards. I live at (indiscernible) Georgia. I'm here, like most of the people who have spoken up, to register my concern. I believe that what's happening with this election, particularly the very recent allegations or finding by the CIA, that it seems that there was a very distinct involvement on behalf of one of the candidates for president. Looking into times before us, it has happened before where the popular vote and the electoral college did not meet and come to a safe conclusion. It's never happened before with such a large margin even accounting for the population shift in growth. The electoral college's purpose is to protect Americans, not to necessarily side with any party and I just wanted to register my concern. I hope the electoral board of Georgia would be able to go forth with that purpose. Thank you.

MR. SECRETARY: Thank you. All right, Mr. Granger, you're our last speaker, if you were to take advantage of those two minutes. Just give us your name and address again. You can do it.

MR. GRANGER: Nicholas Granger, 44 Broad Street Atlanta, Georgia 30307. I don't really -- I want to say I don't like Trump nor do I like Hillary. I don't like either one at all. I was surprised that Trump won. I guess this is really about the electoral college but it's more about like, -- it's a good thing there are people here and that they are actually trying to change something and that is a good thing instead of just, like, protesting. Protesting is a good

thing but the way people have been doing it isn't very good. Thank you.

MR. SECRETARY: Thank you, sir. Appreciate you being here. Okay, thank you-all for being here.

We are going to move on to the rest of our agenda now, which is our investigative cases. For those of you that may be here for the first time, which I suspect many of you are, this board takes their work very seriously. The matters before us come from an array of activity in complaints that we get either from citizens from local election boards or from investigations that are started through the Secretary of State's office on things that we are seeing in doing our work in the field.

The first part of our investigative report are consent cases. The consent cases we will vote on in block for a recommendation of dismissal of these cases. These are things that our investigators have looked at, found that there is not enough evidence for violations, no violations were found and we are recommending that these be dismissed. So, if you want to stay and see how this board operates, we'd love to have you. If you do not and you would like to leave, you're welcome to do that. I would appreciate it if you would do that as quietly as you can. We will only vote in block on these cases unless somebody has an objection. So if there's a member of the public, anyone who was involved in this case, if there's anybody on the State Election Board, that wishes to pull one of these cases out, we'll hear the formal presentation from the Secretary of State's investigators; if not, I will ask for a motion for dismissal. So at this time is there anyone in the audience that would like to pull off any of the consent cases?

UNIDENTIFIED SPEAKER: City of Cleveland.

MR. SECRETARY: We're going to pull off SEB case 2016-002. The City of Cleveland. Anybody else?

(No response)

MR. SECRETARY: Anybody else on the board that wishes to pull off a case?

MR. WORLEY: Mr. Secretary, I'd like the pull off three of the cases at tabs five, six and eight. Those are 2014-028, DeKalb County case. 2014-045, Fulton County and 2014-067, Oconee County.

MR. SECRETARY: Mr. Worley asks to pull three cases out and we will do that. Anyone else?

(No response)

MR. SECRETARY: Just so you-all know, we have continued the first consent case, which is the Madison County registration case, which is 2012-042 for anybody that may have had an old agenda. Okay, we are going to pull off those four cases and what we'll do right now is I will take a motion to dismiss the following cases on our consent agenda which is 2014-027, 2014-062, 2014-095, 2014-102, 2015-056, 2016-021, 2016-037, 2016-049, 2016-053, 2016-055, 2016-074, 2016-098. Do we have a motion to dismiss those in block?

MR. WORLEY: So moved.

MS. SULLIVAN: Second.

MR. SECRETARY: Mr. Worley moves to dismiss. Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we have dismissed those cases. The first case we'll call today is the State Election Board case number 2014-028 which is a DeKalb County issue. All right, Mr. Lewis.

MR. LEWIS: Mr. Secretary, on July 3rd, 2014 Owen Walker (phonetic) filed a complaint with our office regarding

(indiscernible) request of a Republican ballot during the general primary election on May 20th, 2014. According to Mr. Walker the clerk began to (indiscernible) and challenged him on the type of ballot that he wanted to vote. Mr. Walker went and voted at the precinct. He failed to select which ballot style he was requesting. Poll worker Dorothy Strozier (phonetic) informed Mr. Walker that he had not selected the party ballot that he wanted to vote and in doing so Ms. Strozier asked if he was sure as he marked the choice for Republican ballot. Mr. Walker expressed that he felt that because he was a black man requesting a Republican ballot that the clerk asked him if he was sure when he made his election, was offensive to him. The poll manager was made aware of the situation and counseled Ms. Strozier about how that was not proper protocol or training. Maxine Daniels, the Elections Director for DeKalb County, was also contacted and she indicated to us that Dorothy Strozier was terminated from being a poll worker following this incident because she did not follow proper training protocol.

It is our recommendation that DeKalb County take appropriate action in addressing this issue. Furthermore, we recommend that no further action be taken and that the case be dismissed.

MR. SECRETARY: Anyone else here wishing to speak in regards to this matter? (No response)

MR. SECRETARY: Any questions from the board for Mr. Lewis?
(No response)

MR. SECRETARY: Hearing none, do we have a motion?

MS. SULLIVAN: I'll move that case be dismissed.

MR. SECRETARY: Ms. Sullivan moves for dismissal. Do we have a second?

MR. WORLEY: Second.

MR. SECRETARY: Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion has carried. Next we have 2014-045, which is a Fulton County case. It is number six in our binder.

MR. LEWIS: Yes, sir. University of Georgia police department reported that Pierre Mortamast (phonetic) had registered as a voter in Georgia as a part of a scheme to gain in-state tuition for his daughter. University of Georgia PD brought this case to our attention as part of their investigation and provided information to the Secretary of State's office regarding Mr. Mortamast's purchase of a condo in Georgia. He obtained a Georgia driver's license. He registered to vote, has accounted structured taxes in the state of Georgia as well as provided from his employer saying that he had been given a job in Georgia when he was currently en route to move there. This was all done in an attempt to get in-state tuition for his daughter in the state of Georgia. Mr. Mortamast was charged at the local level with theft by deception, phony or false statements in Athens-Clarke County. He pled guilty to one count of theft by deception and entered into a pretrial diversion on October 14th of 2015.

We recommend that no further action be taken by the board because this issue has been adjudicated at the local level in Athens Clarke County and that the case be dismissed.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak in regards to this matter?

(No response)

MR. SECRETARY: Do we have a motion?

MR. WORLEY: I would move we refer this to the Attorney General's office. Frankly, I think this is too serious an infraction to let the respondent get away with him merely pleading guilty to the charges he pled guilty to and not prosecuting him for the election code violation. I mean, essentially, this person engaged in behavior to cheat the voters of this state out of the thirty-seven thousand dollars in tuition payments and I think it's something that we need to follow up on and take seriously.

MR. SECRETARY: Mr. Worley moves that we bind over to the Attorney General's office. Let me ask a question before we get a "second". Mr. Lewis was your thinking not to bind over because of the double jeopardy issue?

MR. LEWIS: Yes, sir, that's been our position in the past. When we have cases adjudicated at the local level on issues similar to what comes before the board in an administrative process, then we would not pursue the case that has been prosecuted criminally.

MR. SECRETARY: Mr. Correia, do you have any enlightening information in regards to that?

MS. CORREIA: That has been the board's practice in the past not to refer a case that has been prosecuted criminally.

MS. SULLIVAN: I have a question, Mr. Secretary. What would be any consequences that might be available if we were to refer this to the Attorney General's office. It seems like there has been restitution in this case and he has been criminally prosecuted. I assume that any further consequence would be a civil fine.

MS. CORREIA: Exactly.

MR. SECRETARY: Mr. Lewis, have we had any discussions with the respondent about the meeting. I mean, I don't guess he is here.

MR. LEWIS: I hadn't had any communication with them. All parties were noticed in accordance with the rules.

MR. SECRETARY: All right, Mr. Worley has a motion. Do we have a second?

MS. SULLIVAN: I'll second this motion.

MR. SECRETARY: We have a motion and a second. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in the favor of referring to the Attorney General's office signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we have referred that case. Next up we have 2014-067, which is number eight in our binder.

MR. LEWIS: Mr. Secretary, this was the reported case of Mr. Tim Echols (phonetic) had been seen with an absentee ballot with one of his sons. Mr. Echols did, in fact, take the absentee ballot for the son to deliver it. Mr. Echols returned with the absentee ballot for his son who then delivered it himself once he was notified that he was not allowed to possess someone else's ballot. On June 15th of this year, the Attorney General's office issued an opinion that simple possession of another voter's absentee ballot does not constitute a violation of 21-2-574 as we had Mr. Echols cited in this case.

In light of that opinion, we recommend that this case be dismissed with no further action by the board.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none, do we have a motion?

MS. SULLIVAN: I'll move that the case be dismissed.

MR. SECRETARY: We have a motion to dismiss. Do we have a second?

MR. WORLEY: Second.

MR. SECRETARY: Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Our last consent case is 2016-002. The City of Cleveland, which is number twelve in our binder.

MR. LEWIS: Yes, sir. Russ Mone (phonetic) reported that he believed the voter registration list for the city of Cleveland, that he was provided with by White County Board of Registration, contained erroneous information and specifically incorrect addresses on deceased individuals. Mr. Mone also reported that White County Register's office did close early on October the 25th, 2015. Some of the letters that Mr. Mone sent to us that were returned to him were addresses that did not have mail receptacles eliminating the physical address and they were undeliverable by the post office. Our investigator (indiscernible) seven of those locations and found that all of the addresses matched the physical addresses listed on the Georgia voter registration system list that he was provided. There was no evidence that we could find to locate any deceased individuals on the list. In regards to his allegation about White County Register's office closing early, Ms. Lisa Manning (phonetic) did go home early one day sick but there were two other individuals in the office that were trained

on how to handle voter registration applications should the need arise.

We felt that there was insufficient evidence to pursue any violation to the elections code in this case and we recommend that it be dismissed.

MR. SECRETARY: Any questions for Mr. Lewis from the board?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MR. MONE: I would, please.

MR. SECRETARY: Come right here. We will give you this mic and again if you'll just give us your name and address for the record.

MR. MONE: My name is Russ Mone (phonetic) and I live at 177 Old Clarksville Road in Cleveland, Georgia 30528. I appreciate the board allowing me to come and speak. My concern is that our voter registration list for White County and specifically Cleveland is grossly incorrect and we discovered that -- or I discovered that as a result of my election campaign running for mayor in 2015.

I purchased a voter registration list for the city of Cleveland from the Secretary of State's office. Paid sixty dollars for a list and I've got the record of where I purchased that, thinking that list would be accurate and correct. I could be dramatic and dump all these that were returned to me out on the table here or you can just look in the box and see that over 25 percent of the mailings that I sent out based on the addresses and the voter registration list are incorrect. There are also people on the voter registration list that do not live in Cleveland or White County. The probably most famous one is Xavier Roberts (phonetic). Xavier Roberts is still on the voter registration list at the original Babyland (phonetic) address location on Underwood (phonetic) Street and he hasn't lived in White County for over thirty years. So it

seems strange to me that our voter registrar up there should not be held accountable for having an accurate list.

In good faith, again, I sent out seven hundred pieces of mail as a political situation and got over 25 percent of them returned to me. Now, the election board is not responsible for the actions of the post office and the post office tells me that they will not send anything unless it is to the official address that the postal patron has registered with the post office. Well, my question is, on the voter registration list which I also have a copy here, there's two address boxes and one says street name and the other one says mailing address. Does the statute not provide for the voter registration office to obtain both of those addresses? If it doesn't then I might as well go sit down but I couldn't get anybody to tell me when I called and asked. I got the letter from Mr. Lewis saying that it was going to be a recommendation to be closed after a year because this was, of course -- I did this in November of 2015 with no violations.

Our voter registrar in White County needs somebody to provide some training or background or oversight to her. I couldn't even get anybody to tell me who she reports to. I asked about Garrison Baker (phonetic) who is the Probate Judge in White County and I was told no not really, she doesn't really report to him. So, if she's charged with maintaining a list for the state of Georgia to be accurate and correct she is not doing her job. Now, I'm not out for Ms. Manning's (phonetic) job or anything because -- and this isn't an issue of voter fraud and or irregularities at the polling place except if the poll workers are supposed to ask for correct mailing addresses and physical addresses, they're not doing that in White County because it didn't happen in this last election in 2016.

I've got things that were returned to the mayor of Cleveland -- this was just within the city of Cleveland and three thousand people roughly and the mayor's mail was returned. So that means that his mailing address is not either on the list or incorrect and people that have lived in Cleveland over sixty years that did not get this information that I mailed out. So again, that's not the fault or anything to do with the election board unless the voter registration list is supposed to be accurate and correct. What does the statute say about allowing someone

that doesn't live within the city limits for over thirty years to still be on the voter registration list?

So I challenge this statement from Mr. Lewis that there are no violations. To me that seems like a violation and it also puts doubt and mistrust if we can really trust our registration system and our voter system. My wife has been telling me forever that the voting machines are not correct and I stood up and said yes they are, you're being ridiculous but, you know, with stuff like this who knows. You can't count on something being correct. So at a minimum, this board should at least send out some kind of reprimand to Ms. Manning for the inaccuracy of the list and I frankly would like my sixty dollars back because this list was worthless. Thank you.

(Laughter from the gallery)

MR. SECRETARY: All right, does the board have any questions for Mr. Mone?

(No response)

MR. SECRETARY: All right. Thank you, sir. Mr. Lewis?

MR. LEWIS: Yes, sir.

MR. SECRETARY: Can you go back over some of the allegations here and what your investigator found?.

MR. LEWIS: In regards to the addresses that Mr. Mone provided sample letters to, the investigator (indiscernible) to prove his point about the address. The investigator went to those addresses and verified that the addresses and the location that Mr. Mone provided to him were correct and accurate according to what the list says. Now, I don't know how many -- I think it was around twelve letters that Mr. Mone provided to the investigator as a sample of what his issues were. So we did check the addresses. There were no mail receptacles (indiscernible) but the addresses were valid. I think it's incumbent on the elector to select whether they want a post office box or a physical address on

the list. I don't think there's any mandate in the code section that requires that they submit that.

MR. SECRETARY: Any other questions for Mr. Lewis?

MR. MONE: May I ask a question?

MR. SECRETARY: Hold on just a minute. Any other questions for Mr. Lewis?

(No response)

MR. SECRETARY: So I have a question for any of our attorneys that are with us today, Mr. Correia or Mr. Germany or Mr. Harvey, for that matter. I'm assuming, at the local level, do we know of any -- and Mr. Lewis, you might can answer this as well. Do you know if these allegations of the voter list not being correct can be challenged by the local election board process?

MR. LEWIS: I think we asked that question. I don't believe Mr. Mone challenged any of the electors with White County. Which he certainly has the right to do so but I don't think that process took place.

MR. SECRETARY: All right. Any other questions from the board?

(No response)

MR. SECRETARY: Was there anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Mr. Mone, I'll give you one more crack at the apple here, if you want to ask a question.

MR. MONE: I just want some clarification because it was my understanding that a voter needs to put at least the address that they live in so that it could be determined if they were voting in the correct precinct or not. So people all over

the county have a PO box. So a way for the registrar to communicate with a voter would be with a PO Box, if they have one and with a street address if they don't have a PO box? But you need the street address to determine if they're voting in the right precinct.

MR. SECRETARY: Correct.

MR. MONE: Well, that's not what was just said. I think Mr. Lewis said it didn't matter whether it was a PO box or--

MR. SECRETARY: No. The statute says you have to put your physical address on your voter registration card.

MR. MONE: Does it say you have to put your mailing address?

MR. SECRETARY: I believe he said that wasn't in the statute.

MR. MONE: Okay.

MR. SECRETARY: Okay, anyone else?

(No response)

MR. SECRETARY: Any other questions for Mr. Lewis? If not, do we have a motion?

MS. SULLIVAN: Absent any evidence the county is required to supply a list of PO box numbers, I would move that we dismiss this case.

MR. SECRETARY: We have a motion to dismiss. Do we have a second?

MR. WORLEY: I second that.

MR. SECRETARY: Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that case is dismissed. Okay, now, we are going to move on to our other investigative reports. These are new cases that are to be taken up. What I'm going to do to try to save us a little time, for those that are here, I'm going to go through this list and if you're here for these cases, if you would just raise your hand or say "here." If there is someone that's not here who hasn't bothered to show up, we are going to put them at the bottom of the list and hopefully get you-all that are here out of here just a little bit quicker. So I'm going to go through this list. 2012-100, Baker County.

(Signified)

MR. SECRETARY: 2013-015, Gwinnett County, Roberts registration case?

(No response)

MR. SECRETARY: 2013-018, Lowndes County, double voter case?

(Signified)

MR. SECRETARY: 2013-026, Bibb County?

(Signified)

MR. SECRETARY: 2013-039, City of Marietta?

(Signified)

MR. SECRETARY: 2013-051, City of Sandy Springs?

(Signified)

MR. SECRETARY: 2013-059, City of Waco, Haralson County?

(Signified)

MR. SECRETARY: 2013-063, Macon-Bibb County, election day case?

(Signified)

MR. SECRETARY: 2013-064, City of Atlanta, election Palmer case?

(No response)

MR. SECRETARY: 2014-008, Greene County, White Plains precinct?

(Signified)

MR. SECRETARY: 2014-015, Candler County, Board of Education?

(Signified)

MR. SECRETARY: 2014-022, Fulton County, primary election case?

(Signified)

MR. SECRETARY: 2014-033, Pike County, voter registration case?

(No response)

MR. SECRETARY: 2014-036, Troup County, absentee ballot?

(Signified)

MR. SECRETARY: 2014-093, DeKalb County?

(Signified)

MR. SECRETARY: 2015-038, Fulton County, illegal campaigning?

(Signified)

MR. SECRETARY: 2015-088, City of West Point, Troup County.

(Signified)

MR. SECRETARY: 2016-001, Tybee Island, qualification issue?

(Signified)

MR. SECRETARY: All right, we've got it set. We'll call these in the order we have them on our agenda except for those that aren't here. We'll come back and get those at the end. The first will be the 2012-100, Baker County case, which is number twenty in our tab.

MR. LEWIS: Yes, sir, Mr. Secretary. This case was presented to the State Election Board in October of 2014 and at that time the board voted to refer a portion of the case related to the alleged (indiscernible) docket by Janetta Jackson (phonetic) to the Baker County DA's office for possible prosecution. The board also voted to return the case file to investigations in order to obtain a copy of the transcript from the October 3rd, 2012 Baker County Superior Court hearing regarding the election challenge. The board asked that we review the transcript in an attempt to make contact with individuals who provided sworn testimony related to electors accepting payments for voters. All the other listed violations in the original report were bound over to the Attorney General's office at that time.

From the board, the instruction and referral was made to the Baker County District Attorney's office regarding Janetta Jackson in regards to this case. The District Attorney's office communicated back to us stating that they declined to proceed with any prosecution at this time pending any further change in the evidence. From the board's request, a transcript was obtained through Baker County Superior Court regarding a hearing held in October and as a result of the review of those transcripts, there were nine hundred individuals that could be identified that could be interviewed in regards to a sworn testimony about purchasing or receiving something for votes.

As a result of those interviews and sworn testimony which was provided in the transcripts, we recommend that Janetta Jackson, Valerie Dawson (phonetic) and Eddie Dawson

(phonetic) be bound over to the Attorney General's office for the list of violations of 21-2-570 for giving and receiving or offering money or gifts for voting for a particular candidate. Ms. Jackson (phonetic) offered Valerie Dawson and Eddie Dawson two half pints of gin and twenty dollars in order to campaign for Dan Meed (phonetic) in that particular election. We recommend that it be bound over.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: No one else?

(No response)

MR. SECRETARY: All right, do we have a motion?

MR. WORLEY: I would make a motion to bind this case over to the Attorney General's office.

MR. SECRETARY: Mr. Worley moves we bind over. I would second. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we have bound that case over to the Attorney General's office. Our next case will be 2013-018, which is the Lowndes County case, which is number twenty-two in our binder.

MR. LEWIS: Yes, sir. In March of 2017, Debb Cox (phonetic) the election supervisor for Lowndes County reported that Eric Richardson (phonetic) had attempted to vote twice in the November 6th, 2012 general election. Eric Richardson (phonetic) went and voted on October the 31st of 2012 during the early voting period in the Lowndes County election's office. The following week on November the 6th 2012, Mr. Richardson went to the Old Pine Grove Elementary School precinct in an attempt to vote a second time. Poll workers noticed that Mr. Richardson was listed as having voted in the election cycle already, so they contacted the Lowndes County elections office who instructed them to provide a provisional ballot. Mr. Richardson then cast the provisional ballot which was later denied due to a previously cast ballot in that election cycle. When we contacted Mr. Richardson, he advised that he had forgotten that he had voted a week before and was apologetic with his attempt to vote a second time.

During the investigation it was determined that Mr. Richardson had submitted a change of address on March the 6th, 2012 but that change of address was not updated in the voter registration system to the new address. I think that led and contributed to the fact of his next attempted vote and the confusion of Lowndes County. According to Lowndes County the address was not updated and entered into the system -- it was, but it was not saved appropriately, which resulted in that October 31st, 2012 cast ballot. On (indiscernible) previous address showed that two different addresses, the old address and the new address. The voter certificate completed by Mr. Richardson on November the 6th, 2012 also listed his date of birth, which is at issue for us with the County.

We recommend that Barry Richardson, elector, be bound over to the Attorney General's office for the listed violations, 21-2-572 for repeat voting in the same primary or election and that Lowndes County, Deb Cox, Susan Henley (phonetic) and Sharon Holland (phonetic) be issued letter of instruction for violation of 21-2-218, the change in address and corrections, and for 21-2-589, for the additional voter certificate for the date of birth.

MR. SECRETARY: All right, any questions for Mr. Lewis from the board?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter? Yes, sir. You can come on up. If you would just give us your name and address for the record. Welcome.

MR. RICHARDSON: My name is Eric Richardson. I reside at 371 Cross Street Circle, Valdosta, Georgia. Sir, like I said I was in the process of moving during that time. So I just had a lot going on and it was truly an honest mistake and I -- mercy from the board if you-all would just give me the mercy on that I really -- it was a true and honest mistake and moving forward I would know to double-check that to make sure I do not make that mistake moving forward but I was in the process of moving to a different address. I had a lot going on during that time so -- my mercy at y'all to say I'm truly sorry and I hope that you would understand, sir.

MR. SECRETARY: Thank you for being here today. Any questions from the board for Mr. Richardson?

(No response)

MR. SECRETARY: Okay, thank you. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none, do we have a motion? We have a recommendation to bind over and do letters to the County officials.

MR. WORLEY: I would make a motion that we send a letter of instruction to the County and that we bind over this case to the Attorney General's office.

MR. SECRETARY: We have a motion by Mr. Worley. Do we have a second?

(No response)

MR. SECRETARY: I'll second. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Thank you, Mr. Richardson, for taking the time to be here today. Next we have 2013-026, Bibb County case, which is number twenty-three in our binder.

MR. LEWIS: In April 29th of 2013 the case opened regarding five complaint allegations for the Bibb County special nonpartisan election that was held on September the 13th of 2013. Complaints (indiscernible) issues are almost eight hundred voters in the wrong district. Somebody (indiscernible) voted improper ballot during the election. That on September the 13th CJ Ellis (phonetic), who was a candidate for mayor of Macon-Bibb at that time, drove by the line of voters waiting in the Bibb County election lines, stopped, gave a cooler to one of his female supporters who began handing out water to the voters. That a poll watcher working with the Elain Lewis (phonetic) campaign (indiscernible) voters who were entering the polling site and after being asked several times to leave, finally law enforcement was called but they left before law enforcement arrived. Finally, Elijah Lightfoot (phonetic) had a Facebook posting where he was offering money for gifts for electors to vote his welfare during the election.

Our investigation revealed that there were eleven streets and there were seven hundred eighty-eight voters who were improperly districted during the redistricting process and we, of course, talked to all of the Bibb County election's personnel and they provided information and there were a lot of numbers that were being thrown out at the time this issue came up with redistricting. But as the election went on and toward the end of the election, the election supervisor, Emma Watson (phonetic), advised that she had reviewed the list and she believed that the number of people that voted out of district with the incorrect ballot were twenty-nine electors for that election. It was determined that mayor candidate CJ Ellis had previously voted but

returned to the early advanced voting location and drove his vehicle within the hundred and fifty feet of the no campaign area (indiscernible) voter to pass out the water that he gave to his supporters. We found that was substantiated as well.

According to the statements provided by Bibb County election personnel, poll watcher Kaseem Powell (phonetic) did participate in actions prohibited by the election code by interfering in the election process by persistently conversing with electors as they walked in to vote, which he was asked to stop many times. And finally, Elijah Lightfoot (phonetic) admitted to posting on his Facebook page saying big party, entertainment, Saturday night, October the 5th at 2449 Pinewood (phonetic) Avenue in the Bibb County Board of Elections office, free food, drinks, some entertainment, benefits for a better community. All you have to do is vote.

So we recommend the following individuals and entities be bound over to the Attorney General's office, Bibb County Board of Elections Janetta Watson (phonetic). Veronica Seals (phonetic) for 226b of the twenty-nine electors not being properly districted. Clarence Jack Ellis (phonetic) for violation of 21-2-414(d), campaigning within a hundred and fifty feet. Cassandra Powell (phonetic) poll watcher for violation of 21-2-408(b). And Elijah Lightfoot (phonetic) for violation of 21-2-570.

MR. SECRETARY: Any questions from the board for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

MR. ELLIS: Good morning, Mr. Chairman. My name is Clarence Jack Ellis. I'm the former mayor of Macon, Georgia. Spent two terms as mayor and in 2013, after we had voted to consolidate our government, I went to the board of elections requesting -- because we only have one voting location -- requested from the officials their -- because it was one of the hottest days in our community on that day -- requesting that they -- if they could provide water for several senior citizens who was in a very, very long hot line and of course

they said they had no provision to provide water. And I did, in fact, as I did in Vietnam, as a retired combat soldier, I recalled even giving a drink of water to a Viet Cong who we had captured because he needed a drink of water, and he was trying to kill me. There was no one in that line that was trying to hurt me nor did I ask anyone to vote for me nor did I have any paraphernalia or slides on my car or on my person. I merely -- a lady who had asked me to bring the water -- to get water. It was donated by a convenience store. Not to my campaign but to the voters and I did, in fact, not get near the voters but in the driveway on parallel to them, stopped and gave the water and kept going.

So I had every right to be in the polling place after I voted in order to go in to make a request of officials because water was in dire need and people were in dire need of water. This wasn't the first time that this had happened, that I had taken upon myself to provide water and I hope it won't be the last. I remember when I was in office we had a driver's license bureau located in Central City Park and it was real hot, one of the hottest days of the summer, and we had people standing in the line outside. I don't know where they were from. From my city and probably the surrounding cities and I instructed -- my public works director and I went down and supervised to make sure that everyone there had some water because it was entirely too hot not to have a drink of water.

So by no means did I campaign. Did people recognize me? I am the first and only African-American mayor of this city. I'm sure they did recognize me as having been the mayor but I did not expect -- I didn't care who got the water, whether they were voting for me or against me. I think it was a very humanitarian thing to do and I have been impressing upon the board of elections for quite some time to have more than one polling place. The city of a hundred and sixty thousand people and we only have one polling place and I kept pushing that issue even after 2013 and I like to thank the chairperson of our election board, who is here today with a case, who this past year or year before last, I guess it was, did see fit to open another polling place. So hopefully we won't have people standing in long lines in the hot sun for long periods of time without having shelter and/or water. Thank you, Mr. Chairman.

MR. SECRETARY: Any questions for Mayor Ellis?

(No response)

MR. SECRETARY: I have one question for you. So you did vote, left and then returned to the polling location; correct?

MR. ELLIS: Someone called me and asked if I -- and I said I would go in and speak to the official about either providing -- you couldn't provide shade and the line was so long and it was so hot. I said the least you could do is provide some water for the people outside and of course they said they didn't have it in their budget to provide water and I took it upon myself. They didn't say I couldn't do it and I took it upon myself to provide water for a host of people. Not anyone who was voting for me or not voting for me but whoever wanted and needed a drink of water, they could have one.

MR. SECRETARY: Okay, thank you. Mr. Worley?

MR. WORLEY: Just to be clear, Mayor Ellis, when you asked the election officials if they could provide water and they said no, did they suggest at all that you provide water for the voters?

MR. ELLIS: They didn't but they didn't say I couldn't.

MR. SECRETARY: Thank you. Anyone else wishing to speak on this matter?

MR. NOLAND: Mr. Chairperson, this relates to --

MR. SECRETARY: Give us your name and address for the record.

MR. NOLAND: My name is Willie Noland (phonetic). I'm an attorney in Macon. I live at 559 Edgefield Way, Macon, Georgia 31210. I represent the Macon-Bibb County Board of Elections and Ms. Janetta Watson (phonetic) who is the elections supervisor in regards to this matter and the matter 2013-063 and they're both related. The two 2013

elections for the newly created Macon-Bibb County government -- and I want to first say that we are not here to contest the conclusions or the findings of the investigator. That is not our purpose. I think they are accurate. I just want to ask the board to consider the level of cooperation that is detailed in the report from Ms. Watson and from the board and the mitigating factors. When I say these are the elections as Mayor Ellis pointed out -- and it's always hard to follow Mayor Ellis because I am not as eloquent as he is -- but these were the nine newly created commission districts for a brand-new government and some of the lines were difficult to ascertain. One line in particular was drawn through the middle of an apartment complex and so a number of voters had the same street address but were in different districts. So there were a number of problems and I will just list two others.

Elaine Carr (phonetic), who had been the elections supervisor for twenty-six years, retired effective January 1, 2013 as all of this was coming. Now, she stayed around to help to some extent. We were also changing computer systems at that time I believe as was the Secretary of State's office and at the risk of sounding horribly cliché this was sort of a perfect storm of circumstances and an overwhelming transition that led to these issues, most of which relate to voters being placed in improper districts. We did not come here to excuse the county but we do believe that because we now have a new election cycle, we have put things in place to prevent this from happening again and we would just ask the board to take all these things into consideration but, again, we do not contest the findings or the conclusions of the investigator. Thank you.

MR. SECRETARY: Thank you, Mr. Nolan. I will state for the record that what you say is correct of Ms. Watson. Macon-Bibb County were in touch with our office as we were as well and I know that's a busy time for both of our offices. So we appreciate the level of communication and appreciate you being willing to show up here today and speak to us and answer any questions. Do we have any questions from the board for Mr. Nolan?

(No response)

MR. SECRETARY: Is anyone else wishing to speak?

MS. POWELL: Hi my name is Cassandra Powell. I live at 3926 Vista Circle (phonetic), Macon, Georgia 31217. I was a poll watcher that volunteered for Commissioner-elect Elaine Lewis (phonetic). Her previous opponent had dropped out of the race because of drug charges and convictions and whatever. So he went on to campaign and share a campaign for her opponent who preceded coming after him. Okay, this gentleman came into this polling place wearing his opponent's T-shirt, saw me sitting there working my crossword puzzle, told one of the people that were working in the polls that I was in there campaigning for Elaine Lewis, which was an outright lie. Okay, so, as a result he made all of these unfounded charges against me that I was in there campaigning for her, which I obviously was not. I know the rules. I'm very, very familiar with all of the codes. I was not in there talking to people. The only person that I spoke to were people that came in there to vote that knew me and I just spoke and pointed them to the table so we wouldn't have any conversation. After they voted they came to me and we went out into the hallway and entertained a conversation. I know the rules. I was not in there trying to campaign for Elaine Lewis. If I wanted to do that, I would've been outside with a sign. So all of these charges against me were just totally unfounded. I was never ever told to leave there. Never. I was not out there pulling up any signs because I had a broken arm. My arm was in a cast, okay. So it was impossible. I couldn't even pull up my pants, let alone a sign. So all of these charges are totally false and was brought on by a convicted felon and drug user.

MR. SECRETARY: All right. Any questions for Ms. Powell?

(No response)

MR. SECRETARY: I have a question for you. So, you're telling the board that this didn't happen, yet in our report we have multiple people that were in the polling location that are saying that this did.

MS. POWELL: Well, like I said, when I talked to Sheriff

Dennis (phonetic), he said that he got a call about me. He said when he found out it was me and it was that guy that was bringing the charges against me, he said I hung up my phone. He said because it was a plant. Now, yes, it was a lie. The person that you are talking about came in there with his candidate's T-shirt on.

MR. SECRETARY: Who was that individual?

MS. POWELL: That was Danny Glover (phonetic). I mean, you ain't got him down here for nothing. He was clearly in there with this T-shirt on. Now, that's a direct violation. Like I said, I know the rules.

MR. SECRETARY: Did anyone ask you to stop or to leave?

MS. POWELL: Nobody ever told me to leave. The poll manager came over and told me that I had to stop talking. One of my neighbors, she is eighty-something years old, after she voted she came over to me and asked me how long was I going to be there at the polls. I said I'll be here until one o'clock. That was it.

MR. SECRETARY: Any other questions for Ms. Powell?

MR. WORLEY: Ms. Powell, the report that we have in this case is that the sheriff's department was called because they had asked you to leave. Is that not the case?

MS. POWELL: I didn't see anybody from the sheriff's department. I talked to Sheriff Davis (phonetic) who is still our sheriff and I asked him about this. He said when this gentleman called him, the one with the checkered past, habitual drug offender, called him and told him that it was me, he said, I hung up my phone because I knew it was a lie. Because he knows me and anybody who knows me know that I know the rules and I'm always going to govern myself accordingly.

MR. WORLEY: Thank you.

MR. SECRETARY: Thank you. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none. Have any other discussion from the board or a motion?

(No response)

MR. SECRETARY: I would make the motion that we would bind everyone in this case over. I think there is probable cause to do that with multiple different stories and I think it would be best to send it to the Attorney General's office to let them have further discussions with all of the respondents, complainants and people that were involved in cases. I would note for the record, as far as Macon-Bibb County is concerned, I think we've noted and I will continue to note again as this goes to the AG's office that they have been cooperating with us and I'm sure that we can deal with this matter in a way that will be acceptable to all parties involved and I appreciate you-all being here today. So I would make that motion to bind the list of respondents over that we discussed.

MS. SULLIVAN: Second.

MR. SECRETARY: We have a second by Ms. Sullivan. Any discussion from the board?

MR. WORLEY: I just think it's important to point out the role of our board at this stage in the process, which is to only determine if there is probable cause to refer the matter for further action and we do that by referring it to the Attorney General's office. But essentially our practice has been, on this board, that if one party makes an accusation and another person says it's not true, that we are not a factfinder at this point in the investigation. So our practice is to refer those cases on to the Attorney General. The Attorney General's office does an investigation. They may hold a hearing. At that point the case will come back to us for some final determination but

at this point in time we have to accept the allegations that are made and send them on to the Attorney General. So I'll be voting for that motion.

MR. SECRETARY: Thank you, Mr. Worley. Any other comments from the board?

(No response)

MR. SECRETARY: We have a motion and a second to refer to Attorney General's office. All those in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Next we have 2013-039. It is the City of Marietta Cobb County case, which is number twenty-four in our binder.

MR. LEWIS: Yes, sir. We received a complaint from the Marietta Police Department that Eva Robinson (phonetic) described Janita Carmichael (phonetic) as having illegally marked and taken possession of her absentee ballot. Janita Carmichael is the mother of City of Marietta counsel candidate Andrew Coleman (phonetic) and she was present (inaudible) application and ballot were completed for Eva Robinson. When Ms. Carmichael was first asked, she denied assisting Ms. Robinson but later stated that she may have helped Ms. Robinson with her absentee ballot application and elector information. She could not remember exactly. Complainant Eva Robinson identified Janita Carmichael as having assisted with the application, the marking of the ballot, providing stamps for her and mailing her absentee ballot.

On October the 29th, 2013, Ms. Robinson was visited by, I think, another candidate, Douglas Martin (phonetic), for the city council in Marietta and Ms. Carmichael she relayed -- Ms. Robinson relayed Ms. Carmichael visited him and that is how the Marietta Police Department was notified and called and issued the investigation report related to that incident. Ms. Robinson was disturbed enough about her ballot that on October the 30th, 2013, she went to the Cobb County elections office to cancel the absentee ballot that

was sent in and cited mishandling by a third party and then voted in person at the Cobb County elections office.

We recommended that Janita Carmichael be bound over to the Attorney General's office for 21-2-385, for failing to sign the absentee ballot as was assisting an elector voting and for violation 21-2-409(a), assisting an elector who was the mother of a candidate on the ballot.

MR. SECRETARY: Any questions from the Board for Mr. Lewis?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak?

MR. BARNES: Yes, Mr. Chairman. Can you hear alright?

MR. SECRETARY: Yes. We just want to make sure our court reporter gets everything down. Not that we don't know this but give us your name and address. (Laughter from the gallery)

MR. BARNES: I represent Janita Carmichael and I appreciate all these fine folks coming here today and speaking but if y'all are going to reopen elections, I got two or three I would like (inaudible). (Laughter from the gallery)

MR. SECRETARY: Governor, let me just say before we get started, it is good to have you back in the Capitol. I want to congratulate you and your daughter, Allison Barnes Salter, on getting sworn in yesterday as a new State court judge. So, I'm sure you are proud and excited about that.

MR. BARNES: (Inaudible) in the office. First, I understand the procedure but I do want to state for the record at this time what our view of the facts is. First, Eva Robinson is ninety-four years old, suffers from Alzheimer's, and in talking with her son, who was present that day when all of this occurred, he said -- and the facts are, Janita did not go over to Eva Robinson except at the request of Eva Robinson who said I need to figure out how to fill out the elector thing. Not the ballot. Janita did help her fill

out the elector. Did not give her any stamps, did not take possession of the ballot and in fact when Anthony Coleman (phonetic), who is her son, who is running -- this fellow (inaudible) he owns a business up -- he went to her and he said we need to report this.

Now, the only thing I will tell you in regards to this is several things. One is -- and I want to raise it on the first opportunity, 409 as it is written applies only to at bow (phonetic) that is when you assist someone at the polls not with an absentee ballot and so I do not see how -- or that is the only fair reading that you can give it because it says here she has a disability and then you shall identify yourself and then you may go inside the polls to enter the voting equipment and compartment. So I don't believe that 409 applies and I want to raise that at the first opportunity.

Secondly, as to 385, number one is, (b) says that a physically disabled or illiterate elector may receive assistance in preparing his or her ballot from one of the following: Any elector who is qualified to vote in the same county or municipality as the disabled or illiterate elector, semicolon. Now, that's in the disjunctive. It doesn't say that an attendant care provider or person providing attendant care or (indiscernible). These are all disjunctive in the assistance. So if there is no -- if this was not done at the polls (indiscernible) and if she only helped with the elector, then I suggest to you that whether her son is running or not is immaterial.

(Indiscernible) Janita are in the same Bible study and she called her over and says I can't fill out the elector part. I don't believe -- and that's always been alleged, is my understanding. Of course it depends on where you catch Eva on a lucid day or not as of course she said. So, what I would suggest is -- I (indiscernible) the ballot was never cast. I want to know how she got there. Eva ain't drove a car in about sixty or seventy years. How did she ever get there to cancel her ballot to vote and to vote in person? But in any regard I suggest to you that there is no probable cause without further investigation. Thank you.

MR. SECRETARY: Any question for Governor Barnes from the Board?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none. Mr. Lewis, so is the issue here with not signing as assisting?

MR. LEWIS: Yes, sir.

MR. SECRETARY: All right. No one else wishing to speak. Do we have a motion? Any discussion? Mr. Worley.

MR. WORLEY: I just need to be clear that I have to recuse myself on this case.

MR. SECRETARY: That's going to create a quorum. Let's see, Ms. Correia, will that create a quorum? We have to have a quorum to vote or just a quorum to be at the meeting?

MS. CORREIA: I believe you need a quorum to vote.

MR. SECRETARY: We're going to have to, unfortunately, continue this case because we don't have a quorum of voting members. I apologize.

MR. BARNES: Well, now, where is Tex? How many members are there?

MR. SECRETARY: Well, there are five. We have two missing today, which normally -- is a first time in almost seven years since I've been on the State Election Board that we hadn't had a least four members present, so.

MR. BARNES: Okay and I assume that Russell --

MR. SECRETARY: Yes, sir. We will and I apologize. I wasn't aware that Mr. Worley would need to do that and nothing against him on his part but it was something that I didn't think of but thank you-all for being here today and we will get back in touch with you.

MR. BARNES: Thank you.

MR. SECRETARY: Alright, State Election Board case 2013-051 City of Sandy Springs, which is number twenty-five in our binder. I tell you what, before we get going on that. Mr. Lewis, let me just ask the board are there any other cases that we may have a recusal on?

(No response)

MR. SECRETARY: Okay, good. Didn't want to have someone waiting around and then have this happen again. Alright, Mr. Lewis, we are on 2013-051, City of Sandy Springs, Fulton County.

MR. LEWIS: On November 20th of 2013, there were several allegations regarding the City of Sandy Springs municipal election nonpartisan election held on November the 5th, 2013. A couple of those were substantiated and dealt with voters, incorrect precinct and voters not listed in the express poll. There were eight hundred and forty-four voters listed that were assigned through SS08D (phonetic) combo seven twenty-six. That information was not provided to the election center at Kennesaw State University for the information to be uploaded into express poll or the gym (phonetic) server to be available on election day. As a result of that admission, there were thirty-six voters who had been given provisional ballots in order to cast. That was prior to them being able to fix or create a fix where the voter registration cards could be manually encoded with an alternate combo code to address the issue with the original people being left out. Electors Mr. and Mrs. Fisher (phonetic) were not listed in the correct precinct when they went to the polls to vote. They were provided provisional ballots and were reassigned to their correct precinct after the election.

Also a precinct issue were some voters being listed in the incorrect precinct involved SS13A and SS13B. It was found that they were voting erroneously assigned to SS13A and should have been in B. Out of the erroneously assigned voters there were seventeen voters that were affected when they went in to cast their ballots.

We recommend that Fulton County Board of Elections and

Registration (indiscernible) be bound over to the Attorney General's office for the list of violations primarily 2-26(b) in regards to proper (indiscernible).

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to address us on this matter?

MR. BOWEN: David Bowen from Fulton County Attorney's office. 141 Pryor Street. I have Mr. Ralph Jones who is chief of registration and Mr. Dwight Bauer who is chief of elections to provide some factual background on issues 51(b) and 51(f), which are all redistricting issues that Mr. Lewis referenced.

MR. JONES: My name is Ralph Jones, 2795 Ashley Downs Lane, College Park, Georgia. During this period in time there were (indiscernible) Street that were not redistricted correctly and what we did is that we identified those streets and sent them out to the correct poll place in order for that person to get their correct ballot in order for them to vote their correct ballot at the time. Even though they did not make it to KSU with the ballot, the ballots that they were presented was the correct ballot that they vote. They had to vote on a paper ballot.

MR. SECRETARY: Any questions for Mr. Jones?

(No response)

MR. SECRETARY: Anyone else?

MR. BAUER: Dwight Bauer, 130 Peachtree Street, Atlanta, Georgia. I just want to mention that there were -- the seventeen voters that were mentioned did, in fact, get to vote. Once we recognized that, I think, a lot of this (indiscernible) around the City of Sandy Springs on account of late redistricting. It was kind of a last minute redistricting, so we did, in fact, have some voters that were not in the correct side of the precinct.

MR. SECRETARY: Any questions for Mr. Bauer? Do you know when they went through that redistricting?

MR. BOWER: It was probably about three to four months before the date of the election in the November election.

MR. SECRETARY: Any other questions for counsel or for Mr. Jones or Mr. Bauer?

MR. BOWEN: I would just like to say, sir, that in light of the districting issue that was because of the City of Sandy Springs and the fact that everyone did, in fact, get to vote their correct ballot, we would ask that this be dismissed.

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Mr. Lewis, the complaints that we got for this, where did they come from?

MR. LEWIS: From electors in the community.

MR. SECRETARY: Okay. All right, anything else from the board?

(No response)

MR. SECRETARY: Do we have a motion?

(No response)

MR. SECRETARY: I would move that we bind over to the Attorney General's office to let them sort this out and speak to some of the electors that made the complaints. Do we have a second?

MS. SULLIVAN: I'll second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. We are at the end of the first page of our agenda, so I think we will go ahead and take our lunch break. We will come back here at one o'clock to reconvene.

(Session suspended at 12:00 p.m.)

(Session reconvened at 1:00 p.m.)

MR. SECRETARY: Welcome back, everyone. Mr.
Lewis.

MR. LEWIS: Yes, sir?

MR. SECRETARY: If you don't object, I'm gonna call the State Election Board case 2015-088, City get West Point. The Troup County case.

MR. LEWIS: All right, sir.

MR. SECRETARY: Is that you or Ms. Watson?

MR. LEWIS: Ms. Watson.

MR. SECRETARY: We have someone involved with that case that has an appointment this afternoon, medical, that we need to get them on the road. So, that will be number thirty-six in our binder. We are ready when you are, Ms. Watson.

MS. WATSON: On 2015-088, West Point, Troup County filed miscellaneous complaints. This complaint was from (indiscernible) Williams reported in November 2015 that during the mayoral elections for the City of West Point there were inconsistencies in the results tape posted,

unauthorized early tabulation and failure to issue provisional ballots and improper campaigning at the polling place.

An investigation revealed in regards to the result tapes, the DRE unit failed to print the result tape of the OG scanner polling location on the night of November 3rd, 2015. The city clerk and the elections supervisor, Richard McCoy (phonetic), transported the DRE unit to the Harris County elections office with poll watcher Chaney Carlisle (phonetic) following him in a separate vehicle. At the Harris County elections office, election supervisor (indiscernible) Jarrett (phonetic) was able to get the unit to print and called out the results. Ms. Jane Carlisle reported on the morning of November 4th that the result tapes for the DRE unit from the OG scanner polling location had not been posted at the poll location. Ms. (indiscernible) immediately drove out to the location and posted the tape. Also missing was the result tape from the DRE unit 136631, which was a zero count; however, there were two tapes posted for unit 124411.

In regards to early tabulation, investigators interviewed election personnel regarding early tabulation of the DRE units and there was no admission that any early tabulation took place. However the result tapes for DRE unit 292966 shows a end election time at 12:33 p.m. on November 3rd, 2015 and DRE unit 296317 shows a end time of election of 12:37 on November 3rd, 2015. The poll manager Danny Curtis (phonetic) reported as the only member of the election staff who was in possession of the supervisor card on November 3rd, 2015 and both of these units were used for early voting.

In regards to failure to issue provisional ballots, the complainant provided the names of five individuals that were refused a provisional ballot. Contact information was provided for two of the individuals. When we contacted them, they stated they were not allowed to vote on election day. A check of the (indiscernible) system found that neither were listed as residents of the city of West Point. While both now reside in the City they had failed to update their address prior to the election. The remaining three individuals were checked in (indiscernible) as well. One showed a convicted felon. One was not registered to vote with Troup County until January 23rd, 2016 and the last

resided outside the city limits of West Point. It was found that Mr. McCoy failed to send letters to two of the individuals who voted provisional ballots explaining why their ballots were not counted.

In regards to improper campaigning at the poll, there was insufficient evidence found to substantiate any campaigning at the poll took place. Regarding incumbent Drew Ferguson (phonetic) one voter was heard saying we need to get (phonetic) in and a poll worker advised her that she could not make statements endorsing a particular candidate in the poll.

The recommendation is that the City of West Point and Richard McCoy, the city clerk election supervisor be bound over to the AG's office for violation of State Election Board Rule 183-1-12.02 (5) (a) (6) when Richard McCoy failed to properly post all the DRE result tapes at the front door of the polling location and State Election Board rule 183-1-12-.02(5) (a) (8) when Richard McCoy transported election materials to Harris County elections office alone without another poll worker. Violation of 21-2-419(d) (1), violation of provisional ballots when Richard McCoy failed to mail letters of explanation to Tony Williams (phonetic) and Willie Mae Billingly (phonetic) whose provisional ballots were not counted and the City of West Point and Richard McCoy and Danny Curtis (phonetic), the poll manager, for violation of 21-2-379.11(c) procedure for tabulation of votes.

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. TODD: Secretary Kemp and board members, my name is Jeff Todd. I practice law in Lagrange at 2015 North Lewis Street and I am here today with Richard McCoy who's been the city clerk in West Point for about ten years and has also been the election superintendent since September 17th, 2013. We intend today to answer any questions that the board may have or the staff may have and also would like to just give a brief summary of our position on these issues and lend my comments only to those issues that have resulted from the staff in the proposed finding.

As you heard from Ms. Watson, each of these -- at least the first two issues that have been discussed stem from an auditing. You have the voting machine, at issue didn't print in the polling place and Mr. McCoy, this was his second municipal election as superintendent. He did what was logical. As the polls closed and they couldn't get that machine to print, he called Sharrell Jarrett (phonetic) who is the election supervisor for Harris County. West Point sits actually partially in Troup and partially in Harris County. Ms. Jarrett had been somewhat Richard's mentor as he trained to become election supervisor and also these were her machines. So, I think it was a common sense thing to do to call her.

Another thing that's good and I think the board should consider is that this was done in the most transparent way you can imagine. It's a single room polling place. The call to Ms. Jarrett is on the speakerphone. Poll workers, poll watchers, everybody is still present. Here's the conversation between Mr. McCoy and Mrs. Jarrett.

Ms. Jarrett, I think, gives Mr. McCoy a couple of ideas and things to try to troubleshoot. The machine still doesn't print, so Ms. Jarrett recommends to Mr. McCoy that he actually bring the machine to her office at the courthouse in Hamilton, Georgia, which is about a thirty-minute drive.

Again, I didn't see anything that led me to believe that the state was concerned with any sort of improper motive or manipulation with machine and that is also obvious by the fact that one of the poll watchers actually followed in the car -- followed Mr. McCoy in the car to Hamilton and was present in the outer room, I think, when ultimately Ms. Jarrett fortunately was able to get the machine to print.

As to the failure to take those results -- the result tape of that machine to the door, certainly, we don't contend that that's an error. Staff is right. We would just ask you to take into consideration the oddities that were occurring that night and also the fact that the other tapes were properly posted immediately after they properly printed.

I do have one question which perhaps we will end up discussing with the Attorney General's office but the proposal cites subparagraph eight for Mr. McCoy's failure to turn the election materials over to the superintendent with another poll worker present but Mr. McCoy was the

superintendent and those materials were turned over to him in the presence of other poll workers. Now, I'm not an election expert. I didn't see anything about what happened and Mr. McCoy indicates he doesn't recall anything in his training about what happens when a machine won't print but as a technical matter the proposed violation actually didn't occur because the materials were turned over to the elections superintendent with other poll workers present.

Now, even saying that we don't for a minute suggest that it wouldn't have been a great idea to have somebody else ride with Mr. McCoy. It is just that the code section that is cited in these materials as having been violated does not technically appear to apply here. The other proposed finding in this case involving Mr. McCoy correctly finds that two electors who voted provisional ballots were not notified in writing. That is a fact. As I read the statute that's cited, however, which is O.C.G.A. 21-2-419 (d)(1) that seems to be an obligation that is placed on the board of registrars but to further show our good faith in addition to being here, there is another problem in that statute that by our action we didn't comply with this. There's another subparagraph that Mr. McCoy is supposed to send that provisional ballot to the registrar. He didn't send it physically. He called them and talked to someone on the phone. So while we would argue, technically, we didn't violate (d)(1), there is another subparagraph that requires that we send that provisional ballot to the board of registrars and we admit that we didn't do that.

The final proposed finding concerns the early printing of the results tape from the absentee ballot machine and Mr. McCoy was present at this polling place almost the entire day. Maybe twenty or thirty minutes he left somewhere around lunchtime and he certainly didn't see it and can't really add to that for the boards, benefit. He didn't see that happen but he agrees with staff that the poll manager, Danny Curtis, was the sole individual with the card that would allow access to do that.

In summary, Mr. McCoy takes seriously the obligations associated with running elections in West Point and he wants them to be fair and transparent. We are gratified that the circumstances before the board today don't appear to me at least to allege any sort of improper motive or intent. We will be glad to answer any questions the board or staff has.

MR. SECRETARY: Thank you Mr. Todd. Appreciate you-all being here today. Any questions for counsel?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

MS. WILLIAMS: First, if I may ask is it possible --

MR. SECRETARY: Let us get your name and address for the record.

MS. WILLIAMS: My name is DeeDee Williams. I reside at 315 East Eighth Street, West Point, Georgia. Would it be possible for me to get a copy of what she read? We didn't realize we were coming up first. Apparently, it was requested that we go first after break. My campaign manager, poll watcher did not hear any of that and I did and of course I know what we allege but I don't know what the findings are. I was told that I was not privy to the information prior to this meeting. Is there any way I can get a copy of that?

MR. SECRETARY: Well, it's basically what she was telling us through the investigation.

MS. WILLIAMS: I just thought she could be reading it since she is not here. Is a copy available?

MR. SECRETARY: I don't believe it is. I think just the members have their copy.

MS. WILLIAMS: Okay, I will do the best to recall. Secretary of the State and Chairman of this committee Kemp, SEB board members, Mr. Chris Harvey, Mr. Russell Lewis, other staff member, representatives of the AG's office. First of all, thank you for serving the citizens of the state in your respective capacities and thank you for the opportunity to speak before this group. I think that voting is very serious. It is a serious matter and running for public office is a serious matter. I take them both very seriously. On the heels of a historic national election which is sure to leave us with many marks on American

history, I hope that all of you treat the election and the process of voting with the utmost seriousness.

I ran for mayor in the city of West Point in November 2015. There were many irregularities in the election process before, during and after the election which were reported to the Secretary of State's election division, investigations unit. We've had numerous conversations intermittently. Violations like early tabulation without notice, failure to post results, incomplete documentation, documentation with the appearance of tampering, early certification of election results.

The Thursday following the Tuesday election is when the election was certified. Normally at least three days are required for refiling a provisional ballot. According to Mr. Harvey normally elections are certified on Friday or Monday following the election. Again, this election -- there was a rush to certify because of the irregularities in the process I contend. Questions about the process of issuing provisional ballots, just to name a few of the irregularities. The incumbent candidate, Drew Ferguson, ran for re-election and immediately following the swearing in for the new term decided to run for Congress district 3 replacing Belinda Westmoreland. He handpicked his successor and his successor was simultaneously sworn in as the new mayor (indiscernible) and now functions as the mayor until November 2017. What an excellent way to give a person an opportunity to run as an incumbent.

MR. SECRETARY: Ms. Wilson, let me just interrupt you for just one second. I don't want to disrespect your comments in any way but if you could just keep to the specifics of this investigation. A lot of the other political things that are going on, this board really can't be concerned with that unless it's a potential violation and that will help us just keep things moving here today.

MS. WILLIAMS: Well, it all relates to the wrong person being in the mayoral seat and that is the position that I ran for and --

MR. SECRETARY: I understand people's opinion about the wrong person getting elected and that is nothing that this board can weigh in on unless there is a potential violation.

I'm not in any way trying to cut you off. I'm just saying if you can get to addressing the board about the allegations that we have or those matters, I would certainly appreciate that.

MS. WILLIAMS: Okay, I don't have much more of this. There are many issues raised by the scenario not the least of which is the question was the election fraudulent, was it premeditated fraud. Your guess is as good as mine. I think so. The information I provided raises that question and a bigger question, who really won the election. One of those Diebold machines, which we've heard about already today, would not print. Thirty minutes drive to Hamilton, Georgia the machines still would not print. The Harris County election supervisor Sharrell Jarrett reports that the machine had thirteen votes on it -- had fifty-two votes on it and thirteen for Williams and thirty-nine for Ferguson. Now, prior to that point when the polls closed the tally was three hundred and ninety-three to three hundred and seventy-five with Ferguson leading. The absentee votes were opened in Hamilton. There were twenty-six of them. Ferguson got four. William got twenty-two. That made a total of three hundred and ninety-seven to three hundred and ninety-seven as ironic as that sounds or if that is, there was a tie at that point except for a machine that supposedly had some votes on it. We don't know how many. We don't know who they're for. With all the other irregularities -- I don't think it's hard to understand why one might question the peculiarity of that.

Some ancillary concerns are first the perceived lack of urgency to address this complaint until after the November 16 election. I understand that Ferguson's campaign for congress would not have wanted any negative press which implicated impropriety associated with him but in a situation which conceivably impacted the outcome of the election one would think that (inaudible) placed on expediently.

Secondly, the lack of feedback provided of the results of the investigation. The defendants in the complaint will receive information but not the complainant. Despite being told by the investigator that he worked for me and that I would hear back from him on his findings. So, again, if there's something that's been reported that's inappropriate

or that is inaccurate, I would have an opportunity to offer a response to that. It never happened.

Thirdly, at least four other elections have taken place since the complaint was filed with seemingly no change in local oversight in the voting process except we seem to be using Troup County again to oversee our elections. For a couple of elections we've decided to use Harris, County for some reason. Now we are back under auspices of the supervision of the Troup County elections board. Don't know where Ms. Sharrell Jarrett is today but most of the questions have to do with what happened in Hamilton, Georgia. What happened with regard to her supervision of the process rather than the Troup County supervisor.

Now I realize that Mr. Harvey has been commended for improving response time since he took the position. He's in and I would hope that we can see some continued improvement because, you know, we used to see 2008 cases being brought before four, five, six years later. I think 2012 is the oldest one on today's agenda. Excellent improvement but again, if someone is -- the person in a position is the wrong person and if it's that egregious, I would hope that we could get to it before that term is complete to address the inappropriateness or the inaccuracy of it.

Finally, one of the basic tenets of our democracy is the right to vote. I feel an obligation on my part to address the threat of election fraud and its impact on West Point as well as the great state of Georgia. So that your children, grandchildren and mine will not be faced with election fraud. I have a couple of things that I would like to address specifically. We talked about the posting of election results and Mr. Todd made a point that all of the other tapes were posted, just this one was not posted. Well, that was a critical one. It was the tape that technically, if Drew Ferguson won the election, and I contend that he did not, that's the tape that won the election for him. Three hundred and ninety-seven votes for Williams. Three hundred ninety-seven votes for Ferguson until this failed machine with fifty-two votes which will not grant and still no one observed the printing of the machine of the tape but the result is yelled out from the back of the room indicating thirteen votes for Williams, thirty-nine for Ferguson which clearly gives him that supposed twenty-six vote increase or overage. That's very --

I'd like someone to explain that to me.

Secondly, the tape that was posted or that should have been posted appears to have been tampered with and I'd like for you to look at it for yourself or the members of the committee.

MR. SECRETARY: Do we have a motion to accept the documents?

MR. WORLEY: So moved.

MS. SULLIVAN: Second.

MR. SECRETARY: All in favor signify by saying "aye."

(Whereupon the vote was unanimous)

MR. TODD: Mr. Secretary, since it involves my client might we be able to see a copy?

MR. SECRETARY: Yes. Let's see, I just want to make sure we have a motion and a second. All in favor of accepting the documents signify by saying "aye." (Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we have accepted the documents. All right, go right ahead, Ms. Williams.

MS. WILLIAMS: If you will notice that there are two tapes that you're looking at. All of them except one, the one that would not print, are the same except the one that didn't print that was later provided when I continued to insist where are the results from that machine, where are the results from that machine. It was finally sent to me but if you notice there are circles around information that represents discrepancies from the tape on the right and I'd like to call my campaign manager up to maybe speak to any specifics regarding this. There's one signature on the bottom of the tape on the right and actually it's not a signature. It's R.M; Richard McCoy initialed it. The other tape that has all the items circled is missing on the tape that Richard initialed. You know, even down to the

statement that we the undersigned and then there is a sentence left out there. Are you with me? So you are really, supposedly, stating what you confirmed this tape to mean but you really take something out so that it doesn't mean what it should mean.

There are three people that signed the other tape that are taped but apparently they did not sign off on this after those machines were read. Normally that would be your initialing this verifying that this is correct and yes the signatures appear but some of the times don't jive with the time on the spreadsheet in the middle of the second document I gave you on page three -- excuse me, on page two. We talked about early tabulation. (Indiscernible) there was no indication that anything happened to tabulate early. These were early voting machines. 12:33 and 12:37 is when the tapes indicate that they were tabulated and we have copies of all of the tapes.

MR. TODD: We don't dispute that. I think it was clear. We just didn't have any information (indiscernible).

MS. WILLIAMS: So you're not disputing that?

MR. SECRETARY: Let's address the board. We're not going to have the respondents or the counsel getting off on a tangent here.

MS. WILLIAMS: So the record shows that they were, in fact, tabulated at 12:33 and 12:37 and somebody has to tabulate those machines. There was no indication that it had been approved or the Secretary of State's office had received a request to tabulate early, which I understand is the requirement. They were not aware of any such exceptions that was granted to us and then about one of the machines that had the votes that put him beyond the tie that's questionable.

Also, if you will look at the tape that was submitted by Mr. McCoy. There are repeated lines where it looks like some alteration took place. Is this a tape that was from another election maybe? I tried to figure out what could be a logical explanation for a tape that looks like this one and a tape that looks like all of the others. It's much

longer. Has more information and then this one, it seems like it's been compressed and the information has been taken out of the middle of it. Like I said, at the bottom, we the undersigned do hereby certify in accordance with the laws of the state of Georgia -- with the state. So a whole line has been taken out and if I read that, that means something very different than the others. So, again, I say premeditated. It's almost as if some thought was given to how to make this tape say what we've done. How to make it back up what we've done and what we've used in terms of numbers to certify this election in favor of Drew Ferguson.

Another irregularity, the time of the report that was printed off by Sharrell Jarrett. Unofficial election summary is time stamped twenty-one oh four. It's hardly enough time between the time the tape left or the card left West Point and arrived over there. There is a discrepancy in that and the official return.

Provisional ballots were not -- normally there's three days to clear that up. Elections, on a Tuesday. Anybody that has a provisional ballot has three days just -- as you mentioned, somebody may not have changed their address. If they gave documentation to show that, they have to wait seventy-two hours to bring that and present that. So someone makes the decision that vote should count or that vote should not count. When you certify the election prematurely, basically, somebody is making the decision that this provisional ballot, it is not going to count.

You might wonder with all of this going on what I was thinking at the time. I was thinking there needs to be a recount. Of course the law requires that a recount is mandated when your margin of losses are within 3 percent. Twenty-six votes with the numbers that we present at West Point doesn't fall within that threshold. It's a little bit more than that. However, if I were in charge of an election, I would, in good faith, want to say well, let's make sure we're right especially with all the things that's happened. We are supervised by Troup County; no we are not going to be supervised by Troup County. We are going to be supervised by Harris County this time. Just changes in the process altogether.

I asked for a recount and unequivocally I received a letter that has Richard's signature on it. Sounds kind of legalistic to me but anyway. Basically says we are not

going to do that. What do you have to lose. If you're right, double-check your numbers, confirm the decision. If you're wrong, make it right. I think if you know that you're wrong, you are not interested in recounting. You are not interested in double-checking. You're not interested in doing anything that's going to change the outcome of this election. I have more but I can see it in your eyes you're getting warm and you still have a long list of cases to take. Are there any questions?

MR. SECRETARY: Any questions for Ms. Williams? Mr. Worley.

MR. WORLEY: I had a question of Ms. Williams. Were there actually any provisional ballots cast?

MS. WILLIAMS: They were but they were not reported, however. On the documents that the election supervisor is supposed to complete and post it is supposed to say, this is before the election is certified, it is supposed to say X number of provisional ballots. None were reported. We know that there were some. They have decided well, it's not legit. He's an ex-felon. He's this. You know, I think even ex-felons, after they pay their debt to society, they might be eligible to vote. There are some things you need to do to (indiscernible)

MR. WORLEY: Do you know if the elections superintendent conducted any review of the provisional ballots to decide which ones should be counted and which ones would not be counted?

MS. WILLIAMS: They said that they called on the phone, I think, on the address situation. They called somewhere and verified something about an address. I do know that one person that had a question about an address came, was not allowed to vote, left, came back with a relative and then was given a provisional ballot. I don't know if that was Tony Williams. Is that one that you spoke to?

MS. WATSON: Yes, we did speak with Terry.

MS. WILLIAMS: Well, what was the resolution of that one?

MS. WATSON: He was provided with a provisional ballot and then on that one there was no letter sent to him explaining why the ballots were not counted.

MS. WILLIAMS: And I don't know the reason why his ballot would not have been counted because he does -- the address is the issue --

MS. WATSON: They were not residents of the city of West Point at that time.

MS. WILLIAMS: So not only was that not reported, there's a vote that didn't count.

MR. SECRETARY: I think, Ms. Williams, she was saying she wasn't eligible. Right?

MS. WATSON: Exactly.

MR. SECRETARY: She was not a citizen --

MS. WILLIAMS: He was not a citizen?

MR. SECRETARY: Right. Of the city. A resident of the city, not a citizen. Which is probably a bad word. The resident or the person found not to be a resident of the city.

MS. WATSON: They were not in the system as being residents. They had since moved and they did not update their addresses.

MS. WILLIAMS: But isn't that what a provisional ballot does?

MR. SECRETARY: Ms. Williams, what she's saying is the provisional ballot, when they looked at it they found that the elector was not a resident of the city, so they

therefore did not count the ballot. Is that correct, Ms. Watson?

MS. WATSON: He had moved and he was now a resident of the city and had not updated his address.

MS. WILLIAMS: But isn't that what a provisional ballot does? You've moved. You have not updated but you go to vote and they oh, you are not a resident and they say, oh, but yes I am. So you have got to prove -- that's what the seventy-two hours is for, I thought, for you to come and bring some mail or something to present to show your residency and that is precisely the case --

MS. WATSON: And they were cited for not providing that letter of rejection to him in order for them to come in and provide that information.

MS. WILLIAMS: And as I said before, so there's one vote that should have been on there. He didn't get noticed --

MR. SECRETARY: Ms. Williams, we're are not going to get into individual votes because that's something that -- the city certified this election. We need to stick to the allegations. That is one of the allegations here that we have.

MS. WILLIAMS: So the City certified the election whether it was supposed to have been certified or certified in error or certified with irregularities is inconsequential? I mean, you're not concerned about that?

MR. SECRETARY: I'm not saying it's inconsequential. I'm saying that the City went through the process and certified the election. So that's where we are today. From what I understand, the individual -- their ballot was rejected because they were not on the voter rolls in the city. Is that correct, Ms. Watson?

MS. WATSON: Correct.

MR. SECRETARY: So they couldn't legally count that vote if that person was not on the city voting rolls. So whether

they lived in the city or not, they were not on the rolls at the time of the election.

MR. WILLIAMS: And does the provisional ballot address that in any way?

MR. SECRETARY: Well, it gives them the opportunity if they say they're a resident at the time. The voter registration deadline ended to vote a provisional ballot and then prove that. It appears that they weren't able to prove that; therefore, the ballot was rejected.

MS. WILLIAMS: So why are you saying, "appears they weren't able to prove that" because that is actually what the situation is. They didn't receive notification.

MR. SECRETARY: That's why they have a violation of them not sending the notification but that doesn't change the ability of that voter to cast a ballot in an election when they don't appear on the voter registration list for that election.

MS. WILLIAMS: Right. I understand you saying that we cited them for not sending the letter but to me the underlying and additional issue is that the voter came, voted provisionally but because you certified the election, you're not --

MR. SECRETARY: Well, ma'am, it is the voter that was not eligible for the election because they had not updated their information. We need to try to refrain from getting down in the weeds too much here and speak to what this board can deal with.

MS. WILLIAMS: Right. You were about to say?

MS. WATSON: Yes. The investigator followed up on this and advised that it was not counted because he did not meet registration deadline.

MS. WILLIAMS: Did not meet the registration deadline?

MS. WATSON: That's correct.

MS. WILLIAMS: Let me say one more thing.

MR. SECRETARY: Okay.

MS. WILLIAMS: Because I see that we can go around and around forever. His mother and he registered the same day. His mother and he lived together. His mother was allowed to vote. She maybe changed her interest and he didn't. That's the only difference I see.

MR. SECRETARY: Well, your address has a lot to do with whether you're eligible or not. And if you don't have the right address, you're not eligible for that district.

MS. WILLIAMS: As I understand the difference would be she was able to walk up and vote with no questions asked. He was not because he didn't change his address timely --

MR. SECRETARY: I will urge you when you go back if either one of them had a problem that they think was there, they need to file a complaint with this office and we will be glad to look into that.

MS. WATSON: Mr. Chairman, I believe that she was already a registered voter and she was simply changing her address and he was not a registered voter and was registering at that time.

MR. SECRETARY: Okay. Any questions for Ms. Williams from the board? (No response)

MR. SECRETARY: I have one question for you, Ms. Williams. You made a lot of allegations here and brought a lot of good information to us. Did you actually contest the election?

MS. WILLIAMS: I did.

MR. SECRETARY: And how did that turn out?

MS. WILLIAMS: It's still pending because we've been waiting for this to come to this board. Waiting on the findings of the investigation.

MR. SECRETARY: I don't believe that --

MS. WILLIAMS: It doesn't have to wait.

MR. SECRETARY: I wouldn't think it would.

MS. WILLIAMS: It doesn't have to wait but if you're doing a thorough investigation I would like to have as much information as I can about the situation. Objective information from other people other than me and attorney --

MR. SECRETARY: So, just so you will know, this board doesn't have the ability to go back and contest elections.

Normally if an election is contested that's a whole separate legal matter that moves on a different track. That's why I was wondering if you had --

MS. WILLIAMS: I'm aware of that and that is still pending. To me it seems to be more logical to keep the horse before the cart and see what comes out of it.

MR. SECRETARY: And I had one other question that perhaps you or Ms. Watson can answer for me. You said that the City certified the election prematurely. What did you mean by that?

MS. WILLIAMS: Well, when I started asking questions about various things, posting of the results of that machine that is in question, I was first told that I would be sent a copy of it. I didn't receive it. The next day about six in the morning I emailed Richard McCoy saying I did not get the tape that you said that you were going to send and he sent that one that looks like it has all those alterations in it. He also sent the certification of the election. I mean, it was like two days after the election and again, like I said, before anybody's had time to really work through the provisional ballot process. I spoke with Chris Harvey, I think, on that day and was told normally certifications are done Friday or in most cases Monday. Friday would be the earliest after a Tuesday election. Monday prior to

(indiscernible). So that's what I base my comment on. It was earlier than usual from the expert here at the state level.

MR. SECRETARY: Okay. Any other questions for Ms. Williams?

(No response)

MR. SECRETARY: Thank you for being here. Is there anyone else wishing to speak on this matter?

MS. CARLISLE: My name is Katy Carlisle. I reside at 6636 Bradford Drive in Columbus, Georgia. I was a poll watcher that day. I was there from 6:50 until about 7:45. I took probably one bathroom break and I (indiscernible) about twelve o'clock. Ms. McCoy left about twelve o'clock and told me he was going to the City Hall. He came back about two o'clock and he and I went to lunch together after that.

There were several machines in the polling place that day. It was four that the voters were voting on. It was two in the corner standing that Mr. McCoy told me were early voting machines and they are locked. Okay and it was one on the desk that the poll workers were working with. When we got to the end of the day, polls closed and when we got ready to leave they had tabulated four machines but I had totals for six machines. The two machines that you told me were early voting were not early voting because one of them did not print. The other one never had any votes. She was still working on that machine when we left. So, somebody had to tabulate those two early voting machines that were not in the polling place that day. Who did that I don't know.

Two assistant managers signed off on those two machines as if they tabulated. They did. They were working the polls between 12:33 and 12:37. I was sitting there at that time; therefore, I know those three people did not tabulate those two early voting machines.

Those two early voting machines were not in the polling place. Where they were I don't know. Who tabulated them I don't know. The guy here just said that Richard got on the phone with Ms. Jarrett that the machines wouldn't print. He was on the phone. It was not on speaker. I don't know who he was talking to, if he was talking to anybody. But he

said Ms. Jarrett said to bring it to Hamilton. So I just wanted to clear up that two machines, early voting, that was tabulated at 12:33 and 12:37, were not in the polling place. The manager and assistant managers did not tabulate those machines and who did it I don't know. Mr. McCoy did leave and he told me he was going to the City Hall about twelve o'clock. He came back about two o'clock. So, that is all I have to say.

MR. SECRETARY: Any questions for Ms. Carlisle?

(No response)

MR. SECRETARY: Thank you for being here. Anyone else wishing to speak?

(No response)

MR. SECRETARY: Mr. Todd, I know its been a lot of information put out here. Do you need to address the board on any follow-up?

MR. TODD: No, sir. Only that it would make us feel better if we say that we certainly deny any improper motives and changing of tapes and those sort of accusations that were made but we don't see any reason to say anything else.

MR. SECRETARY: Hold on one second, Mr. Todd. Mr. Worley had a question for you.

MR. WORLEY: Can you tell us or maybe Mr. McCoy why the votes were certified earlier?

MR. TODD: I'm not even aware and certainly have not heard today that is in violation of any period of time. I'm sure there's an expert here that can say whether that violated a rule but we've not --

MR. SECRETARY: Well, that was the question I was going to ask you was do we know if the certification was done prematurely. Did we look at that?

MS. WATSON: I did not have that in my list of points at that period in time.

MR. HARVEY: Mr. Secretary, if I may. Chris Harvey, Election Director for the State of Georgia. The three days generally for (indiscernible) ballots, overseas ballots and for voters who vote provisionally, they need an ID. They do have three days to come back. If you don't have that situation, there's nothing that prevents you from certifying before three days but generally speaking it is three days in large elections but if it's not an ID -- let's say two people vote provisionally and it's not an ID issue and they clear it up within one day, there is nothing that prevents certification.

MR. SECRETARY: As long as there's no other provisional ballots that haven't been accounted for, are previously rejected, you can go ahead and certify?

MR. HARVEY: Correct.

MR. SECRETARY: That makes sense. Anyone else wishing to speak?

(No response)

MR. SECRETARY: Ms. Williams, do you have something else?

MS. WILLIAMS: We keep explaining away the provisional ballot situation and if it's all cleared up in two days, then fine. But I think we've already stated that it wasn't in this case so we're right back where we started it seems to me.

MR. SECRETARY: Okay, thank you. Anyone else wishing to speak?

(No response)

MR. SECRETARY: Hearing none, do we have any other questions for Ms. Watson or are we ready for a motion?

(No response)

MR. SECRETARY: I will make a motion that we bind over the city of West Point, Mr. McCoy and poll manager, Danny Curtis. I think we've heard a lot -- got a lot of information today. Obviously there's a lot of disagreement but that's one reason that we bind cases over where the Attorney General can work through or talk to not only the respondents but also the witnesses and kind of get to the bottom of what's going on. So that's what I would recommend, we send this to the Attorney General's office.

MS. SULLIVAN: Second.

MR. SECRETARY: We've got a second by Ms. Sullivan. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we'll bind that over. We are going to go back to the top of page two, which would be City of Waco, SEB 2013-059.

MR. LEWIS: Yes, sir. On November the 18th, 2013 it was reported that the elections superintendent in the City of Waco, Haralson County, allowed an unregistered voter to vote in the November 5th, 2013 special election. Brian Shumate (phonetic) went into the City of Waco on October 31st, 2013 during the early voting period. He provided a voter card and an ID; however, he was not found on the voter's list. Sherry Morgan (phonetic) the City of Waco election superintendent did not call the County to verify the status of this particular voter. (indiscernible) had been made by the County. Mr. Shumate was allowed to complete an early voting application and to cast a ballot. After the election Ms. Morgan found that Mr. Shumate was indeed an unregistered voter who should have only been offered a provisional ballot. Ms. Morgan stated to us that she had handled very few elections over the years and she had been doing this for

twenty-two years for the city without any certification as far as election processes go.

We recommend that the City of Waco, Sherry Morgan, election superintendent be bound over to the AG's office for the listed violations of 21-2-590, poll officer permitting an unregistered voter to vote, 21-2-418, provisional ballot, when she failed to offer Mr. Shumate a provisional ballot, 21-2-101(a) certification program for the county and municipality election superintendent when she failed to become certified to conduct municipal elections and 21-2-714, powers and duties when she failed to fulfill her duties to be certified as superintendent.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MR. MECKLIN: Good afternoon, Mr. Chairman. I'm David Mecklin (phonetic) 100 Wagon North Plaza, Carrollton, Georgia.

MR. SECRETARY: How do you spell your last name?

MR. MECKLIN: M-E-C-K-L-I-N. First question everybody has asked me here is where is Waco, which is out of I-20 at the Bremen exit about a mile and half the other way from Bremen. I am the city attorney. I became the city attorney after this particular election. We're here, simply, to show our good faith. Acknowledge that there were errors made. Ms. Sherry Morgan, who was cited for this, retired as the city clerk in the December after this particular election and has been replaced. At the time she was there -- she was a longtime employee, had worked there for a long time. She worked two days a week primarily as does the current city clerk. Since receiving this particular notice from the State Election Board, I have looked into and determined that we are going to enter into a contract with the county board of elections to handle the city elections. The city has five hundred people and it is just difficult for them to have a person certified. So we are going to contract with somebody to do the elections in the future. Don't deny

anything in this. Ms. Morgan, again, is not with the City any longer and has been retired for almost 2 years now. We would just ask -- throw ourselves on your mercy. Ask for instructions that we do better in the future which I can promise you we will. Thank you.

MR. SECRETARY: Thank you, Mr. Mecklin, for being here. Ms. Sullivan?

MS. SULLIVAN: Mr. Mecklin, in the consent cases that we had before us earlier today, in several situations the cities have accepted responsibility on behalf of their elections division (indiscernible) for any alleged violations. Is that something the city of Waco is prepared to do?

MR. MECKLIN: I would think so. Before I commit to you I would want to get commitment from majority of the city council that they will. Based on my knowledge and investigation into this, they're acknowledging the issue was not certifying and they understand their responsibility towards that. I do not believe the city knew what went on with this one voter. Again, because it's such a small City I believe that the facts will show that she knew him personally and knew that he'd been a longtime voter but he simply hadn't voted in several elections and that's why it got booted off the election rolls.

MR. SECRETARY: Any other questions for counsel?

(No response)

MR. SECRETARY: All right. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Do we have a motion?

(No response)

MR. SECRETARY: I would move that we bind this case over to the Attorney General's office and I'm sure that Ms. Correia will be able to work with you to get a resolution that hopefully we can make sure that the big city of Waco doesn't come before us again anytime soon. We appreciate you being here. So I would make that motion to bind over. Do we have a second?

MR. WORLEY: Second.

MR. SECRETARY: Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Next we have Macon-Bibb County. 2013-063, which is number twenty-seven in our binder.

MR. LEWIS: On November the 25th, 2013, Ms. Cassandra Powell reported multiple issues with the polling places and vote tabulation on the October 15th, 2013 Bibb County runoff election. There were a total of twelve separate allegations submitted by the complainant, five of which were substantiated during the investigation. There were two absentee ballots from the September 17th, 2013 nonpartisan election that we've already discussed in an earlier case with Bibb County that were inside the October 15th, 2013 runoff election ballot envelopes. Those were mailed in the incorrect envelopes by the electors. The absentee ballot recap sheet failed to document the spoiled ballots in addition to the fact that the October 15th, 2013 runoff election documents were never filed, processed or received by the clerk of court in Bibb County.

The original complaint in this case -- one of the original complaints is that eighteen -- excuse me, eight hundred absentee ballots were not retrieved or counted and was found to be unfounded; however, during the investigation it was learned that there were approximately a hundred and

seventy-five absentee ballots that were received, stamped after the October 15th, 2013 runoff election. Many of the hundred and seventy-five absentee ballot envelopes did not have rejected written across the face of the envelope with the reason for the rejection. Ms. Hatcher (phonetic) completed the voter registration on August 16th, 2013 using her residence of North Ingle Place apartment 8A in Macon, Georgia, and she was assigned to Howard 6 polling precinct in district 1. When she went to vote she explained to the poll workers that she believed her address should be in district 2. Poll workers insisted that she was in district 1 and she proceeded to vote. According to Macon-Bibb County districting map Ms. Hatcher's address is indeed in district 2. She was changed to district 2 for a follow-up election and voted correctly in the October 15th runoff. There were thirty-two residents in a large apartment complex who were improperly districted for this election as well. It was found that the precinct boundary line located between Godfrey (phonetic) 1 and Godfrey (phonetic) 2 precincts had been altered. As a result after the election the residents of (indiscernible) home apartments were corrected and moved from commission district 2 to commission district 8, their correct district.

According to Ms. Watson there was another omplex (indiscernible) complex that had a similar issue in that the census line had been redrawn and split the apartment complex. Elections personnel were unaware at the time the apartment complex had been split into two separate districts until a candidate brought it to their attention. So there were a list of forty-seven electors who were improperly voted in commission district 3 instead of commission district 2 because of the line being moved.

We recommend that Bibb County Board of Elections and Registration, Emma Watson (phonetic), election supervisor, Veronica Seals (phonetic) be bound over to the Attorney General's office for the list of violations which relate to 2-26(b), districting as well as the other listed charges involving 386-4 (indiscernible).

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MR. WORLEY: I had a question for Mr. Lewis. I see now in the text of one of the reports that you say on October 17th, 2013 an investigator made face-to-face contact with complainant, district 2 candidate Henry Ficklin (phonetic) but Mr. Ficklin is not listed as a complainant in any place in the report above where you list the complainants. Is Mr. Ficklin a complainant?

MR. LEWIS: I don't believe Mr. Ficklin was listed as a complainant in this case. I think he was interviewed as the person who brought this violation -- the census line to the attention of the election board.

MR. SECRETARY: Give us your name and address for the record again.

MR. NOLAN: William Nolan. I'm an attorney in Macon. It is 559 Edgefield Way Macon, Georgia 31210. Mr. Ficklin was, in fact, the complainant in a challenge to the October 15th runoff -- I'll get the dates. September 17th and October 15th. October 15th runoff, that was what brought to the attention of the board the census block issue in Overlook Garden Apartments. What you had was an apartment complex where everyone had the same street address, which I believe is 1400 Gray Highway and yet the census block line and the district line went through the apartment complex such that these people were in two and some were in three and so Mr. Ficklin was, in fact, the complainant in contest whether or not he was at this proceeding.

MR. WORLEY: Well, I'm still unclear. Is he a complainant in this proceeding or just a witness who you took information from?

MR. LEWIS: Witness we took information from.

MR. SECRETARY: All right, Mr. Nolan.

MR. NOLAN: Thank you, Mr. Chairman. I won't burden the board with a repeat of my comments from earlier. This was the election cycle. These nine new districts in Macon-Bibb

County had just been created and I say that not to excuse the mistakes that were made but to simply point out that we have these matters under control at this point. People voting the right district have been worked out. It's unfortunate that it took an election cycle to get that done. Again, we do not contest the findings or conclusions and we just stress the mitigating factors and our cooperation.

MR. SECRETARY: Any questions for Mr. Nolan?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

(No response)

MR. SECRETARY: Hearing none, do we have a motion? I think I made a motion in the last case. I think I'll do it again. I think we should bind this case over to the Attorney General's office. As I said before in the previous case, I think they'll work with Macon-Bibb County who has been cooperative and we're dealing with a lot of the same issues here. So I'm sure we'll get that resolved, so I will make that motion that we bind over. Do we have a second?

MS. SULLIVAN: I'll second it.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: All in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion has carried. All right. Our next case would be 2014-008 which is Greene County, which would be number twenty-nine in our binder.

MS. WATSON: This complaint was made on April 16th, 2014 by

Pam Lacey (phonetic). She alleged that the Greene County elections office merged the polling locations with White Plains and Solaom (phonetic) without proper notification. The investigation revealed that Greene County advised that they did fail to publish notification in the legal organ for two consecutive weeks before the merging of the White Plains and Solaom polling locations. There was documentation that was submitted that showed there was one notice that was posted in the paper but there wasn't one for the second notice. Greene County merged the two polling locations because they were unable to hire poll workers for the White County poll location. The issue was brought to Greene County's attention before the elections so they posted signs at the poll locations, issued radio DSA and sent out (indiscernible) voter precinct cards off by (indiscernible) election day. We recommend a letter of instruction be issued to Greene County Board of Elections and Registration, Mike Malone (phonetic), former election supervisor, for violation of 21-2-265(a).

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MS. GRANT: I'm Andrea Grant and I'm the attorney for Greene County Board of Elections and Registration. My office address is 504 Bowers Street in the big city of Royston, Georgia 30662 and I have with me the interim elections supervisor and I will let her introduce herself as well as her address.

MS. MEARS: Kathleen Mears, 1831 Palmer Ridge Road Greenville, Georgia.

MS. GRANT: We don't dispute the findings. We are here basically to let you know how seriously the board of elections registration takes this matter and they were very cooperative with us in getting the problem resolved and their (indiscernible) we take our admissions very, very seriously and our board also takes it very seriously and

asks for a letter of instruction and we would ask that as well.

MR. SECRETARY: Thank you-all for being here. Any questions?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none, do we have a motion?

MS. SULLIVAN: I'll move that a letter of instruction be issued in this case.

MR. SECRETARY: Ms. Sullivan moves we issue a letter of instruction. Do we have a second?

(No response)

MR. SECRETARY: I'll second. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we will issue the letter. 2014-015, Candler County Board of Education case. Number thirty in a binder.

MS. WATSON: This complaint was brought by Kendall Brooks an attorney representing Candler County Board of Elections. He reported that Wayne Culverson (phonetic) an elections director failed to qualify the nonpartisan board of education members in time for the May 20th, 2014 primary election. Additional information was received of

(indiscernible) regarding the November 4th, 2014 school board election. He advised the county used incorrect district lines with the school district. The word incumbent was not known next to the incumbents name on the ballot and at some point during the evening tabulation was not in public view.

The investigation revealed elections superintendent Wayne Culverson stated that his office neglected to hold qualifying in a timely manner and he takes full responsibility for the oversight. After the oversight was discovered, Mr. Brooks contacted the state elections division in the Attorney General's office seeking advice. Mr. Brooks filed a petition in Superior Court to reopen qualifying for the candidates and for setting up a special election. Regarding the November 4th, 2014 election, electors Mr. and Mrs. Henry Young (phonetic) were both issued the wrong ballot style because of the previous districting issues. The problem was addressed without affecting any additional electors. Candler County election staff failed to ensure the word incumbent was beside Carolyn Burton's (phonetic) name on the ballot. The error was discovered only after it was too late to correct. Ms. Burton was running against Mr. Culverson's daughter, Terry Culverson (phonetic). It was found Mr. Culverson did not work as a poll worker in the precinct in which his daughter was a candidate; however, he was present at the precinct on two occasions on the date of the election; once early in the day to deliver breakfast to the poll workers and once during the day regarding the district issue. Finally, it was alleged that the door to the office where the votes were counted was closed at some point during the counting of the ballots. It was determined that the gym servers located behind the door to the office and occasionally the door was pushed partially closed for the tech to maneuver in the room but the door was immediately reopened.

The recommendation is for Candler County Board of elections and Wayne Culverson, former election superintendent be bound over to the Attorney General's office for 21-2-132(c)(2) filing notice of candidacy and Candler County Board of Elections Wayne Culverson and Brooke Wetak (phonetic), chief deputy registrar, be bound over for violation of 21-2-131(a)(1)(a), fixing and publishing of

qualification fees and 21-2-285, form of additional election ballot and 21-2-(indiscernible) duties of County board in determining eligibility of voters.

MR. SECRETARY: Any questions for Mrs. Watson?

(No response)

MR. SECRETARY: Just to clarify, which I think you said, so, they basically self-reported all these issues; correct?

MS. WATSON: That's correct.

MR. SECRETARY: Okay. All right, anyone else wishing to speak?

MR. GROSS: I'm Kendall Gross and I am the county attorney for Candler County and for the elections board and Mr. Wayne Culverson is walking up behind me. I practice law at 235 South Lewis Street Metter, Georgia 30439. I'll let Mr. Culverson introduce himself.

MR. CULVERSON: I'm Wayne Culverson. I live at 1128 Culbertson Lane in Metter, Georgia. I'll begin by saying that my name is Wayne Culverson. I'm on the election board of Candler County for twenty-two years. I worked for the county for twenty-two years. I worked in elections and registration office. I started off as a poll manager, was a probate judge and ended my time as an election supervisor and chairman of the election board. I was hired in 2006 as a part-time election supervisor with a salary of five thousand and fifty dollars a year and if you divide that it works out to nine and a half hours a week that you can work with pay. However I did have a full-time clerk in the office that was responsible for running the office as directed by the board members and its members. As part of her duties and responsibilities she was asked to do the clerical reporting that was necessary on a day-to-day basis. She was to report any updates, changes made in the state-elected office to me and the board.

On April the 28th until May the 22nd, I was in my office qualifying board members. When I finished on Friday I was filling out all the papers when I realized I was missing one form. I proceeded to call Linda Ford at the Secretary of State's office and ask her about this matter. It was at this time that I was informed that the qualifying times had been changed to March. After talking to Ms. Ford I proceeded to find a mistake was made. (Indiscernible) the clerk in human error and not give the board or me the updated email that changed those election dates. I immediately called the county attorney and was able to go to Superior Court and get the qualifying dates changed. As to the matter of redistricting, Candler County was done with the clerk and the past chairman of the board in 2012. I was not involved in this matter. When I was hired as chairman in 2014 I did not have time at nine hours a week to go through everything that had been done in the past. So I assume those people had the knowledge and the ability to do it correctly.

On November the 3rd it was brought to my attention that the redistricting was in error. I immediately called Ms. Ford and asked her what needed to be done. She made me a list of registered voters which were ten people. I was also told to give a list with express poll worker and inform them that these people were not to vote on regular ballot, that they would be given a corrected ballot (indiscernible) except Mr. and Mrs. Young, who their daughter is a school board member had went and (indiscernible) but they swore to me that he did not cast a ballot. The grievance of Ms. Burton's (phonetic) matter as an incumbent was an oversight on my staff's part. Ms. Burton did not go on the ballot (indiscernible) on the qualifying that she was incumbent. So I assume responsibility for that. I called Linda Burton (phonetic) and stated this to her.

Before my daughter was qualified for school board member, I called Linda Ford and asked her if there was any problem with me working as election supervisor and she informed me that there was no law that I could not. She asked me not to be involved in anyway more than I absolutely had to. Let me say again, I was an election supervisor. Not a poll worker. On the issue of the door being closed in my office.

That office is about eleven by eleven. It has two full-sized desks and it is my office also. It has a gym machine on another desk and a big file cabinet. That's where we store all of the machines. When I came in from closing out the other poll there was five people in there working on elections. I opened the door, put my keys in my door, spoke to them all and turned around and walked out. I was not there, at most, a minute.

Shortly after the election I was called to the attorney's office and Mr. Gross stated that the county commissions had met and my position as election supervisor and chairman was to be terminated or I could resign. I thought this over and I don't feel that it was right for me to resign because to me that's admitting I did something wrong. The county board met and they were ready to fire me and then they learned they had to have a public meeting. On December 4th (indiscernible) Candler County courthouse to set up a meeting regarding comments and whether the accusations warranted me to (indiscernible). There were eighty (indiscernible) concerned citizens there. Anyone could speak. Many citizens' voices were heard after the chairman of the board read the allegations against me. Many citizens stated that mistakes have been made but they didn't feel that I should be fired. Everybody on the board entered into executive session. Once they were back to the regular meeting, the statements were quoted from the minutes taken that night and they were as follows -- this statement was taken from the quote of the minutes that night.

Prior to a motion being made by Commissioner Jones, stated contrary to what is being heard the board has not made a (indiscernible) prior to tonight to fire Mr. Culverson. I think there's been a lot of serious mistakes in this (indiscernible) and the way it was handled. I do not believe that we have here tonight raised enough evidence to bind Mr. Culverson. I think a strong recommendation in writing is what it should be and he made that a motion.

The motion was made to give Mr. Culverson a letter of recommendation. Let me say that I (indiscernible) mistakes are made because of that fact. I did apologize to the citizens of Candler County. I apologized to Ms. Burton (indiscernible) during the voting period for the wrong by me and my office staff. As a matter of fact, that night the

staff and I declared to meet the next day to head off any problems that would come in the future.

MR. SECRETARY: Thank you Mr. Culverson. Anything else Mr. Gross?

MR. GROSS: I do. I am here in defense of the election board. I do want to point out that the election board that existed at the time these complaints were lodged is completely gone as is Ms. Voight (phonetic). They have been replaced either by their own volition or otherwise. Given that and given the cooperation and the fact that the county self-reported I would ask that the election board not be bound over but allow the matter that may need to be further investigated into Mr. Culverson and Ms. Voight be bound over. It's a completely separate crew that's there now. They are, to my knowledge, certified and are trained. We have had a couple of elections since this time. We haven't had any problems and given the totality of the circumstances I believe that would be appropriate as far as a disposition for the County.

MR. SECRETARY: Any questions for Mr. Culverson or Mr. Gross?

(No response)

MR. SECRETARY: Thank you, gentlemen. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Hearing none, do we have a motion or any other discussion?

MR. WORLEY: I would make a motion that we bind over all of these violations to the Attorney General's office.

MR. SECRETARY: Mr. Worley has a motion to bind over. Do we have a second?

MS. SULLIVAN: I'll second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Next up we have 2014-022, which is number thirty-one in our binder, Fulton County primary election.

MS. WATSON: There were ten (indiscernible) complaints relating to the May 20th 2014 general primary in Fulton County regarding various issues, such as receiving an incorrect ballot style, voter not found on the voter list, no provisional ballot at the precinct and the precinct had changed without notification. Out of these allegations there were four that were substantiated. The first is that Peter Marshall (phonetic) (indiscernible) was not listed as a registered voter as a result of faulty GIS information recorded in Fulton County. This had been corrected and he is now in the correct district and polling location. Marshall was provided a provisional and that vote was counted. An elector, Veronica Pryor (phonetic) was redistricted in error and the districting GIS information resulted in her not being listed in an express poll recorded in Fulton County. She was offered and voted a provisional ballot that was counted. Michael Burnett (phonetic) was not located in the voter's list. Fulton County advised this was due to redistricting and faulty GIS information. Mr. Burnett provided a provisional that was counted. James Roberta (phonetic), William and Susan Scarborough (phonetic) all from the same address were all redistricted and due to error and faulty GIS information they were not listed in the voter list and they were not provided with a provisional ballot. We recommended Fulton County Board of Election and Registration, Richard Barron (phonetic), election supervisor, Dwight Bauer (phonetic), director of elections Ralph Jones (phonetic), registrations manager be bound over to the AG's office for the listed violations in 21-2-226(b),

duties of the county board to determine eligibility of voters and violation of 21-2-418(a) provisional ballots.

MR. SECRETARY: Any questions for Ms. Watson from the board?
(No response)

MR. SECRETARY: Hearing none, anyone else wishing to address the board on this matter?

MR. GOLDMAN: Again, my name is David Goldman. Fulton County attorney's office, 141 Pryor Street Atlanta, Georgia. With respect to the remaining four complaints, Mr. Dwight Bauer, chief of elections, to provide information with respect to the Scarborough matter, which is the ninth complaint. Mr. Ralph Jones will provide that information.

MR. BAUER: Dwight Bauer, 130 Peachtree Street Atlanta, Georgia 30303. In reference to the Scarborough case, it is, in fact, treated as though those folks were not on the express poll but that is not our policy not to offer a provisional ballot to the voter. I think we have a pretty long history of sometimes getting accused of being too liberal with provisional ballots but provisional ballots were offered. The voters simply declined to vote the provisional ballot.

MR. SECRETARY: Let me just ask you a question about that. So, you're saying that they declined the provisional ballot?

MR. BAUER: Yes.

MR. SECRETARY: Because in the report it's saying they weren't offered a provisional ballot.

MR. BAUER: We saw that in several cases in the report but if you go back they were offered -- that is our policy. The poll manager states that they were, in fact, offered a provisional ballot but declined.

MR. SECRETARY: Mr. Worley.

MR. WORLEY: Do you know why they were not listed in the system?

MR. JONES: Mr. Ralph Jones, 130 Peachtree Street Atlanta, Georgia 30303. The reason why they were not on the list is because of a GIS coding error. Their office was the last one on the street and with the new redistricting system, if it doesn't match our street, they are automatically not assigned to a particular precinct. So, their name was not assigned to a precinct at the time of the vote. We have since then have corrected it (inaudible).

MR. SECRETARY: Do you have anything else on these other ones or is that it?

MR. GOLDMAN: In reference to the provisional ballot, I think this was the general primary that was (indiscernible). We did not get or receive all of the provisional supplies requested. I think the issue was provisional ballot envelopes and we requested five hundred and we were only issued three hundred. I think we got about 60 percent of what we asked for.

MR. SECRETARY: Anything else? Any questions for Mr. Bauer, Mr. Jones or Mr. Goldman?

(No response)

MR. SECRETARY: All right, thank you. Anyone else wishing to speak on this matter?

(No response)

MS. WATSON: Mr. Chairman, the Scarboroughs were contacted and they advised they were turned away (indiscernible) and not offered a provisional.

MR. SECRETARY: All right. No one else wishing to speak. Do we have a motion or any other discussion?

MS. SULLIVAN: I'll move that we accept the recommendation and bind these cases over to the Attorney General's office.

MR. WORLEY: I would second that.

MR. SECRETARY: We have a motion by Ms. Sullivan and a second by Mr. Worley to bind over. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Next, we have 2014-036 Troup, which is thirty-three in our binder.

MS. WATSON: (Indiscernible) regarding the May 20th, 2014 general primary election and the July 22nd, 2014 primary runoff election and Troup County that were reported by Ms. Eleanor Moore (phonetic). The complaints included questions as to Amy Hyatt's (phonetic) qualification as a poll worker, absentee ballots were mailed out without voters requesting an application, the May 20th, 2014 election was certified with no participation by the board, Gilmore (phonetic) alleges that an elector, Mr. Hart, was placed in an incorrect district after being de-annexed from his property in the city of West Point to Troup County. The Troup County election supervisor, Andrew Harper (phonetic), and the board of elections and registration chair Jane Macoy (phonetic), submitted complaints alleging that Stephen Dale Jackson (phonetic) had voted on July 22nd at the Gray (indiscernible) polling location while wearing his third congressional Republican party identification badge. Poll workers requested that he remove the badge (indiscernible) stated that he could leave it on. The last complaint was that Stephen Dale Jackson (phonetic) took a photo of his ballot and posted it to his Facebook page. Of the investigations two of the complaints were substantiated that Keith Hart (phonetic) a Troup County voter voted a provisional ballot on May 20th, 2014 and later was notified

that his ballot did not count. Mr. Hart's property had been annexed in the city of West Point in 2008 and then de-annexed back into the County in 2012. Mr. Hart went in to vote and was directed to his correct polling location. He stated that he was pressed for time and asked for a provisional ballot and voted the ballot. The election supervisor was contacted and notified that Mr. Hart would have had time to go to his correct precinct and Mr. Harper, an election supervisor, rejected the provisional ballot.

The complaint alleging that Steven Dale Jackson took a photograph of his ballot and posted it to his Facebook page was also confirmed. Mr. Jackson stated that he did not see the sign stating cell phone usage was not permitted in the polls. Mr. Jackson also stated that he believed as long as the ballot was not legible a photograph was okay.

The recommendation is for Troup County Board of Elections and Registration be bound over to the AG's office for 21-2-419(b), validation of provisional ballots as Troup County Board of Election fail to properly examine the ballot cast by Keith Hart and make good-faith judgment in determining if he was entitled to vote in the primary election. 21-2-419(c)(2), validation of provisional ballots as Troup County Board of Elections failed to count the provisional ballot votes for candidates and Keith Hart was entitled to vote for. Violation of the State Election Board rule 183-12-064(d), provisional ballot when Troup County Board of Election failed to count all votes cast when Keith Hart was entitled to vote and also the City of West Point and Richard McCoy be bound over to the AG's office for 21-2-226 and 21-2-228 examination of electors qualifications and Stephen Dale Jackson be issued a letter of instruction for violation of 21-2-413(e), conduct of voters prohibit (indiscernible).

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak on this matter?

MR. TODD: Jeff Todd, I am the City of West Point city attorney. I practice law at 205 North Lewis Street in

Lagrange. I'm here on behalf of West Point just to acknowledge that they've had a number of annexations over the years. They have not had a lot of the de-annexations. As a matter of fact, I think, this one was the first one in several years. They simply did not have a procedure in place to notify the board of electors of a de-annexation. They notified the County and didn't realize that was not enough but that has certainly been remedied and will be remedied by the City going forward.

MR. SECRETARY: Any questions for Mr. Todd?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak?

MR. JACKSON: My name is Dale Jackson, 4204 Whites Field Road Lagrange, Georgia. Just wanted to simply state that I wasn't aware that I couldn't take a picture. I was primarily with my daughter in the voting booth. Not knowing this day was coming I haven't done it in the last two cycles. We take our picture outside of the building from now on, so I would ask for your leniency and I promise to never do it again. Thank you.

MR. SECRETARY: Thank you for being here, Mr. Jackson. Any questions for Mr. Jackson?

(No response)

MR. SECRETARY: I would just say for Mr. Jackson's knowledge and the rest of the audience we have tried -- you know, taking ballot selfies and pictures in the polls and those kind of things, we get a lot of calls about that. We've tried really hard whether you like that law or not we're required to follow that in the polling locations and I know the County election officials in our office have tried to make the public aware of that, not to do that and this board has had a pretty standard response when that happens for first-time offenders, if you will, is just to send a simple letter of instruction, make sure that doesn't happen again. I certainly appreciate that it hasn't, so that is the recommendation here and that's not anything out of the

normal -- that we normally do and any help you-all can give the general public about spreading that word, we'd appreciate it. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Hearing none, do we have a recommendation or a motion?

MR. WORLEY: I make a motion that we send Mr. Jackson a letter of instruction not to take photographs in the polling place again.

MR. SECRETARY: We have a motion by Mr. Worley. I'll second that. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we will issue that letter. Thank you for taking the time to be here today. We still have the matter dealing with the other respondents. The recommendation, Ms. Watson, was for the board of elections or the City or both?

MS. WATSON: Troup County Board of Elections and Registration for 21-2-419 and State Election Board rule 183-12-.06 and City of West Point and Andrew Macoy.

MS. SULLIVAN: I'll move that those cases be bound over to the Attorney General's office.

MR. WORLEY: I'll second that.

MR. SECRETARY: We have a motion by Ms. Sullivan and a second by Mr. Worley. Let me just make sure that we don't -
- I know we've heard from the City. Is there anybody from Troup County here that wants to talk to us?

(No response)

MR. SECRETARY: Hearing none, we have a motion and a second to bind over. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Okay, thank you-all for being here. Next case 2014-093, which is number thirty-four in our binders. It is a DeKalb County case.

MS. WATSON: November 2014 Alexandra Davies (phonetic) reported that she found two poll locations given to her by DeKalb County to vote on November 4th, 2014. At both locations she was not located in the express poll. Investigation showed that Alexandra Davies registered to vote in DeKalb County on October 6th, 2014 the last day to register for the November 4th, 2014 election. The voter registration application was processed on October the 9th, and for reasons unknown was canceled showing not verified.

On November 4th, 2014 registration showed changes had moved to active and assigned to the Chamblee Civic Center precinct. Ms. Davies called on November 4th to verify where to go to vote. She was told to go to the Saint Patrick Episcopal Church. When Ms. Davies was at the Saint Patrick Episcopal Church, she was not found in the express poll and they called the elections office and found her precinct to be Chamblee Civic Center. Ms. Davies went to Chamblee Civic Center and was not found in the express poll but was offered a provisional ballot which she declined to accept and left the polling location. Investigator confirmed with Maxine Daniels (indiscernible) voter registration application was processed, she was not placed in the proper precinct but was still listed with an unassigned precinct status until November 4th, 2014.

The recommendation is for the DeKalb County Board
of

Election and Registration and Maxine Daniels, election supervisor be issued a letter of instruction for the listed violations of 21-2-226(b), duties in determining eligibility of voters.

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MR. BRYANT: Ben Bryant (phonetic) Assistant County Attorney for DeKalb County representing the board of registration and elections. I practice law at 1300 Commerce Drive Decatur, Georgia 30030. Mr. Chairman and the board, we're not here to contest the facts as consistently with the investigation but provide a little bit of context to it. Really, the error that occurred here is that the data entry employee did not finish his or her job. Now, this employee is no longer with the County but the employee started processing the application but did not do a street search which is the process that assigns a voter to a precinct. So again instead of -- we understand that this is important and we regret that the voter was sent to two different places. She did not fill out or she did not cast a provisional ballot which she had an opportunity to do but not focusing on that would like to provide you with what the County has done to mitigate these factors and just make sure that this doesn't happen again.

A couple of internal procedures that we are putting in place is creating red flag reports to make sure that we understand when this process isn't completed by the data entry person. So say someone is registered to vote. Their process of the application has been processed but the research hasn't been done and therefore they have not yet been assigned a voter precinct. It will actually create an internal document that flags any of those cases. Obviously, it's also important to have proper training procedures in place. We will train our data entry folks to make sure that they are specifically looking for this and we will have them supervised and, in fact, assigned a specific staff member to take these red flag reports that we receive in addition to the ones that we create internally through the IT

department. Also, the information that we receive through the 9999 supplemental reports to periodically and regularly check to see if any voters have not been properly placed through the name search and if we find that if any data entry folks have not completed our process as trained, there will be remedial training and there will be remedial action taken. Finally, we also are going to put in place some fail-safe procedures that includes creating -- distributing the 9999 supplemental list to poll managers in each polling location. So, in this situation if the voter were to arise and the poll manager had a list, she would be on that list even if she wasn't on the voter precinct list and we could resolve it right on site without even her having cast a provisional ballot.

So considering that the board of elections takes this seriously and considering that the board of elections has already put in procedures to make sure this doesn't happen again, we respectfully request that you follow the recommendation of the investigator and just issue a letter of instruction.

MR. SECRETARY: Thank you. Any questions for Mr. Bryant?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak on this matter? We have a recommendation for a letter of instruction. Any other discussion or a motion from the board?

MS. SULLIVAN: I'll move that a letter of instruction be issued.

MR. WORLEY: I'll second that.

MR. SECRETARY: Alright Ms. Sullivan moves for the letter and Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we will issue that letter. 2015-038 which is number thirty-five in our binders, Fulton County case.

MS. WATSON: Yes, sir. The complainants in the July 2015 -- a complaint was filed alleging that a candidate, Marie Metts (phonetic), campaigned in several Fulton County polling locations during the July 22nd, 2015 special runoff election. Investigations revealed it was determined that candidate representative-elect Marie Metts went into the Thicket Elementary poll location during the runoff election Ms. Metts entered the poll around 10:00 am. She did not introduce herself or speak to anyone but just proceeded to the poll area. She was not wearing any name tag or any campaign-related items. Poll workers approached and asked if they could assist her and she replied she was fine. She sat for approximately an hour and left and returned at approximately 1:00 p.m. at which time she approached the poll manager and introduced herself as a candidate on the ballot. The poll manager, Ms. Smith, advised Ms. Metts that she was not supposed to be at the poll and she immediately left the location.

At the West Manor Elementary School precinct, Marie Metts (phonetic) was also observed at the poll by candidate Shelitha Robertson (phonetic) who had entered the poll to observe Ms. Metts talking to voters and poll workers and reported her to the poll manager, Ms. Dunn (phonetic). Before Ms. Dunn could approach Ms. Marie Metts, she had left the poll area at which time Shelitha Robertson also exited the poll. The poll manager stated that Marie Metts had been at the poll twice: once to vote and then again when she was sitting in the poll area. When entering Marie Metts advised that she was not wearing any campaign items and that the other candidates were also in the polls. Marie Metts would only say that she entered to use the restroom and was not wearing campaign items and that the other candidates were also in the polls. This appears to contradict with the poll manager's statements that claim Marie Metts were in the poll area sitting for over an hour. Shelitha Robertson had stated that she had observed Marie in the West Manner poll location. Shelitha Robertson advised that she stood in the

hallway for five minutes and watched Ms. Marie Metts speak to voters and poll worker. Shelitha stated that Marie Metts then sat down on a chair within the polling area in the vicinity of voters. Shelitha Robertson went to report to the poll manager that candidate Marie Metts was in the poll and Marie Metts walked outside the poll.

The recommendation is that Marie Metts and Shelitha Robertson be bound over to the AG's office for 21-2-419(b), prohibition of candidates on entering certain polling places when Marie Metts entered the polling area of West Manner precinct and Thicket precinct and Shelitha Robertson entered the West Manner precinct while voters were listed as candidates on the ballot and the presence was not for the purpose of voting.

MR. SECRETARY: Any questions from the board for Ms. Watson?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak on this matter?

MR. BROWN: Dwight Brown, 130 Peachtree Street Atlanta, Georgia 30305. I guess this is kind of like self-reporting but I did receive a call from Ms. Robertson alleging that Ms. Metts was in the poll. I had talked with Ms. Metts and she immediately departed the poll per my discussion with the poll manager at that location.

MR. SECRETARY: Any questions for Mr. Brown?

(No response)

MR. SECRETARY: Thank you. Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Hearing none, do we have a motion? We have a recommendation to bind both respondents over.

MS. SULLIVAN: I move we accept the recommendation.

MR. SECRETARY: Ms. Sullivan moves we bind both over. Do we have a second?

MR. WORLEY: I second that.

MR. SECRETARY: Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we will bind them over. Okay, 2016-001, Tybee Island qualifications issue, number thirty-seven in our binder.

MS. WATSON: This case was heard previously and was sent back for further investigation. The complaint was made by Lonnie Parks (phonetic) and complained that Tybee Island resident Stephen Freeman (phonetic) intentionally filed false qualification documents when he ran for office in the November 3rd, 2015 general election in Tybee Island. An investigation revealed on September 12th, 2014 Mr. Freeman purchased a home on Tybee Island in order to establish residency. On November 4th, 2014 Mr. Freeman traveled to Cobb County to vote and signed his voter certificate (indiscernible) his residence is in Cobb County. On September 3rd, 2015 Mr. Freeman submitted notice of candidacy paperwork with an affidavit that he was a Tybee Island resident for one year, which would not have been one year from the date of his home purchase on Tybee Island nor would the election be one year of the date that he completed the voters certificate in Cobb County. When Mr. Freeman was notified of the challenge, he withdrew his candidacy.

The recommendation is for Stephen Freeman, candidate of Tybee Island (indiscernible), be bound over to the AG's office for the listed violations: 21-2-565 and 21-2-562.

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Anyone else wishing to address us?

MR. WITHERS: Good afternoon, members of the board. My name is Tom Withers (phonetic). I am an attorney from Savannah.

I practice at 8 East Liberty Street Savannah, Georgia 31401. This board heard the facts, including the testimony and statement of Mr. Freeman, at the June hearing as well as heard from the complainant. Given that Mr. Freeman took action to withdraw from the Tybee election when he was notified of his violation, I think he's done everything that he could do to remedy the situation and we'd ask that the case -- that this board issue a letter of instruction or letter of reprimand. Mr. Freeman is here with me today as a sign that we take this matter very seriously. Thank you.

MR. SECRETARY: Thank you, Mr. Withers. Any questions for Mr. Withers?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Ms. Watson, can you just give the board a brief recap of the Savanna meeting and why this came back?

MS. WATSON: Yes. Previously Mr. Freeman was not listed in violation of 21-2-562 regarding entry in the voting in Cobb County and signing a voter certificate.

MR. SECRETARY: Okay. In light of that, did you want to add anything?

MR. WITHERS: No.

MR. SECRETARY: Okay. Anyone else wishing to speak?

(No response)

MR. SECRETARY: Hearing none, do we have any other discussion or a motion?

MR. WORLEY: I would make a motion that we bind this over to Attorney General's office.

MR. SECRETARY: Mr. Worley moves that we bind this over. Do we have a second?

MS. SULLIVAN: Second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we will bind that one over. All right, we will go back to the start of this list on the cases that we skipped over because no one was here. I believe the first one is 2013-015, which is the Gwinnett County Roberts registration. I think it is number twenty-one in a binder.

MR. LEWIS: That is correct, Mr. Secretary. In March 2013 Gwinnett County reported two registration applications were received for elector Corey Roberts (phonetic), were noticeably different signatures. We contacted Mr. Roberts who stated that he was unaware of the second voter registration card being submitted in his name. He did verify that he completed one of the voter registration cards but indicated he had no knowledge of who might have completed the second card. One of the cards had a phone number for Kristie Roberts (phonetic) who is Mr. Roberts, ex-wife. When she was questioned about voter registration card, she admitted to having completed one of the cards for Mr. Roberts but indicated that she let him sign the card. Ms. Roberts agreed to submit a statement regarding her actions in this matter but no statement was ever received. Further attempt to contact either Mr. Roberts or Ms. Roberts

were unsuccessful (indiscernible) information for the investigation.

We recommend that Larissa Edna Roberts (phonetic) be bound over to the Attorney General's office for 21-2-561(2), false registration and 21-2-562, for fraudulent entries.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none, do we have further discussion or a motion? (No response)

MR. SECRETARY: I would move that we bind over to the Attorney General's office.

MS. SULLIVAN: Second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we have bound that case over. We'll move to SEB case 2013-064, city of Atlanta, Palmer case. Number twenty-eight in our binder.

MR. LEWIS: Latonya Middlebrooks (phonetic) reported that Mary Palmer (phonetic), a candidate for the Atlanta school board District 5 had qualified when there were current IRS liens against her for the years of 2007 between 2013. The investigation revealed that we did discover IRS notice of tax forms filed on the clerk of Superior Court Fulton County, Georgia on December 18th, 2012 and January 15th,

2013 covering the tax years of 2002 to 2012. The (indiscernible) claimed the approximate amount was a hundred and three thousand dollars of owed taxes to the IRS. During the investigation Ms. Palmer admitted to owing taxes and led investigators to believe that there were negotiations ongoing and a possible payment plan to satisfy the tax liens. We contacted her accountant and her accountant advised that all of her compromised taxes were currently being prepared to submit to the IRS in order to settle the back tax issue. Ms. Palmer did provide copies of her paystubs indicating in involuntary Federal levy had been placed against her payroll checks for the months of May, June, December of 2013.

We recommend that Mary Palmer, candidate for the Atlanta school board, be bound over to the Attorney General's office for the listed charges in 21-2-6, qualifications of candidates for county and municipal office and 21-2-565, making false statements.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

MR. SECRETARY: Seeing none, do we have any other discussion or a motion?

MS. SULLIVAN: I move we bind over this case to the Attorney General's office.

MR. SECRETARY: Ms. Sullivan moves that we bind over the case to the Attorney General's office. Do we have a second?

(No response)

MR. SECRETARY: I'll second. Any other discussion?

MR. WORLEY: I have a question for the Attorney General's office. I don't think we've ever had a case like this where

the issue of someone's qualifications is an issue before us when it comes to the Secretary of State and --

MR. SECRETARY: For a candidate challenge. I guess, qualifications are challenged.

MR. WORLEY: Right.

MR. SECRETARY: Are you asking if we have jurisdiction here?

MR. WORLEY: Well, we've just never had it come up. I'm just wondering if we refer it over to the Attorney General's office if they could carefully look at the basis for a complaint.

MS. CORREIA: Well, we will do that.

MR. WORLEY: That's all.

MR. SECRETARY: Let the record reflect that Mr. Worley has been on this board for as long as anybody can remember and he has never seen this before. (Laughter from the gallery)

MR. SECRETARY: Okay. Let's see, we had a motion and a second to refer to the Attorney General's office. With that being said, any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous)

MR. SECRETARY: All opposed same sign and that motion carries. Our last new case on our agenda is SEB case 2014-033, which is number thirty-two in our binder.

MS. WATSON: This complaint was made on June 5th, 2014. The

Pike County registrar contacted the Secretary of State's office to report that they had incorrectly entered (indiscernible) codes for voters with addresses between the numbers of 7008 through 9476 on Georgia Highway 362. The (indiscernible) code affected the school board district for these voters. Investigations showed there were twenty-one electors listed in incorrect school board district for Pike County. Six of the twenty-one voters cast ballots in the May 20th, 2014 primary election. Mr. Chamblin, the chief registrar, discovered the error and corrected it by placing the voters in the correct district.

The recommendation is for the (indiscernible) Lynn Brandenburg (phonetic), Pike County election supervisor Sandy Chandler (phonetic), chief registrar, be bound over to the AG's office for 21-2-226(b).

MR. SECRETARY: Any questions for Mrs. Watson?

(No response)

MR. SECRETARY: Hearing none, anyone else wishing to speak on this matter? (No response)

MR. SECRETARY: Seeing none. Ms. Watson, you did say they self-reported; correct?

MS. WATSON: That is correct.

MR. SECRETARY: Do we have any other discussion or motion? We have a recommendation to bind over.

MR. WORLEY: I move we bind this matter over to the Attorney General.

MR. SECRETARY: Mr. Worley moves we bind over. Do we have a second?

MS. SULLIVAN: Second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Now we are moving on to our -- let me see, does anybody need to take a quick break?

(No response)

MR. SECRETARY: Alright, we will keep going. Our Attorney General report, our consent cases we will have the same procedure here. If anybody wants to pull one of these out, we will. Let me just go through these really quick. 2011-018, which is a noncitizen case.

UNIDENTIFIED SPEAKER: Sir, if we could, we would just like to hear the nature of the complaint and what the findings were.

MR. SECRETARY: You got it. 2011-075. It is the City of Lake City?

(No response)

MR. SECRETARY: 2012-028 Paulding County, felon case?

(No response)

MR. SECRETARY: 2012-170, Richmond County, nonresident voter case?

(No response)

MR. SECRETARY: 2013-025, Crisp County, felons?

(No response)

MR. SECRETARY: 2013-028, DeKalb County, voter registration?

UNIDENTIFIED SPEAKER: Just the nature and the findings, please sir.

MR. SECRETARY: Yes, ma'am. 2013-032, City of Ocilla, Irwin County?

(No response)

MR. SECRETARY: 2013-066, City of Bronwood in Terrell County?

(No response)

MR. SECRETARY: 2015-009, the City of Odum in Wayne County?

(No response)

MR. SECRETARY: Are there any board members that would like to pull off any of these consent cases?

(No response)

MR. SECRETARY: Alright, hearing none, I will take a motion to accept the recommendations on State Election Board case numbers 2011-075; 2012-028; 2012-170; 2013-025; 2013-032; 2013-066; 2015-009. Do we have a motion to accept the Attorney General report on those cases?

MR. WORLEY: So moved.

MR. SECRETARY: Mr. Worley moves. Do we have a second?

MS. SULLIVAN: Second.

MR. SECRETARY: Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. Okay, we will pull out 2011-018, which is number thirty-eight in our binder.

MS. CORREIA: This is a case from 2011. Mr. Ramone Espozo (phonetic) in Gwinnett County is a noncitizen and registered to vote in the county and voted in the years 2004, 2006 and 2008 and consent order calls for a cease and desist with public reprimand and a fine of fifteen hundred dollars.

MR. SECRETARY: Anyone else wishing to speak on this matter?

(No response)

UNIDENTIFIED SPEAKER: Would it be appropriate to ask the question -- I'm sorry. The question that we have is did the individual register himself or did he register through DDS? Do you happen to know how he was registered?

MS. CORREIA: He registered himself prior to 2004.

UNIDENTIFIED SPEAKER: Perfect, thank you. And thank you for allowing the question.

MR. SECRETARY: You're welcome. Anyone else?

(No response)

MR. SECRETARY: Hearing none, do we have a motion to accept, change or do anything else?

MS. SULLIVAN: I'll make the motion to accept.

MR. WORLEY: I'll second.

MR. SECRETARY: Ms. Sullivan moves that we accept. Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. We will pull out 2013-028, which is number forty-three in our binder.

MS. CORREIA: This is a case originating in DeKalb County. Mr. Richmond Boulder (phonetic) was assisting with a third-party registration drive back in 2013. He was moving about the same time and misplaced some of the voter registration applications so that they were turned in beyond the statutory deadline but still within time so that no voter was affected in terms of their ability to vote in the upcoming election. So we're recommending a consent order with a cease and desist, a public reprimand and a fine of two hundred fifty dollars.

MR. SECRETARY: Anyone wishing to speak on this matter?

(No response)

MR. SECRETARY: Hearing none, do we have a motion?

MS. SULLIVAN: I'll move that we accept the proposed consent order.

MR. WORLEY: I'll second it.

MR. SECRETARY: Ms. Sullivan moves to accept. Mr. Worley seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none, all in favor signify by saying "aye."

(No response)

MR. SECRETARY: All opposed same sign and that motion carries and we will accept it. Now, we will move to our proposed recommendations for dismissal. So let me just go through and call these cases. 2004-048; 2012-128; 2013-058;

2013-061; 2013-025; 2013-113. Did anyone want to pull one of these individual cases out to be discussed?

(No response)

MR. SECRETARY. Hearing none, anyone on the board would like to pull any of these out?

(No response)

MR. SECRETARY: Hearing none, we will vote on these in block. I had one question. Ms. Correia, are the reasons we are recommending dismissal all over the board or is there one pertinent issue on these?

MS. CORREIA: Two of the cases they are dismissals that we are recommending without prejudice because all the mail gets returned. We just can't find the respondents.

Three of the cases, 2004-048; 2012-128; 2013-061, all involve charges of possession of absentee ballots and under the 2016 Attorney General opinion, we don't believe that that's a violation of that statutory code.

The final one, 2013-058, involved the City of Lake City. The charge was that the City did not have somebody that was certified to run their elections and the City clerk was charged and the City. The board voted to send the city a letter of instruction but bound over the City clerk but the City clerk wasn't the person that was actually running their municipal elections. It was somebody else that charges were never brought against and that person, Billie Brown (phonetic), was actually appointed by the City to run their elections. He did take all of the training, passed all of the classes but just didn't submit his grades. So he technically had not gotten the certification but given that the City clerk wasn't actually running the elections and the City has already received a letter of instruction, we recommend dismissal.

MR. SECRETARY: I guess we have to vote in block on the proposed dismissal on the Attorney General report as I listed earlier. Do we have a motion?

MR. WORLEY: I move that we dismiss those cases.

MR. SECRETARY: Mr. Worley moves that we dismiss. Do we have a second?

MS. SULLIVAN: I'll second that.

MR. SECRETARY: Ms. Sullivan again seconds. And I hear no further discussion, so we'll vote. All in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. And we have dismissed those cases. That appears to be all of the business before us. Mr. Lewis and Ms. Watson, I did not miss a case, did I?

MR. LEWIS: No, sir. You did not.

MR. SECRETARY: Alright with that being said, I would take a motion for adjournment.

MR. WORLEY: So moved.

MR. SECRETARY: Mr. Worley moves.

MS. SULLIVAN: I'll second.

MR. SECRETARY: Ms. Sullivan seconds again for adjourning the 2016 December 13th State Election Board meeting. All those in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries and we are adjourned and I hope you guys have safe travels back home today. Thank you for being here.

(Proceedings concluded)

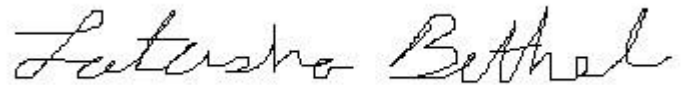
CERTIFICATE OF COURT REPORTER

STATE OF GEORGIA
COUNTY OF DEKALB

I hereby certify that the foregoing meeting was reported as stated in the caption and the proceedings were reduced to writing by me; that the foregoing 101 pages represent a true, correct, and complete transcript of the proceedings given on December 13th, 2016.

I certify that I am not disqualified for a relationship of interest under O.C.G.A. 9-11-28(c); I am a Georgia Certified Court Reporter here as a representative of Happy Faces Court Reporting Firm; I was contacted by Happy Faces Court Reporting Firm to provide court reporting services for this proceeding; I will not be taking this proceeding under any contract that is prohibited by O.C.G.A. 15-14-37(a) and (b) or Article 7.C. of the Rules and Regulations of the Board; and by the attached disclosure form I confirm that Happy Faces Court Reporting Firm is not a party to a contract prohibited by O.C.G.A. 15-14-37 or Article 7.C of the Rules and Regulations of the Board.

This 27th day of December 2016.

A handwritten signature in cursive script that reads "LaTasha Bethel".

LaTasha D. Bethel
Certified Court Reporter
Georgia Certificate #2660

