

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

SEPTEMBER 20TH, 2017
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

Ralph F. Simpson, Member, State Election Board,
State of Georgia

David J. Worley, Member, State Election Board,
State of Georgia

Brian P. Kemp, Chairperson, State Election Board, Secretary of
State, State of Georgia

Rebecca N. Sullivan, Vice Chair, State Election Board,
State of Georgia

Seth Harp, Member, State of Election,
State of Georgia

ALSO PRESENT IN ORDER OF PRESENTATION

Russell Willard, Senior Assistant, Attorney General's Office,
State of Georgia

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

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

MS. SULLIVAN: We will go ahead and get started. I am Rebecca Sullivan. Secretary Kemp was called away and he is stuck in a meeting for a few minutes, and given the longevity of the day, he asked me to go ahead and kick off the meeting and get started. So we will do that. I will go ahead and call this meeting to order and our first order of business is the invocation and the Pledge of Allegiance.

We have asked Judge Simpson to lead us in that this morning.

INVOCATION

PLEDGE OF ALLEGIANCE

MS. SULLIVAN: I would like to take this opportunity to welcome our newest member of the State Election Board, Seth Harp, who is the Senate's appointee to the State Election Board. We are very happy to have you. I will tell you a little bit about him. Senator Harp is an attorney and former member of the Georgia State Senate. He represented District 29 from 2001 until 2011. During his time in the Senate, he served on various committees including chairman for the education committee as well as the judiciary committee.

Senator Harp earned a bachelor of science in pharmacy from Auburn University and his JD from the Walter F. George School of Law at Mercer University. His professional experience includes working as an assistant staff Judge Advocate in the United States naval forces and as a principal at Harp Poydasheff Post and Sowers, LLC. He retired as a captain in the United States Marine Corps and served in Vietnam from 1966 to 1967. Additionally, he has been named Georgia's super lawyer multiple times by Atlanta magazine. Senator Harp currently lives in Midland, Georgia with his wife Linda, where he is involved in numerous community activities.

We're very excited to have him as a member of this board. Please join me in welcoming him.

(Applause from the gallery)

MS. SULLIVAN: Our next item on the agenda is the election of vice chair. We are going to move that down later in the agenda until Secretary Kemp can join us. So we will go ahead and take a vote on the approval of the minutes from the State Election Board meeting of December 23rd, 2016.

MR. WORLEY: Move that we approve.

MS. SULLIVAN: I'll second. All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: The minutes are approved. We now enter into our public comment period of the agenda. This is a period of time if you are here and you would like to speak to the board on a general matter, something that is not related to one of the cases on our agenda, you will have an opportunity to address the board. We have several comment cards here for people who have already signed up to speak. If anyone else would like to speak, please approach the front and fill out a comment card so we can recognize you at the appropriate time. You will each have two minutes to speak and I ask that when you are recognized if you will come up to this front chair here to my right and use that microphone, it would be appreciated. The first person who has signed up to speak is Becky Herrington (phonetic).

MS. HERRINGTON: Good morning, my name is Becky Herrington. I live at 4586 Pond Lane Marietta, Georgia. I am here as a representative of the citizens called Fair Election Advocacy. With the potential of voting machines being perhaps compromised, we feel as though there will probably be a lot more absentee

ballots in the next election and so what I would like to ask of the board is if you would consider a re-design of that absentee ballot. The way that it is designed right now is, you fold it. All the voter's personal information is on the outside and many people are concerned about their personal information being taken. I would like you to consider that for the next upcoming election as well as the use of paper ballots in the most near future. Thank you.

MS. SULLIVAN: Thank you, Ms. Herrington. Next we have Isabel Hidalgo (phonetic).

MS. HIDALGO: Good morning, my name is Isabel Hidalgo from 45 E. Wesley Rd. NE. here in Atlanta. I took the train this morning to come and see you. I am doing it because I have serious concerns about transparency of elections in Georgia. I am a community activist. I'm involved. We talk to people. We have seen how first world countries and not even first world countries, since the hacking of the Ukraine, changing to paper ballots. We have American competitions of hackers and how many of them it's going to take to hack our system. Our machines in Georgia have been graded F- by authorities. We don't have a verifiable system. We have a hackable, non-verifiable system. I have a concern because I think it's a threat to my constitutional right to be counted. So I'm here to ask you to please change this and provide Georgians a system, democratic, reliable, verifiable, with paper ballots as everyone else is doing; otherwise why and who wants to support a system that is hackable. For the time being I just want to add that I will be voting in paper ballots, even if it has to be a mail-in ballot, and I'm advising everybody to do this and I'm requesting you also do this. Thank you very much.

MS. SULLIVAN: Thank you, Ms. Hidalgo, for joining us. The third person I have here is Katrina Dinkle (phonetic).

MS DINKLE: Good morning. My name is Katrina Bryson Dinkle and I live in Fulton County. Thank you for this public hearing.

MS. SULLIVAN: Could you please state your address?

MS. DINKLE: Sure. 4784 Rebel Trail in Fulton County. I'm a 25 year resident and I started a group called the Georgia Sunshine Project. We want to shine bright light on what we believe to be the unsafe voting machine systems here. The Diebold systems are proven to be hackable and we know that Kennessaw State was hacked at least two times in the past year. Georgia is one of only four states in the country, according to my understanding, that doesn't have a paper trail which we think is unacceptable. So I'm here to demand that our votes count. We want accountability. We would really like a paper trail before 2018. Thank you.

MS. SULLIVAN: Thank you. We will now move on to our investigations report. I'm sorry; we have one more person who would like to speak. Mr. Moorehead.

MR. MOOREHEAD: Patrick Moorehead. I am an independent candidate for Georgia's 10th district. I'm requesting that I be able to collect online signatures for ballot access from a pauperis affidavit to get onto the ballot in my district. Is that at all possible?

MS. SULLIVAN: After the meeting, I think it would be appropriate to speak with the election staff and they can address your question at that time.

MR. MOOREHEAD: Okay.

MS. SULLIVAN: Thank you. Are there any other members of the audience that would like to speak to the board during this phase of the agenda?

(No response)

MS. SULLIVAN: We will move on to the investigation report. As is our custom, first we will take the consent cases and vote on these as a block after we pull off any cases that any board members would like to consider separately or if any members of the audience are here that would like to speak. First, are there any cases on the consent cases that any of the board members would like to pull off and address separately?

(No response)

MS. SULLIVAN: Is there any member of the audience that would like to speak regarding one of the consent cases on our agenda?

(No response)

MS. SULLIVAN: I am going to wait until Mr. Worley arrives. He is walking over now as he generally likes to pull off a case or two to discuss and then we will come back and vote on the remaining as a block. Moving on to the letter cases. We also vote on these cases generally as a block. We will go and first see if there are any of the letter cases that any of the board members would like to pull off and address individually.

MR. LEWIS: Madam Chair?

MS. SULLIVAN: Yes.

MR. LEWIS: Investigation is going to pull case number 2014-099 to discuss.

MS. SULLIVAN: Okay. That is Number 38 -- Tab 38 in our materials. Let's go ahead and discuss that case now. This is SEB Case 2014-099 Houston County Voter ID. Tab 38 in our materials.

MS. WATSON: Tom Pinkston (phonetic) reported on November 4th, 2014 during the general election that he was not allowed to use his Georgia weapon to carry license as identification to vote. Mr. Pinkston advised he had used it previously and was allowed to vote. The investigation showed that at the time Mr. Pinkston's Georgia weapon to carry license did not contain a photograph and thus did not meet the Georgia code. Mr. Pinkston used the ID during the July 22nd, 2014 primary runoff and was allowed to vote. Mr. Pinkston was correctly advised in presenting the same ID in November of 2014 that it was insufficient.

The recommendation is for the violation against Tom Pinkston be dismissed and that Houston County Board of election and registration and Joanne Snipes, the Houston County election supervisor be issued a letter of instruction for violation of O.C.G.A. 21-2-417.

MS. SULLIVAN: Did any of the board members have any questions for Ms. Watson?

(No response)

MS. SULLIVAN: Is there anyone here in the audience that would like to speak regarding this case?

(No response)

MS. SULLIVAN: So the recommendation again?

MS. WATSON: A letter of instruction for Houston County board election and registration and Joanne Snipes.

MS. SULLIVAN: Do we have a motion?

MR. SIMPSON: So moved.

MR. HARP: Second.

MS. SULLIVAN: All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: The recommendation is adopted. Thank you. I believe that we are going to pull SEB Case No. 2015-036 Hart County L&A testing public notice for a continuous. We will address that case after at our next meeting. I was trying to wait for Mr. Worley to join us to address these consent cases but in the interest of time we will go ahead and vote as a block -- is anyone here to speak on any of the consent cases? I don't think I asked that.

MR. LEWIS: You did.

MS. SULLIVAN: We will go and vote as a block on the consent cases and this will be to dismiss all the cases on the agenda. Do we have a motion to dismiss?

MR. SIMPSON: I move that we adopt the recommendation of the investigation staff to dismiss all the consent cases.

MS. SULLIVAN: I'll second that. All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: That recommendation is adopted. We will now move on to the letter cases. Is there anyone in the audience that would like to speak regarding any of the letter cases?

(No response)

MS. SULLIVAN: I will take a motion to adopt the recommendation of the investigation staff to issue a letter of instruction in cases 2013-019 City of Forest Park special election 2013, SEB Case No. 2014-039 City of Marietta Cobb County, SEB Case No. 2014-029 Jones County ID issue, 2014-048 Gwinnett County wrong ballot, 2014-068 Emanuel County unauthorized voter, 2014-098 Fulton County absentee ballots, 2016-039 Catoosa ballot format and 2017-014 Fulton County prohibition of photography. For the record,

Mr. Worley has joined us. We have voted to dismiss the consent cases and now we are addressing the letter cases. I'm going to go ahead and give you this opportunity. Do you have any of the letter cases that you would like to pull off to discuss separately?

MR. WORLEY: No. Thank you.

MS. SULLIVAN: Okay, then I will accept a motion to accept the recommendation to issue a letter of instruction in those cases.

MR. SIMPSON: So moved.

MR. HARP: Second.

MS. SULLIVAN: All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: That motion passes. Now we will go ahead and move on to the investigations report. We will discuss each of these cases individually. I would like to know if there is anyone in the audience that is here to speak on any of these cases. We will take those cases first in the interest of your time. I will call each case and if someone is here to speak on that case please raise your hand. First case is SEB Case No. 2014-014 New Georgia project - voter registration. Is there anyone here to speak on that case?

(No response)

MS. SULLIVAN: Thank you. Case number No. 2014-016 Liberty County absentee ballots?

(No response)

MS. SULLIVAN: Fulton County runoff problems. That's 2014-047?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2014-051 Cobb County incorrect ballots?

(No response)

MS. SULLIVAN: 2014-063 Barrow County registration fraud?

(No response)

MS. SULLIVAN: 2014-065 Paulding County deceased voter?

(No response)

MS. SULLIVAN: 2014-066 Elbert County voter registration?

(No response)

MS. SULLIVAN: 2014-076 Fulton County voters turned away?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2014-079 Thomas County voting in place of another voter?

(No response)

MS. SULLIVAN: 2014-084 voter registration complaint?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2014-090 Lumpkin County ballot error?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2015-002 Cobb County provisional ballots?

(No response)

MS. SULLIVAN: 2015-004 Lowndes County voter registration fraud?

(No response)

MS. SULLIVAN: 2015-006 Greene County buying votes?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2015-007 Clarke County?

(No response)

MS. SULLIVAN: 2015-014 Rabun County City of Sky Valley?

(No response)

MS. SULLIVAN: 2015-016 Peach County?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: 2015-021 Fulton County?

UNIDENTIFIED PERSON: (Signifies)

MS. SULLIVAN: Last one. Let's start with the new cases. Investigator Lewis, if you would like to present those cases. I'd like to hold case number 14, the New Georgia Project until the end of that set, if that is okay?

MR. LEWIS: Okay. We will start with the 2014-047, Fulton County. SOS investigations received several different complaints from the attorney general primary runoff issues with the election on July the 22nd, 2014 in Fulton. The complaints included multiple reports that received the incorrect ballot styles and campaigning within a hundred and fifty feet of the poll location. We actually did find or substantiate allegations in three of those complaints so I will discuss those. Ms. Judith Holiday (phonetic) was issued a ballot that was not consistent with her statement selection on her voter certificate. The voter certificate indicated she had requested a Republican ballot. There was also an X marked by the nonpartisan box on her voter certificate. The mark indicating a Republican selection was initialed but the initials were not legible. Kendra Turner (phonetic) stated that she requested a Democratic ballot but she was told that she did not have that option when in reality the option in her precinct were Democrat, Republican and nonpartisan. Upon review of Mr. Turner's voter certificate, it had both Democrat and nonpartisan selections marked. Ms. Turner was given a nonpartisan ballot to vote. Dorothy Chandler (phonetic) stated that she had selected a Republican ballot on her voter certificate and she was told she could only vote Democrat or nonpartisan. A review of Ms. Chandler's voter certificate indicated both Republican and nonpartisan had been selected. The number of listed voters also verified that she had voted a nonpartisan ballot. We inquired of Fulton County and they inquired of their poll workers regarding the selection but no one could remember what exactly happened with each of these voter certificates. The incident did find Fulton County's officers require the poll workers now

initial any changes that they are making to their selections on that.

We recommend that Fulton County, Richard Baron (phonetic), Frank Fidula (phonetic), Nancy Mayo (phonetic), and Dorothy Pittman (phonetic) be bound over to the AG's office for the listed violations in the report.

MS. SULLIVAN: Did any members of the board have any questions for Mr. Lewis?

(No response)

MS. SULLIVAN: I believe that we have someone here to speak on behalf of this case. If you would please state your name and address for the record?

MR. BROWER: My name is Dwight Brower and my address is 130 Peachtree Street. I think it's been about 30 months since this incident actually occurred and things kind of get a little fuzzy. In each case we did go back and look at the voter certificates of the complainants. In each case they did initial one, I think, and then changed their mind and changed it to another. We would very much liked to have been able to pull the primary voter certificates and distinctly determine how they voted in the primary but because of the length of time between election of this case and actually arriving at the SEB those voter certificates had been destroyed because they met the retention. Again, it's indisputable that the voter certificates were changed but our concern is we voted thousands of partisan voters in these elections and why were just these three people told something that was supposedly different and in fact there were no Republican ballot and there was no Democrat ballot and, as a result, they had to vote nonpartisan. So again, we just cannot conclusively determine what actually happened out there but we do know there were several partisan ballots voted during the election.

MS. SULLIVAN: Thank you. Would anyone else like to speak regarding this case?

(No response)

MS. SULLIVAN: Did any of the board members have any questions for Mr. Brower?

(No response)

MS. SULLIVAN: I will take a motion at this time.

MR. SIMPSON: I vote we bind this case over to the Attorney General's office.

MR. WORLEY: I second.

MS. SULLIVAN: Judge Simpson moves we bind this case over to the Attorney General's office. Mr. Worley seconds. Is there any further discussion?

(No response)

MS. SULLIVAN: All in favor.

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: That motion carries. We will move on now to the 2014-076.

MR. LEWIS: Yes, ma'am. That is correct. Fulton County voters turned away. On November the 5th, 2014, Don Rhodes (phonetic) who is the father of electors Connor (phonetic) and Brittany Rhodes (phonetic), they are brother and sister, submitted a complaint alleging his son and daughter were turned away when attempting to vote at their registered precinct. Both were allegedly turned away because they were not registered and were denied the option to vote provisional ballots. Electors Brittany and Conner Rhodes registered through the DDS system on September 29th of 2014 and Brittany and Connor's names were both added to the supplemental list of voters. That were forwarded to Fulton County on November the 2nd, 2014. Brittany attempted to vote on November the 4th and after completing her voter certificate, she was told she was not registered. There was no attempt made to contact the election's office or to check the supplemental list of voters and no provisional ballot was offered to Brittany. Connor Rhodes, her brother, decided not to go vote at all after hearing about his sister's experience.

We recommend that Fulton County Richard Baron (phonetic) and Mandeline Spain (phonetic) be bound over to the Attorney General's office for the listed violations.

MS. SULLIVAN: Any of the board members have any questions for Mr. Lewis?

(No response)

MS. SULLIVAN: We have someone here to speak on this case, I believe.

MR. JONES: Hello, my name is Ralph Jones. Address is 130 Peachtree Street, Atlanta, Georgia 30303. That is correct. We began to process the (indiscernible) application and we

processed it after the books were closed. They were on the supplemental list and, at the time, the board did not contact our office or process them through the supplemental list, therefore they were not eligible to vote at the time. Mr. Rhodes did not come back to the polls to verify but his sister should have been eligible to vote at the time.

MS. SULLIVAN: Did any of the board members have any questions for Mr. Jones?

(No response)

MS. SULLIVAN: Is there anyone else wishing to speak on this case?

(No response)

MS. SULLIVAN: Is there a motion?

MR. WORLEY: I move to bind this case over to the Attorney General's office.

MR. WORLEY: I second that.

MS. SULLIVAN: That recommendation has been seconded. Is there any further discussion?

(No response)

MS. SULLIVAN: All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed?

(No response)

MS. SULLIVAN: And that motion passes.

MS. SULLIVAN: We move on to 2014-084. That is Tab 51 in our binder.

MS. WATSON: The following complaints were received concerning a November 4th, 2014 election in Cobb County. Elizabeth Story (phonetic) reports receiving a precinct card with her correct address and poll location but was told at the poll she had to drive to a different poll location. Valerie Beal (phonetic) reports problems trying to get registered as a voter in Fulton County. Mr. Richie III (phonetic) reports that he changed his address six weeks prior to the election but on election day it still had not been changed. Alex Edward Sanoski (phonetic) went to the poll and was told that he had already voted, which he had not. He was told there was nothing they could do and was not offered a provisional ballot.

The investigation showed that Fulton County elections acknowledged that Elizabeth Story (phonetic) was in fact changed to the incorrect precinct on October 8th, 2014. Ralph Jones advised that it would be corrected. Fulton County denies receiving a voter registration application for Valerie Beal. Fulton County advised that they received a voter registration application from James Richie, III after the November runoff cutoff date of October the 6th, 2014. Fulton County located a voter certificate for an

Alexander Sanoski ending in an I and an Alexander Sanosky ending with a Y. Sanoski is not listed, the one with an I, as a qualified elector but was allowed to cast a ballot and they gave credit to the Sanosky ending in a Y as having voted then denying the actual qualified elector an opportunity to vote by telling him that he had already voted. No provisional ballot was offered to Mr. Sanoski as a qualified electorate.

The recommendation is for Fulton County registration and elections and Joy Brower (phonetic) chief elections division and Ralph Jones registration manager be bound over to the AG's office for the listed violations.

MS. SULLIVAN: Did any of the board members have any questions for Ms. Watson?

MR. WORLEY: Ms. Watson, just to be clear, there were actually two different Alexander Sanoski's.

MS. WATSON: Yes. One with an I and one with a Y and they were both on Peachtree Street. The one with an I has since registered to vote.

MS. SULLIVAN: Do we have someone to speak on this case as well?

MR. JONES: Ralph Jones, 130 Peachtree Street Atlanta, Georgia 30318. Complaint Number 1 was Elizabeth Story (phonetic). Ms. Story was originally registered in Hapeville. She submitted a DDS application. When staff began to process her application, her house number and street number is the same as in the city of Atlanta. The staff chose the incorrect segment in order to precinct her, therefore putting her in the incorrect precinct. Upon

Mrs. Storey's call on Election Day, I corrected the problem and put her back into her correct precinct.

MR. LOWMAN: Just for the record, David Lowman, Fulton County Attorney's office. There are four complaints as part of this case. Complaint Number 2 and 3 are found to be no violation. Mr. Jones just spoke on complaint Number 1 and I believe Mr. Brower will speak to complaint Number 4.

MR. BROWER: Dwight Brower, 130 Peachtree Street. Again, on complaint Number 4 we have accepted that violation. The poll

worker clearly choose incorrectly. They picked the person whose name ended in S-K-I versus S-K-Y. We have to take the hit.

MS. SULLIVAN: Any of the board members have any questions for Mr. Brower or Mr. Jones?

(No response)

MS. SULLIVAN: That is quite a coincidence there. What is the pleasure of the board?

MR. SIMPSON: May I ask a question?

MS. SULLIVAN: Sure.

MR. SIMPSON: Complaint Number 4 says that they violated the code section when they allowed Alexander Sanoski, an unqualified electorate, to cast a ballot and they violated the code section when they refused to allow

Alexander Sanoski a qualified elector to cast a ballot or vote a provisional ballot. Can you explain why we have one person and they violated the code section two ways with one person. Seems like it is one way or the other.

MS. WATSON: There was actually two people.

Alexander Sanoski with an I and Sanosky with a Y. So it was two people. The Sanoski with an I at the time was not a registered voter and Sanosky with a Y was a qualified electorate. Sanoski with an I went in to vote first and he was about to vote and they gave credit to the Sanosky with a Y, when actually the Sanosky with a Y went in to vote they said you already voted. He said no, I haven't. They did not give him his provisional ballot.

MR. SIMPSON: And they would not give him the provisional ballot?

MS. WATSON: Yes, sir.

MR. SIMPSON: Okay. Thank you.

MS. SULLIVAN: What is the board's pleasure?

MR. WORLEY: I would make a motion to refer these matters to the Attorney General's office.

MR. HARP: I second that motion.

MS. SULLIVAN: Is there any other discussion?

(No response)

MS. SULLIVAN: All in favor.

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed? And that motion carries. We will move on to the next case which is 2014-090.

MS. WATSON: All right. This case is from Lumpkin County supervisor of elections and chief registrar self-reported that the County erroneously sent off 40 official absentee ballots to voters during the November 4th general election. The investigation revealed Ashley Peck (phonetic) the election supervisor in Lumpkin County reported that approximately 40 absentee ballots were mailed to three separate incorrect

addresses. When the error was discovered, all 40 of the ballots were canceled. It was discovered that Linda Williamson, (phonetic) an employee in the elections office had made an error in the Easy Vote system. 14 of the absentee ballots were returned in to the office and 26 were never recovered. The 40 requests for absentee ballots were reprocessed with the correct mailing addresses and mailed. The lapse in procedure was addressed internally by Lumpkin County with employee documentation and retraining.

Our recommendation is that Lumpkin County elections and registration and Ashley Peck, election supervisor and Linda Williamson be bound over to the AG's office for consent order to document the remedial plan already instituted by Lumpkin County.

MS. SULLIVAN: Did any board members have any questions for Ms. Watson?

(No response)

MS. SULLIVAN: I believe we have someone here to speak regarding this matter.

MS. PECK: My name is Ashley Peck. My address is 79 Brandy Street in Dahlonga. We did have an incident where an employee made an error in our Easy Vote system and sent multiple ballots to three different people. We have policies and procedures in place at the time this happened to prevent this. She simply failed to follow the policies we have established. When we identified the error it was the following day. I corrected it and made sure everyone received their ballot timely. There were no issues or complaints from any voters not receiving their ballots. There was no effect to our election. In regards to this, we did try to retrain Ms. Williamson but we eventually terminated her a few days following this incident. The board and myself have put in policies. We have double checks in place because we are a small office. There are only two people in the office, so we can't go behind the other person and check things. So we have multiple double checks already in place that were established at the time to prevent this from happening. She

just failed to follow them. So it is our hope that when you look at this that you realize that the board of elections and myself, the fault does not lie there. Policies were in place. This has not happened since and didn't happen before. It was just an instance where we had an employee that failed to follow what we had already established. Thank you.

MS. SULLIVAN: Thank you, Ms. Peck, for being here and addressing the board. Before you go, are there any board members who would like to ask Ms. Peck any questions?

MR. SIMPSON: Were all the people that requested absentee ballots given them?

MS. PECK: Yes, sir.

MR. SIMPSON: So the votes were not paper votes?

MS. PECK: That is correct. Everyone that requested a ballot was sent one and everything was corrected.

MR. SIMPSON: Right before the election?

MS. PECK: Yes, sir. We actually identified the error the following day. So I made the correction.

MS. SULLIVAN: What's the board's pleasure?

MR. SIMPSON: I would move we send a letter of instruction to the Lumpkin County board.

MS. SULLIVAN: Mr. Simpson moves that we issue a letter of instruction in this case. Is there a second to that?

MR. HARP: Second.

MS. SULLIVAN: Is there any further discussion?

(No response)

MS. SULLIVAN: All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed? And that motion carries. Moving right along here to 2015-006, Greene County.

MS. WATSON: On February 3rd, 2015, two complaints involving the special election for House District 120 held in Greene County on January 6th, 2015, were received. The first complaint alleged voter fraud during the January 6th, 2015 special election and February 3rd, 2015 special election runoff. The second complaint alleged that Greene County elections office tabulated votes early during the February 3rd, 2015 special election runoff. Investigations showed a number of individuals were interviewed regarding the allegations of vote buying. There was insufficient evidence to substantiate the violation of the Georgia code. As to the second allegation of early tabulation, election supervisor Mike Malone (phonetic) stated that he intended to early tabulate the February 3rd, 2015 special runoff election for the absentee mail-in and early votes only at 6:45 p.m. but inserted the end card which resulted in the overall election being tabulated prior to 7 p.m. Mr. Malone stated he placed a notice of early tabulation in the courthouse but failed to notify the Secretary of State's office in writing of the early tabulation.

We recommend Greene County board of elections and registration, Mike Malone, election supervisor, be bound over to the AG's office for the listed violations.

MS. SULLIVAN: Any board members have any questions for
Ms. Watson?

(No response)

MS. SULLIVAN: I believe we have someone to speak on this case.

MS. GRANT: Good morning, my name is Andrea Grant and I'm an attorney for Greene County board of elections and registration. My address is 504 Bowers Street in Royston, Georgia and with me I have the current supervisor,

Kathleen Mayers (phonetic) and she will have to give you her address.

MS. MAYERS: I live at 1831 Arbor Bridge Rd., Greensboro, Georgia.

MS. GRANT: First of all, I want to thank the investigators for being so prompt in calling us back and providing us with information that we needed to handle, something that occurred with a supervisor that is no longer with Greene County. I would like to mention to the board that

Mr. Malone did cooperate with the investigators in getting written responses to them and everything and did admit that the written notification was not sent to the Secretary of State. However he did give oral notification to

Ms. Holly Smith (phonetic). Being that that's not what the rules say. He did have an attempt to contact the Secretary of State regarding the early absentees. The County cooperated with the investigators. They admitted their errors. There has not been any alleged problems because of this as to the election results and hence the Greene County Board of elections and registrations would like to ask for a less evasive measure than to be turned over to the Attorney General's office. They have

put steps in place and have a very competent staff now and they really strive to have fair and reliable elections.

So therefore we ask that one of the less evasive actions under 21-2-31.1(a) be issued rather than being turn over to the Attorney General's office.

MS. SULLIVAN: Thank you, Ms. Grant. Would you like to speak?

MS. MAYERS: I would like to say that I worked for

Mr. Malone for a couple of years and he strived hard to make sure that we were in compliance and it was definitely a (indiscernible) and we will ensure not to ever repeat it again. Thank you.

MS. SULLIVAN: Thank you. Did any of the board members have any questions for Ms. Grant or Ms. Mayers?

(No response)

MS. SULLIVAN: Is there a motion?

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

MS. SULLIVAN: Is there a second?

MR. SIMPSON: I second.

MS. SULLIVAN: Is there any further discussion?

(No response)

MS. SULLIVAN: All in favor.

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed? And that motion carries. Thank you for being here. We have next on the agenda 2015-014, Rabun County, City of Sky Valley.

MS. WATSON: In March 2015 complainant alleged that candidate Charles Lively (phonetic) with the Sky Valley City had voted in Richmond County during the November 4th, 2014 general election then submitted a candidacy affidavit on January 12th 2015 declaring residency in Sky Valley, Georgia for the two previous years.

Investigation showed a residency hearing was held on February 27th, 2015, of Charles Lively by the Rabun County elections office in which he was declared eligible as his intent was to make Sky Valley his residents. Mr. Lively had purchased a home in Sky Valley in December of 2012.

Mr. Lively and his wife owned a second home in Richmond County, Georgia. The Richmond County home was listed for sale in 2013. Mr. Lively stated that as of May 2013 it was his intent to make Sky Valley his permanent home. In October of 2014, Mr. Lively changed his driver's license to Rabun County. On November 4th, 2014, Mr. Lively went and voted in Richmond County in the general election completing a voter certificate that he was a resident of Richmond County. In December of 2014, Mr. Lively registered to vote in Rabun County. Mr. Lively stated that he changed his voter registration to Rabun County because the mayor asked him to fill an unexpired term of a deceased councilman. He later was told that an appointment could not be made and a special election would need to be held, so Mr. Lively decided to run.

We recommend that Mr. Charles Lively be bound over to the AG's office for the listed violations.

MS. SULLIVAN: Let the record reflect that Secretary Kemp has joined us. Did any of the board members have any questions for Ms. Watson?

(No response)

MS. SULLIVAN: I believe we have some individuals who will speak on this case.

MR. DICKERSON: We do. Thank you very much. My name is John Dickerson. My address is PO Box 1408, Toccoa, Georgia 30577. I will have Mr. Lively give you his address.

MR. LIVELY: 171 Sun Valley Cir. Sky Valley, Georgia.

MR. DICKERSON: First of all, we appreciate your staff being so cooperative. I want to make a couple of additions to the information given by your staff. That information is as follows; Mr. Lively and his wife went to register to vote in Rabun County in October of 2014. They were told there were two ways to vote in the November election and was given information by the Rabun County election superintendent that they could vote in Richmond County. They voted in Richmond County as is correctly reflected. Mr. Lively also qualified to run for the city Council of Rabun County. In doing so he certainly executed the verification of his residency. There is slight error in the information given by the staff and that is as follows; Mrs. Lively actually owns the home in Richmond County. It is not in the name of Mr. Lively. Also, I think it is important to understand that the city councilors in Sky Valley receive no pay. Receive no benefit whatsoever. It is almost statutory that no good deed goes unpunished. Mr. Lively qualified to run in the City of Sky Valley. What we would like is for the board to consider a lesser punishment as opposed to having this matter referred to the AG's office. We do understand the precedence. The Tybee Island case. I have read that case and I think the distinction is that Mr. Lively and his wife, who is here, and I will state in my place that they both will give sworn testimony

if asked that they were instructed by the Rabun County elections superintendent that they could vote in Richmond County and they did. Thank you very much.

MS. SULLIVAN: Thank you. Any of the board members have any questions for Mr. Dickerson?

MR. WORLEY: Mr. Dickerson, as I understand, the issue is not whether they could vote in Richmond County but the fact that Mr. Lively executed an affidavit saying that he had lived in Rabun County for two years.

MR. DICKERSON: That is exactly why there is a discrepancy between those executed verifications. It's just a matter of (indiscernible). Of course, he voted in Richmond County in November 14th. He executed verification that he was a resident of Richmond County. No doubt.

MR. HARP: Sir, what form of identification did you submit?

MR. DICKERSON: In Richmond County. I will have him respond to that.

MR. LIVELY: I'm sorry. What was the question?

MR. HARP: What sort of identification did you submit? Like a driver's license or something like that?

MR. LIVELY: Yes.

MR. HARP: What did the driver's license show?

MR. LIVELY: At that time it said Richmond County. I think that is correct. I had to give that particular one and they messed that up, the form. But I've voted in Richmond County for 50 years.

MR. HARP: Thank you.

MS. SULLIVAN: Any other questions from the board?

(No response)

MS. SULLIVAN: Thank you for being here. What is the pleasure of the board?

MR. SIMPSON: I think we need to be consistent with these cases. The fact is we have had a case like this. So I would move to bind it over.

MR. HARP: I second that.

MS. SULLIVAN: Any further discussion?

MR. WORLEY: I agree that we have to be consistent with the precedence that we have established. So I intend to vote to bind it over as well.

MS. SULLIVAN: A motion has been made and seconded. All in favor?

(Whereupon the vote was unanimous.)

MS. SULLIVAN: Any opposed? And that motion carries. Thank you both for being here today. We will take a five minute break so we can catch the Secretary up on where we are on the agenda. So if you will just bear with us for about five minutes.

(Off the record at 10:03 a.m.)

(Back on the record at 10:08 a.m.)

MR. SECRETARY: Welcome back everyone. Good morning, as

Ms. Sullivan said let the record reflect that the Chair, Secretary Kemp, is back from a meeting. I apologize for not being here this morning as well. We had a State Properties Commission meeting downstairs that started at nine o'clock. So it is glad to be back with you. I know it has already been mentioned but I wanted to also welcome my former colleague Seth Harp. Did a few tours of duty in the Georgia state Senate so we are glad to have him on board with the State Election Board. We will continue moving on with our investigative report. I would like to call SEB Case No. 2015-016 which is Number 58 in our binder.

MR. WATSON: In this case Tom Loral (phonetic) reported that the interim Peach County election supervisor,

Ms. Marcia Gosier (phonetic) campaigning against the East Watson Perimeter (phonetic) election. Investigation showed a number of individuals were interviewed regarding the allegation that election supervisor Marcia Gosier (phonetic) was actively campaigning against the East (indiscernible) and found that there was insufficient evidence to substantiate a violation of the Georgia code.

A second allegation centered on a negative Facebook post that was posted by that election supervisor. The post did not mention anyone by name and was not dated.

Marcia Gosier advised that she did post a comment that was not referenced directly to anyone and it was made on her on time and not in the capacity of the election supervisor. Marcia Gosier

was advised that she did have (indiscernible) in the Peach County school system.

A third allegation that Marcia Gosier requested a vote no sign be posted on the Peach County Boys and Girls Club could not be substantiated. During the investigation an allegation made by Darryl Fenderman (phonetic) that several individuals had not received absentee ballots. This was investigated and found to be unfounded. However during a review of absentee ballot applications by our investigators we discovered the following issues; twenty-eight of the absentee ballot applications were without the election date, ten were accepted without the signature or the mark of the voter, six were accepted without the signature or the relationship of the relative requesting a ballot, ten were accepted without the registrar or absentee ballot clerk entering the date received, thirty-six were without signature of the registrar or absentee ballot clerk certifying the application and on two the clerk or board of registrars did not write the reason for rejection on the application, did not notify the applicant in writing the ground for ineligibility and did not retain a copy of the notification. It was also found that election documents had not been delivered and secured to the Superior Court clerk.

We recommend Peach County office of elections and Marcia Gosier, interim election supervisor be bound over to the AG's office for the listed violations.

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. SHERLOCK: Mr. Secretary, Joel Sherlock. I'm here on behalf of the Peach County Board of Elections. My office address is 16 East Agency St., Roberta, GA. 31078. With me is board member Donn Coyle (phonetic) and he would like to give his address.

MR. COYLLE: 2741 Highway 96, Fort Valley, Georgia.

MR. SHERLOCK: I am here on behalf of the Peach County board of elections. I am not here on behalf of the respondent Marcia Gosier. I just want to make that clear up front. We are not here to contest the factual findings of the investigators. What I am here to do is to point out what the board of elections found and what they did during and after the fact with the allegations against Ms. Gosier. These were acts that were done surreptitiously by

Ms. Gosier. When they were discovered the board took the issue to the board of commissioners in Peach County to have her removed but unfortunately under our local act the board of commissioners have sole responsibility for the hiring and firing of the election supervisor therefore that vote was taken on political lines. She was retained. More allegations were made against Ms. Gosier. It was brought to the board of commissioners again. Again she was retained. The third time, after acts both inside this investigation and outside this investigation occurred, the board of elections finally succeeded in having her removed and replaced. The election employees have received two hours of training and we have a new election supervisor. Based upon the remedial actions by the Board of Elections, their acknowledgment of what has occurred, I don't think that, as it pertains to the board of elections, that this case needs to be bound over to the AG's office. I cannot speak on behalf of Ms. Gosier. Thank you.

MR. SECRETARY: Any questions for Mr. Sherlock?

MR. WORLEY: So just to be clear, the board of commissioners eventually voted to remove Ms. Gosier?

MR. SHERLOCK: Yes, sir. On the third attempt by the board of elections they did.

MR. SECRETARY: Anyone else wishing to speak? Yes, ma'am. Come on up. I believe you had a question for counsel?

MR. SIMPSON: Yes.

MR. SECRETARY: Ma'am, hold on one second. Mr. Simpson?

MR. SHERLOCK: I brought Mr. Coylle in case you have any questions on factual issues related to the board.

MR. SIMPSON: While this was being done no one with the board of elections was aware of it?

MR. SHERLOCK: At the beginning they were not aware. As they became aware is when they kept going back to the board of commissioners to have her removed.

MR. SIMPSON: You said it was being done surreptitiously; explained that a little further?

MR. SHERLOCK: There were things that were done that were outside the knowledge of the board of elections that are not in this investigation.

MR. SIMPSON: Thank you.

MR. SECRETARY: Anyone else wishing to speak?

MS. GOSIER: Marcia Gosier, my address is 286 San Jerrald, Dr. Fort Valley, Georgia 31030. First, I want to apologize for my tardiness. I tried to get here on time, but -- I'm not sure where we are in this matter. So is there any way that you all could give me a review as far as the questions that were raised so that I could respond?

MR. SECRETARY: We actually just got started. Ms. Watson presented the case and then Mr. Sherlock spoke on behalf of the Peach County Elections Board and now it is your turn to speak to us in regards to this matter.

MS. GOSIER: The information I received about the charges, there were some claims that were made and from the paper that I received they were substantiated. In the process of the investigation, of course, because these items affect the absentee ballots, the absentee ballots and applications were reviewed. I was hired as the elections registration assistant in June of 2014. In December of 2014, the election supervisor resigned and I stepped into an interim election supervisor role. There was no one else in the office. I performed three duties from December 2014 until July 17 of 2017. I was still the elections registration assistant, the interim election supervisor and the interim County registrar.

The first election was the East (indiscernible) that was held on March 15th of 2015. It was my first election. I did nothing maliciously as far as the application process on the absentee ballots. I did the best that I could do. There was one instance with the applications where it stated that I did not enter the date that the application was received. The election that was not allowed to go forward with issuing the absentee ballot if the date is not entered. The first date that we started sending out the absentee ballots, the Governor made a call because that was during the blizzard and I contacted my liaison as protocol. The Secretary of State's office was closed due to the weather. So I reached out to neighboring counties. So that's how I entered my first set of actual absentee ballots. There were some things I just want to convey that I sincerely did not know. I was not placed in a favorable environment and again, I did the best I could do in those 2 ¹/₂ years that I served in the capacity. The mistakes that I made I have greatly realized. I assure you. If you want to look back at my absentee ballot applications, you will see that those mistakes were corrected. The information that should have gone to Superior Court I was in ownership of that. I used an outdated form. That was not brought to my attention until the investigation began. As soon as it was brought to my attention by the investigator, I was able to place my hands on those forms and I took up that information and boxed them and sealed them

and signed them and turned them in to the Superior Court. So that's just where everything stands. As you all are aware, I am no longer employed by Peach County commissioners. I was terminated for falsifying a police report, which I have not ever been charged with falsifying a police report. Since I have not been charged, therefore I have no conviction on that matter. Mr. Coylle, here, we work together but Mr. Coylle has never been supportive of me. I did not need Mr. Coylle to be supportive of me. I was still able to do my job to the best of my ability. I was not paid for performing the duties. I loved doing elections. I believe everybody has a right to the democratic process and again, I just want to convey to you-all that I never did anything maliciously and I always made sure that I corrected those mistakes.

MR. SECRETARY: Thank you, Ms. Gosier for being here. Any questions for Ms. Gosier?

(No response)

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

(No response)

MR. SECRETARY: Any discussion or recommendation from the board?

(No response)

MR. SECRETARY: Ms. Watson, you recommend binding over; correct, the board and Ms. Gosier?

MS. WATSON: Yes.

MS. SULLIVAN: I move that we accept that recommendation.

MR. SIMPSON: Second.

MR. SECRETARY: We have a motion by Ms. Sullivan to bind over and a second by Mr. Simpson. 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. Thank you-all for being here today.

I believe that's got all of our investigative cases except for the New Georgia Project and the Fulton County case for people that are here today. So we are going to move back up to the top of the agenda. Number 42 in our binders. I call SEB Case No. 2014-014. Again, Number 42 in our binders. Mr. Lewis?

MR. LEWIS: Thank you, Mr. Chairman. On May the 6th, 2014, the Secretary of State's office investigations division opened an investigation on voter registration activity into some canvassers with the New Georgia Project. SOS received multiple complaints from County election offices who reported having received voter registration applications from the canvassers that were alleged to have been giving fraudulent information and deemed to be suspicious by the reviewing election officials. There were a total of 16 counties around the state reporting the issues with voter registration applications submitted by New Georgia Project. Let me just quickly run through that this list of counties for you. Athens-Clarke, Bartow, Cobb, Coweta DeKalb, Butts, Douglas, Effingham, Fulton, Gwinnett, Muscogee, Paulding, Putnam, Carroll and Toombs. From those counties we

received approximately 208 voter registrations. The investigators were able to locate and interview 44 of those applicants whose name appeared on 53 of the VRAs submitted by the New Georgia Project. There were some duplications. When interviewed, the 44 applicants they confirmed that 53 of those voter registration applications submitted in their names contained false information or forged signatures. Those 53 fraudulent VRAs were then compared to the canvasser's transmittal sheet obtained from the New Georgia Project.

The comparisons helped us identify 25 New Georgia Project canvassers who were responsible for submitting the canvass sheets associated with these fraudulent VRAs. Investigators were able to locate and interview 14 of those canvassers who submitted fraudulent VRAs to the County offices. All of the nine had submitted false information and the documentation supports that they were responsible for the transmittal sheets in submitting the VRA's. While the remaining 11 canvassers were identified by name and supporting documentation, with transmittal sheets being associated with the fraudulent voter registration applications, we were unable to locate or interview them or even to verify that those people existed.

The evidence in this case revealed the following; 25 New Georgia Project canvassers were identified as submitting canvass sheets signed by each canvasser that contained voter registration applications as having been identified as fraudulent by the elector listed on the voter registration application. There are also three family members that we identified of applicants who were found to have submitted five of those VRAs with fraudulent information. In addition to the specific violations I identified in this case, I have invited the Director of Muscogee County board of elections and registration, Nancy Boren, to offer her experiences and the experiences of her office in dealing with many of these fraudulent and otherwise problematic voter registration applications. An introduction of fraudulent voter registration applications causes a ripple effect in the voter registration process that can adversely affect registered voters and those voters who are attempting to register to vote for the first time. Ms. Boren?

MR. SECRETARY: Ms. Boren, if you would like, we will just let you use the podium to make it a little easier if you have notes. Welcome.

MS. Boren: Good morning, Secretary Kemp and members of the State Elections Board. My name is Nancy Boren. My address is 3111 Citizens Way, Columbus, Georgia. I am the director of elections and voter registration in Muscogee County where I have served in that capacity for 22 years. Columbus, Muscogee County is a combined board of elections and registration with approximately 105,000 active, registered voters. Thank you for the opportunity to address this body concerning the impact of the more than 20,000 voter registration applications received from New Georgia Project by this office in the second and third quarters of 2014 and 2016. I would like to highlight for you some of the problems we encountered and share with you how we handled them. Applications we received from these canvassers were difficult to process, missing critical information, contained duplicate registration submitted within days of each other. Often it was five or more applications dated one or two days apart. Some of the them contained different dates of birth by one day or a different date of birth by one year and they affect our operations even today.

A review of the 3,112 pending voters for Muscogee County reflect examples of these applications. The results of the difficulties we faced with these forms we continue to face today.

In 2014, my staff and I met with New Georgia Project and other organizations to help them review the deficiencies we were finding on the forms that they were submitting to provide insight into what we needed to complete the applications. We agreed to produce for them a weekly pending voter list for them to pick up each Friday so that they could review their deficiencies noted. This would have provided an opportunity for them as well as the people that they register to get that applicant registered. These weekly reports were never picked up. We met again with the same organization in 2016 to review procedures and exchange operational suggestions for improvement because we support the vigorous registration process but within legal guidelines. Due diligence is required to verify a voter's driver's license number that ended up being incorrect and street names that were either nonexistent or that we couldn't find at

the end of a cul-de-sac. The amount of time required to do this research was four times what it took to process a normal voter registration application with verifiable information. Critical resources, of course, as many of you election officials know, were used to process these registrations. We worked for six weeks, seven days a week, twenty-four hours around the clock. We had three shifts to process these applications. Duplicate registrations were received with the same demographical information but with different signatures. Since absentee ballot applications, returned absentee envelopes or petitions require signature verification to be counted, we are in the quandary of which signature to count or which signature to look at on these application forms.

The result is either denying an application, a ballot or a petitioner's signature or accepting them incorrectly based on the signature. We have forms where the signatures do not match the name on the form. For example, James Brown is the name on the form but the signature on the form is Mary Smith. Again, the problem is verification of signature. The most important thing that I would like for you to remember is that this is not a victimless crime. From the number of hours required to verify information to ensure that citizens are eligible to register to vote, to the voters whose application for an absentee ballot could be denied because the signatures do not match. We must require compliance and accountability from these organizations that register people to vote. They cannot do it in a vacuum. The snowball effect of those tens of thousands of voter registration forms will continue to influence how we operate for many years to come. Again, thank you for the opportunity to address you today. I will be happy to answer any questions that the board may have.

MR. SECRETARY: Thank you for being here, Ms. Boren.

Mr. Lewis, let me just ask you, do you have anything else to present to the board before we get any questions?

MR. LEWIS: Just the recommendation, sir.

MR. SECRETARY: All right, well why don't you make the recommendation and then I will let both of you standby for questions from the board.

MR. LEWIS: All right, sir. We believe based on the documentation of the electors and interviews conducted regarding these voter registration applications that the listed individuals are responsible for the submission of fraudulent voter registration applications. We recommend the following canvassers Rita Upshaw (phonetic),

Shawvez Hines (phonetic), Chrishanda McDonnell (phonetic), Jodell Regar (phonetic), Quandez Milton (phonetic), Keneta Birdsall (phonetic), Chantezia Logan (phonetic), Cranshaw Jackson (phonetic), Mya Hill (phonetic), Jasmine Roberts (phonetic), Rodney Joyner (phonetic), Shakice Ross (phonetic) each be bound over to the AG's office for the listed violations under their names.

We would also recommend that Elain Ogletree Battle (phonetic) an NPG canvasser be bound over for the violation listed under her name, the 21-2-220 and that Alshonda C. Johns (phonetic) be bound over to the AG's office, the New Georgia Project canvasser for board rule violation.

In addition to that, family members related to the applications that were received that were fraudulent

April Hilliard (phonetic), Michael Logan (phonetic),

Damond Hatfield (phonetic) we recommend that those individuals also be bound over to the AG's office. Since we were unable to locate and interview or notice the remaining 11 canvassers in order to properly establish their participation in these events we are not making any recommendations for them at this time. However, they are included in your report as respondents for related code violations.

MR. SECRETARY: Do we have any questions for Mr. Lewis from this board?

(No response)

MR. HARP: Mr. Lewis or Ms. Boren either one, in your investigation did you ascertain who was the supervisor or who was the agency that was having these young people committed out and doing the voter registration drive?

MR. LEWIS: Our understanding of the structure from the New Georgia Project that it is not a corporate entity. It is a project with the Georgia nonprofit called Third Sector Development Inc. In order to accomplish the task of canvassing the New Georgia Project contracted with at least two entities that we know of. Phil strategies (phonetic) and (indiscernible) Labor. We do not know if these contractors have any affiliation with either of these. It appears that the individual canvassers were contractors for either Phil Strategies or Hardly Group (phonetic) but most of the canvassers did not recall who paid them, who they responded to. The canvassers were a day-to-day situation. They would work. If they did a good job that day, they were invited back the next. It was kind of a very fluid situation with the canvassers. There was really no way to establish an employee, employer relationship with those individuals. So we looked at it as they were independent contractors working for either one of these groups.

MR. HARP: Was there any effort to try to ascertain -- was this, like, a group or an individual that came in to Muscogee County and recruited these people or were they recruited outside of Muscogee County and brought in?

MR. LEWIS: I think most of them heard about the New Georgia Project and went by the County office, from what I understood, to sign up to be able to participate in this. So it was mostly word of mouth.

MR. HARP: It seems that we're going after the pushers and not the kingpin. I sure would like to know who the kingpin is and assess a serious fine against that person or persons that are doing this.

UNIDENTIFIED SPEAKER: Can you restate the question? We can't hear back here.

MR. HARP: I assume there was an effort made to try to get to the bottom of this; is that correct?

MR. LEWIS: Yes, sir.

MR. HARP: Of the young people that were involved in this and I understand most of them were young people, were they from Muscogee County?

MR. LEWIS: They were from all over. We had 16 counties that were involved. Muscogee was just one of the counties involved in this.

MR. HARP: I noticed in just doing my rough math, I think we had -- I'm from Muscogee County. We had 52 violations out of 208?

MR. LEWIS: Yes, sir. That is correct.

MR. HARP: We were best in the quarter with all the violations and I'm trying to find out, again, is an effort going forward to try to get to the bottom of where these things come from.

MR. LEWIS: Well, as I was saying, the setup was murky and rather shadily set up. The New Georgia Project had other groups that were contracting with these canvassers on a day-to-day basis. So there was no clear line associating the canvassers with an employment relationship that we could establish so we could go after the people above the canvassers.

MR. HARP: Did the people that were hiring these canvassers or these folks, was there an effort from their part, the people that were hiring them, to instruct the young people of how and what should they do when they register these people?

MR. LEWIS: Well, we got a wide variety of comments on that. Some said it was very little training that was offered and some said that they did receive training. So depending upon who you spoke with was the response you got regarding the training.

MR. HARP: I don't have any further questions.

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

MR. WORLEY: First of all, I had a question for Ms. Boren. You said there were 20,000 applications that were submitted by the New Georgia Project in 2014 and 2016?

MS. BOREN: Yes.

MR. WORLEY: Of those 20,000, how many would you describe as problematic?

MS. BOREN: I couldn't apply a percentage but it was roughly 10,000 in 2014 as well as 2016. If you consider problematic the same handwriting on hundreds of thousands of registration forms then I would say 80% of the applications submitted were problematic because they were the same handwriting, they contained duplicates that had same dates of birth but different by one number either on the day or either on the year. They contained information -- Dew (phonetic) Name Street. We do not have a Dew Name Street in Columbus, Muscogee County. So problematic 80% or more and I'm being conservative at 80%.

MR. WORLEY: Is it your understanding if I am helping someone fill out a voter registration application and I fill out all their information correctly and they sign the application, is there anything wrong about that? Illegal about that?

MS. BOREN: If you fill out the application and the voter signs it and then you in the area where you assist that voter then there is not a problem. When you fill out the application yourself using someone else's signature two, three or four times and it's not their signature and then we receive it, that's the problem.

MR. WORLEY: Right. I understand that. But just the fact that the information contained on the form is in the same handwriting is not problematic, is it?

MS. BOREN: Not if it is the same handwriting on the form that is the same writing on the signature.

MR. WORLEY: Right. I'm not asking that question. This is my question. Aside from the signature, if the same handwriting is on the form but the signatures are different, presumably original, that's not a problem; correct?

MR. BOREN: Unless it is a duplicate registration and we already have a registration on file for that voter and that signature does not match what we already have on file for that voter.

MR. WORLEY: I understand that. Here's my question: You said 80% of these were problematic because a lot of the handwriting was similar. Did you mean the handwriting on the substance of the form or the signature itself?

MS. BOREN: The handwriting on the entire form. The substance on the form as well as the signature.

MR. WORLEY: Okay. So of those 20,000 forms that were submitted, how many of those people were actually able to vote?

MS. BOREN: Actually able to vote?

MR. WORLEY: How many of them were accepted by your office as valid applications?

MR. BOREN: Well, we had to process every application. We had applications that were missing addresses, missing names, missing dates of birth. If you look at our pending voter list, as I mentioned, we have 3100 pending voters. If you look at that list and that is public record, you can see the registrants or the people who are on that pending list who are missing information.

MR. WORLEY: So, then are you saying of the 20,000 applications that you received in this two year period, only 3,000 of them were not able to vote eventually?

MS. BOREN: I'm saying that they could be on the pending list and they could be a voter that may not be a voter because they are on a pending list.

MR. WORLEY: I get that but here's my question. Of the 20,000 applications that you received, 80% of which you said have problems of some sort, how many of those people were eventually allowed to become a registered voter of those 20,000 people?

MS. BOREN: I do not know those numbers directly off the top of my head. I do know that our number of registered voters increased dramatically but how many of those had complete information, I could not say at this point. That is available through a record and I would have to request that report.

MR. WORLEY: Well, are you having difficulty getting it?

MS. BOREN: Absolutely not.

MR. WORLEY: I would be very interested in getting that information. Thank you.

MR. SECRETARY: Any other questions?

MR. HARP: I have one for Ms. Boren. Ms. Boren, on the voter registration form, is there a block to be checked saying that the person had someone assist them in filling out the form?

MS. BOREN: Yes. Someone can assist a person in filling out a voter registration form.

MR. HARP: If you had 5,000 forms and that block was checked and they could all have been the same handwriting on that, could they not? As long as they had different signatures?

MS. BOREN: Correct.

MR. HARP: Were any of the forms of this 20,000 -- did any of them have any indication that they were assisted in having the form filled out?

MS. BOREN: For them?

MR. HARP: Uh-huh.

MS. BOREN: Yes. There were a few. Absolutely.

MR. HARP: Few, meaning -- give me a ballpark.

MS. BOREN: A thousand, ballpark.

MR. HARP: We had 20,000 applications and 1,000 had that block filled out but the others had this regularity that you talked about; is that correct?

MS. BOREN: Correct.

MR. HARP: Thank you, Ms. Boren.

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

(No response)

MR. SECRETARY: I have a couple of things for Ms. Boren. First of all I would like to ask you how did it make you feel to be working so hard to process -- well, first of all, help this group to get people registered. Explain the process and the problems that you-all were having and then actually being accused of not processing these applications.

MS. BOREN: Well, certainly it's our job. Part of our job is registering people to vote. The second meeting that we had with New Georgia Project in March of 2016 there was a group of about ten of us who met and we had suggestions for them. Of course, they had suggestions for us. We talked about picking your timing when you do these voter registration drives but they wanted to begin the registration drive in March and April when we were in the middle of the presidential primaries as well as the general primary that we had in May. So when I say that my staff -- and I have my staff here. When I say they worked for

six weeks without a day off. All night long shifts and weekends. We did it because we knew that was our job and we wanted to provide for every citizen an opportunity to cast a ballot.

MR. SECRETARY: Do you feel like you were being accused of not processing registrations even when those registrations have Alabama addresses?

MS. BOREN: Yes, I do. We received a number of voter registration forms because of our proximity to Alabama. We are right on the Alabama line. We received a number of applications for Alabama not knowing what to do with those applications because we have an Alabama registrant on a Georgia form. We actually forwarded those application forms to Alabama. Not sure what they did with them but we obviously could not do anything with them.

MR. SECRETARY: The last question I had was where did the first complaint come from? There were allegations of forgeries and a lot of these problems -- because I know in the Secretary of State's office we had also been working with these groups when we were getting early complaints. Not necessarily violations but complaints about how this process was going forward and I know he worked with the group to try to make sure they understand the laws. How they needed to do the registrations to make sure there are not any problems but the actual first complaints that you-all got for violations, do you remember where those came from?

MS. Boren: Our complaints came from two places. One, telephone calls from citizens who had received information that they had registered to vote and they did not register to vote. Some of our cases and I'm not sure if Investigator Lewis would like to share those or not, were from people who -- I did not fill out a form. I don't know where they got my information. This is not my last name. This has not been my last name for 20 years. What are you trying to do? What is your office trying to do because the canvassers would walk around with a register-to-vote

T-shirt so, obviously, people thought they were members of our staff. So we received complaints from citizens in our community who were approached by these people either at parks where they were exercising, a number of places where they approached them saying, hey, do you want to register to vote. Members of my staff where approached asking if they wanted to come to work. When they asked them what do you have to do to work they said well, you just have to register people to vote. If you bring a certain number of forms we pay you and you are invited back the next day. Obviously, they came back and reported that information.

The second biggest complaint that we got was from the NAACP because they were involved with New Georgia Project in trying to help register people to vote. That is who we met with in our office was NAACP and representatives from New Georgia Project to help tighten down the process and help them understand what we needed to do our job.

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

(No response)

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

MS. SULLIVAN: I have a question that may actually be directed to our counsel. I would like to follow up on Senator Harp's earlier line of questioning. It seems to me in almost all of these cases that we hear when there is in individual that has somehow, we believe, violated the election law. It is never only the individual that we bind over to the AG's office. It is everyone in the line of supervision, and as you attempted to make an effort to determine who these canvassers that are respondents in this case were employed by, I would like to know and maybe counsel can address this. Is it within the board's authority to take any further actions, perhaps subpoena payroll information for the entities that we are aware that are associated with this project? Is that a possibility for us? I would like to recommend to the board to take every effort that we can to determine where these violations occurred.

MR. SECRETARY: Let me just interject real quick before we get the information from the Attorney General's office.

Mr. Lewis can you speak to us again just so it's clear on the recommendations you brought forward, the questions that came up from Senator Harp and Ms. Sullivan as to why some of the third-party groups were not in the recommendation? Just so we, kind of, have that clearly.

MR. LEWIS: Yes, sir. As I said, New Georgia Project --

MR. SECRETARY: Let me let Mr. Worley interject.

MR. WORLEY: Before you do that, I just wanted to express my concern and maybe you can answer this in the context of that same answer. Am I correct that when this complaint was originally filed in 2014 The New Georgia Project was named as a respondent?

MR. LEWIS: They were named certainly as a group as far as a respondents. We were still trying to determine who the respondents were. So certainly we inquired into the New Georgia Project about the activities. They are not currently listed as a respondent.

MR. WORLEY: I understand they are not currently listed as a respondent but they were initially named as a respondent. That is why the case always held in the title, the New Georgia Project.

MR. LEWIS: We agree it. That is correct.

MR. WORLEY: So it seems to me if they were named at the time and that was done with -- the case attracted a lot of publicity at the time and they are not being dealt with at all in this

report, to me there's something wrong with that. Either you put the evidence in there about their alleged involvement or their lack of involvement if you have been able to determine that they were not established in their involvement, just as a matter of fundamental fairness. You need to say this is what we found and it does not establish a violation. If it doesn't or if it does you need to put that in there. I don't think it's fair or the correct procedure to just come back with the canvassers and not try to determine other responsibility or clear those folks from responsibility. If it's just that these canvassers are out on their own, maybe they thought they had an incentive to do as many registrations as possible, maybe they weren't supervised properly but I think responsibility has to be established. That was more than just a question, so thanks for your patience.

MR. LEWIS: Yes, sir.

MR. SECRETARY: You want to speak to the question and give commentary as well?

MR. LEWIS: Yes, sir. Like I was saying, the New Georgia Project is not a corporate entity as I answered Mr. Harp earlier. It is a project of the Georgia nonprofit called Third Sector Development and as a part of that to accomplish their canvassing objective the New Georgia Project contracted with at least two of those entities that we know of, Phil Strategies and The Hardly Group. We do not know if these contractors had any affiliation with each other. It does appear that individual canvassers were contractors of one of those two organizations and as I said, it was a day-to-day thing. You went out and did a good job, you were invited back the next. We reviewed them as contract employees. We felt like we have identified the individuals who are most responsible for the transmittal of these fraudulent voter registration applications in citing these canvassers. If we had found or been able to uncover information that there was a causal link to the groups that we could have followed up with, we certainly would have done that.

MR. WORLEY: Well, Mr. Chairman, it's my view that the report needs to indicate that. That you could not establish a causal link. It just needs to be dealt with.

MR. SECRETARY: Ms. Sullivan, did you have anything else you wanted to add or did you want to hear from Ms. Correia?

MS. SULLIVAN: (Inaudible)

MS. CORREIA: Certainly the investigators can try to subpoena records if they want to go that route. I think it is highly unlikely that we can tie back charges about how a particular voter registration form was filled in to an agency that is just recruiting individuals to go out and increase voter registration.

MS. SULLIVAN: Thank you.

MR. SECRETARY: Anything else from the board for Mr. Lewis or Ms. Boren?

(No response)

MR. SECRETARY: Is there anyone else wishing to speak on this matter? Yes, sir? You will have to come up again and give your name and address for the record.

MR. MOOREHEAD: Patrick Moorehead, 580 Weboro, Conley, Georgia. I had a question with regards to pay structure for these canvassers. It seems to me based on your statement where they would be invited back the next day and the woman's statement about they will be paid if they did so many applications that there was an incentive provided by their employer to fill out, well, fraudulent forms. It seems like there's a deeper crime there. Like Mr. Harp said, I'd like to see the kingpins gone

after more than just these canvassers which were young people that don't have money and need a job. I just want to make that comment and I was curious about the pay structure of these organizations.

MR. LEWIS: I think I already answered the question about the pay structure. We felt like they were contract employees with the individual groups that were doing and none of that information was provided to us that would state otherwise. You're talking about being paid for a certain amount?

MR. MOOREHEAD: Yes, exactly. Were they paid per application, per voter registration application or were they paid on an hourly basis?

MR. LEWIS: We did not uncover any evidence that they were paid per voter registration application, which would be against the law.

MR. MOOREHEAD: Okay.

MR. SECRETARY: Any questions for Mr. Moorehead?

(No response)

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

(No response)

MR. SECRETARY: All right, Mr. Lewis, you want to go over the recommendations again?

MR. LEWIS: Yes, sir. As I stated, we believe based on the documentation collected and the interviews conducted regarding these voter registration applications that the listed individuals are responsible for the submission of fraudulent voter registration applications and we recommend the following NGP canvassers, Rita Upshaw (phonetic), Shawvez Hines (phonetic), Chrishanda McDonnell (phonetic), Jodell Regar (phonetic), Quandez Milton (phonetic),

Keneta Birdsall (phonetic), Chantezia Logan (phonetic), Cranshaw Jackson (phonetic), Mya Hill (phonetic),

Jasmine Roberts (phonetic), Rodney Joyner (phonetic), Shakice Ross (phonetic) each be bound over to the Attorney General's office for the listed violations under their names in the report. We also recommend that Lane Ogletree Bradley, NGP canvasser, be bound over to the Attorney General's office for violation of 21-2-220, failure to assist and sign that they assisted and that Osandasy Jones (phonetic), NGP canvasser, be bound over to the Attorney General's office for violation of state board rule and for the related family members who submitted fraudulent voter registration applications, we recommend that April Hilliard (phonetic), Michael Logan (phonetic) and Dana Oakfield (phonetic) also be bound over to the Attorney General's office for the violations listed in their names.

Let me just say once again, since we were unable to locate and interview or notice the remaining 11 canvassers in order to properly establish their participation, we are not making any recommendations for them at this time. However, they are included in the report as respondents for the related code violations.

MR. SECRETARY: All right, we have the recommendation. Do we have any other discussion from the board? A motion?

MR. SIMPSON: I move we accept the recommendation to bind the case over to the Attorney General's office.

MR. SECRETARY: Judge Simpson moves to bind over.

MS. SULLIVAN: Second.

MR. HARP: I second that motion.

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

MR. WORLEY: I would like some clarification either from Mr. Lewis or counsel. Assuming that we bind over these respondents, does that leave the case open with the other respondents and will the investigative office report back to us with another report as to one way or the other about the culpability of those respondents?

MR. SECRETARY: Mr. Lewis, you want to answer that?

MR. LEWIS: At this time there's no intention to further investigate the matter. We attempted to identify those individuals in the initial investigation and weren't able to do so through data searches or locations. They are listed there but we will not -- unless there is other information that comes to light we can do a follow-up of that.

MR. WORLEY: No, I'm not talking about the individuals -- the 11 people that you decided not to bind over or recommend binding over. The other respondents who might have initially been found. That is the New Georgia Project. Is the matter of the New Georgia Project itself still pending or not and are we going to get a report either stating what charges can be made against the New Georgia Project or the reasons why charges can't be made against the New Georgia Project?

MR. LEWIS: This is the report as completed and presented to the board in reference to this case.

MR. WORLEY: Well, then, can you explain why the report itself doesn't described why it's not possible to (indiscernible) the New Georgia Project or why the report doesn't exonerate the New Georgia Project.

MR. SECRETARY: We'll let me ask you this: Did we notice the New Georgia Project for this hearing?

MR. LEWIS: No, sir. They are not respondents in the case as presented and they were not noticed even though I think our general counsel did provide them with a letter and a copy of the report so that they would know that the case was being heard today but they were not officially noticed as respondents.

MR. WORLEY: But weren't they originally noticed as respondents when the case began?

MR. LEWIS: They were inquired with. The notice of respondents only occurs when you get ready to present the case.

MR. SECRETARY: Which one is common practice? We get the complaint on all different things and then we do an investigation and then we have to have, in your eyes, probable cause to move forward with the case which is where we are today.

MR. WORLEY: Okay. So, then we are clear that there is no pending complaint against the New Georgia Project?

MR. LEWIS: They are clear. Should be clear. They were provided with a copy of the report as well.

MR. SECRETARY: They are not noticed as a respondent?

MR. LEWIS: They are not. But we went above and beyond that and did notify them even though they are not respondents. We provided them with a copy of the report as a notification that they could come here.

MR. WORLEY: I understand that but just to be clear, The New Georgia Project itself was never named as a respondent and are no longer the subject of the investigation.

MR. LEWIS: That's correct.

MR. SECRETARY: Any other questions or discussion from the board?

(No response)

MR. SECRETARY: We have a recommendation and a second to bind over the named respondents. 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 have bound those over. All right, we will now move to SEB Case No. 2015-021, which is the Fulton County polling place case. Number 59 in our binder. Ms. Watson?

MS. WATSON: On March 17th, 2015, Renée Bates (phonetic) submitted a complaint alleging that Joseph Mcghee Tennis center Fulton County precinct 10M was not open and set up by 7 a.m. to accept voters for the March 17th, 2015 special election. The polls were found to be open at 7 a.m., however there was an issue with creating voter access cards that created a delay in voting. It was discovered the polls had the incorrect express poll for the precinct. The delay was not explained to the

complainant who requested her ID back and left the poll and returned later in the day. The express poll issue was corrected within an hour. During the time, six voters later voted on provisional ballots.

The investigations supervisor, Mr. Hall, conducted the poll inspection at this location and discovered that the poll managers (indiscernible) were filled out but not signed. The notice for elderly or disabled person sign was not observed. The (indiscernible) device was not properly connected to the DRE machine. No posting of photo identification requirements and express poll operators advised that they did not know how to create a voter access card to generate a magnified ballot.

We recommend Fulton County Board of Elections and Registration Richard Barron (phonetic), election supervisor and the Joseph McGee poll managers be bound over the AG's office for the listed violations.

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

MR. BROWER: Dwight Brower, address is 130 Peachtree Street, Atlanta, Georgia. Based on the investigation, that is correct the polls did open on time. Mrs. Bates and her daughter were not offered a provisional ballot simply because during the process of trying to determine what happened with the express poll, she requested her ID back and she and her daughter angrily stormed out of the polls and the six trailing voters that were there to vote were offered and did receive provisional ballot and voted. It is also important to note, Ms. Bates and her daughter came back later to vote. Also along the lines of the inspection conducted by the state investigator, we would like to contest a couple of those. Specifically violation 21-2-99, stating that the poll workers were not adequately trained to properly code a voter access card. That is incorrect. All of the staffers are trained in that regard. We do have some basic

poll workers and they do not attend the express poll operator class. No they were not, if you queried them, probably be able to tell them how to create a DWD card for an impaired person. The second one is 21-2-379, we did have a DRE unit there in the building for an impaired voter. Yes, we understand that the DWE (phonetic) card cable that connects to the express poll may have not connected but I think the violation basically said we did not have a unit in the poll for impaired voters.

MR. SECRETARY: Any questions for Mr. Brower?

(No response)

MR. SECRETARY: Anyone else wishing to speak?

(No response)

MR. SECRETARY: Any other discussion or recommendation from the board?

MS. SULLIVAN: I move that we accept the recommendation.

MR. SECRETARY: Ms. Sullivan moves to accept to bind over. 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. Thank you for being here today. On my agenda it has us going back to 2014-016, which is Number 43 in our binder.

MR. LEWIS: That is correct, Mr. Secretary. I have letters here that I received last night that I would like to present to the board from the attorney of record in this case,

Kelly Davis' statement that she wanted to present to the board on behalf of the County. Ms. Watson is going to pass those out at this time.

The complainant made multiple complaints regarding the processing of absentee applications and the mailing of absentee ballots by Liberty County. An evaluation of the absentee ballots from the May 20th, 2014 election found that eighty electors had absentee ballot applications that were not signed or certified. That three absentee ballot envelopes did not have the date or the hour receipt of the ballot on the envelope and was not signed or certified. A Mr. James Murray (phonetic) advised that he went to the poll to vote on May 17th because he had lost his absentee ballot. He was told without the absentee ballot to turn in, he could not vote. Mr. Murray stated he was not offered the opportunity to sign an affidavit regarding the lost ballot so he left without casting a ballot that day. Mr. Murray's wife, Michelle Murray (phonetic), went to vote on Election Day and experienced the same situation as her husband did when he attempted to vote. Only after she asked for an affidavit was she allowed to complete and cast her ballot. It was also discovered during the investigation that the election documents had not been submitted to Liberty County Superior Court clerk as stated in election code.

We recommend that Liberty County and (indiscernible) be issued a letter of instruction regarding O.C.G.A. 221-2-388, cancellation of absentee ballots of electors who are present in the election precinct during primaries and elections to

reinforce proper procedure regarding those ballots and that Liberty County and Ellen Olden (phonetic) be bound over to the AG's office for the remaining violations.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

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

(No response)

MR. SECRETARY: Hearing none. Do we have any discussion or a recommendation from the board? I would move to accept the recommendation. Do we have a second?

MR. WORLEY: Second.

MR. SECRETARY: Have a second by Mr. Worley. 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 have accepted the recommendations. We will move to case number 2014-051, Number 45 in our binder. Mr. Lewis?

MR. LEWIS: This is the Cobb County incorrect ballot case. On July 22nd, 2014 Kenneth Field (phonetic) voted in Cobb County, Georgia at the Chestnut Ridge precinct. When voting he completed a voter certificate requesting a Republican ballot but received and voted a nonpartisan ballot in error. Mr. Field did request a Republican ballot on July 22nd and was given a nonpartisan ballot. He did not notice the error until he after he had cast his ballot in the DRE. Mr. Field notified the poll worker and was provided with a Republican provisional ballot that he also (indiscernible). The provisional ballot was not counted in the end as Cobb County elections determined at that time that he had already voted. Thomas Sneed (phonetic) also experienced a similar issue. Mr. Sneed was issued a Republican ballot but ended up voting nonpartisan. The voter access cards for he and his wife, Anne (phonetic), were mishandled in some fashion by the poll workers with each of them ending up with the other's card and they had requested different ballots. So he ended up casting a nonpartisan ballot instead of a Republican ballot and his wife ended up casting a nonpartisan which she did ask for. Cobb County advised that they had conducted training of the poll workers at this location to reinforce the express poll procedures that same day that this occurred so that it would not happen in the future.

We recommend that Cobb County, Ms. Edwards (phonetic) and Francine Bailey (phonetic), Beverly Fundbunk (phonetic), be bound over to the AG's office for the listed violations.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

MR. SECRETARY: Hearing none. Anyone else wish to speak on this matter?

(No response)

MR. SECRETARY: Seeing no one. Any other discussion or a motion?

(No response)

MR. SECRETARY: What were the recommendations, again, Mr. Lewis?

MR. LEWIS: That Cobb County, Ms. Edwards (phonetic) and Francine Bailey (phonetic), Beverly Fundbunk (phonetic) all be bound over to the Attorney General's office for the listed violations in the report.

MR. SECRETARY: Was there any part of this where we were going to recommend a letter?

MR. LEWIS: No, sir. Not to my knowledge.

MR. SECRETARY: Okay. Any other discussion or questions?

(No response)

MR. SECRETARY: Do we have a motion?

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

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

MR. HARP: I second that.

MR. SECRETARY: Senator Harp 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 case is 2014-063, which is Number 46 in our binder.

MR. LEWIS: Barrow County registration fraud case. On October the 8th, 2014, the Barrow County elections office submitted two individual complaints alleging voter registration fraud. The first concerned Sandalin Sanders (phonetic) attempting to register on three different occasions during 2014 while she was under sentence for felony conviction. In one of those attempts she also used a false name. The second allegation was regarding three suspicious voter registrations for separate individuals at the same address submitted with similar handwriting. Investigations revealed Ms. Sanders had completed voter registration at DDS when she applied for a driver's license on January the 10th, 2014. Ms. Sanders submitted a second voter registration application on August the 10th when a person visited her mother's residence in Winder, Georgia registering people to vote. Ms. Sanders third attempt to register was submitted in Atlanta on September the 3rd when she was approached by a person on the street registering people to vote. When Ms. Sanders was interviewed she advised that she did not know she was still under felony sentence when she completed the registrations. She also advised she used the wrong name the last time and provided that information to the person in Atlanta because they were pressuring her to register to vote. However she stated she did sign the voter registration form for submission.

Court records confirmed Ms. Sanders was under sentence for felony conviction in Fulton County at the time the three voter

registrations were submitted. The other three suspicious voter registrations with the same address were found to be for Ronald Hall (phonetic), Richard Cox (phonetic) and Anthony Holt (phonetic). It was determined that all three were in a facility operated by a company called Tentilus (phonetic). The facility had an audit that found them deficient in providing registration opportunities for their residence.

In an attempt to comply with the audit, the facility instructed employees to take four residents to the library to get them library cards and register them to vote. The employees were given no other training other than the instructions to take the individuals. So they took the four individuals to the library. The employees completed the voter registration application for the residents as they were non-verbal and physically handicapped and unable to complete the applications on their own. The CEO and Director of Tentilus, Randy Nezbit (phonetic) was contacted and she states, she was not well informed about voter registration process after their audit but at the time of this report she had made herself aware of the policies.

We recommended Sandalin L. Sanders be bound over to the Attorney General's office for violation of 21-2-216, qualification of electors and 21-2-561, false registration and 21-2-562, fraudulent entries. We would also recommend that the Tentilus employees, Shadreka Wise (phonetic),

Ralph Simpson (phonetic), and Brandy Russell (phonetic) be issued letters of instruction for violation of 21-2-220, application of registration when they failed to sign that they assisted the residents in registering to vote. We would also recommend that the Autobum Public Library and an employee there, Belinda Altwater (phonetic) be issued letters of instructions on processing the voter registration applications for the violations that are listed in the report.

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

MS. SULLIVAN: I would like to make an inquiry. This case was precipitated by an audit in that a state-wide agency gave regarding a group who were registering employees so that this

employer was actually cited for not moving forward with this registration process; correct?

MR. LEWIS: I think their audit brought this to their attention.

MS. SULLIVAN: I wonder if a lot of these agencies are encouraging this and are going to do audit findings for failure of these employers to give opportunities for these voters to register whether or not we should provide some kind of instruction. This is, obviously, extraordinary circumstances where you have nonverbal people who are mentally disabled, it seems unfair for the state to hold them accountable for something when they're not providing them instruction about how to properly follow the law. I'm just wondering is that something we can look into in this type of situation, providing that information?

MR. SECRETARY: I don't know if Mr. Harvey wants to speak to this but I assume this is from some lawsuit that we have. It is not requiring state agencies to do that?

MS. CORREIA: There is a statute regarding nursing homes and other institutions like that to assist, where needed, patients who want to register to vote. So that may be where that came from regarding the audit. Without knowing any more information about this specific instance I can't really answer that but I do know that there is a state statute that requires facilities to provide assistance.

MS. SULLIVAN: Well, perhaps we could just make sure that our sister agencies have the information if they are going to issue an audit to provide this information to these entities so that they know.

MR. SECRETARY: Well, we could certainly work with audits to make sure they have this information or if they have citings that we can give that to them. I am sure we had a lot of

volunteers for explaining the registration process for the public at large so there should not be a problem for a state agency to find or figure out. But we are glad to assist with that.

MR. LEWIS: We certainly took that into consideration with our recommendation with the letter of instruction.

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

(No response)

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

(No response)

MR. SECRETARY: Hearing none. We have the recommendation. Do we have a motion?

MS. SULLIVAN: I move we accept the recommendation.

MR. SIMPSON: Second.

MR. SECRETARY: Ms. Sullivan moves to accept. Judge Simpson 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 2014-065, Number 47 in our binder.

MR. LEWIS: This is a Paulding County deceased voter issue. Paulding County reported that an absentee ballot application and return ballot for a deceased elector was submitted for the November 4th, 2014 general election. The elector was reported as deceased on September 29th, 2014. The Investigation revealed a timeline of this. It seems

Cynthia Gershner (phonetic) had died on September the 29th of 2014 and was canceled as a deceased voter in the system on October the 8th, 2014. While this was going on the County received a request application for an absentee ballot that was submitted in Cynthia's name on October the 6th and a ballot was mailed out on that day. The ballot was returned voted on October the 10th, 2014. The signatures on the ballot did not match the signature on the voter's signature card. We contacted James Wiskowsky (phonetic) who was the fiancée of the deceased and was interviewed and informed us that Cynthia had requested an absentee ballot on the day that she passed away. Mr. Wiskowsky advised that he filled out the application for Cynthia and voted the ballot on her behalf. He stated that he did not know he was violating the law.

We recommend that James Wiskowsky be bound over to the Attorney General's office for the listed violations.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

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

(No response)

MR. SECRETARY: Hearing none. Any other discussion or a recommendation from the board?

MR. SIMPSON: I move that we bind this case over.

MR. SECRETARY: Judge Simpson moves we bind this case over. 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 and we have bound that over. We are moving on 2014-066, which is Number 48 in our binder.

MR. LEWIS: Yes, sir. This is the Elbert County registration issue. The chief registrar submitted a complaint on October the 24th of 2014, alleging that their office had received two voter registrations that were suspected as being fraudulent. Investigation revealed that Burn DuBose (phonetic) completed two voter registration applications. One on October the 3rd, 2014, and the second on October the 6th 2014, where a third party identified as Phillip Works of Washington DC (phonetic). The applications were treated as duplicates since he was already registered to vote in Elbert County. The October 3rd voter registration application also contained fraudulent false

information pertaining to the date of birth and Social Security number.

We recommend that Mr. DuBose be bound over to the Attorney General's office for the listed violations.

MR. SECRETARY: Any questions for Mr. Lewis?

MR. WORLEY: Mr. Lewis, did Mr. DuBose have an explanation for this?

MR. LEWIS: Mr. DuBose admitted to submitting the application then when he was contacted by both the County and by us he just ask that it be torn up.

MR. WORLEY: Was an inquiry made as to why some of the data on one of the applications was not correct?

MR. LEWIS: Yes, sir. I'm trying to find it in the report now. I don't recall. I believe he was trying to get a job and he had an issue in the past using his brother's name and he wanted to have a clean ID and that's why he submitted the information. Is that correct, Frances? I'll see if I can find that in the report for you, Mr. Worley.

His response was that he asked them to throw it away. During the course of the investigation DuBose was contacted by the registration that he submitted with the false information. He admitted that in submitting the registration with false information, excusing it as him being in a hurry and not paying attention to what he was doing as he asked to just tear it up and throw it away.

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

(No response)

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

(No response)

MR. SECRETARY: Hearing none. Any other discussion? If not, do we have a motion on the recommendation to bind over, I believe.

MR. HARP: So moved.

MR. SIMPSON: Second.

MR. SECRETARY: Senator Harp moves to bind over. Mr. Simpson 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. 2014-079, which is Number 50 in our binder.

MR. LEWIS: This Thomas County voting in place of another. On November the 12, 2014, the Chairman of the Thomas County board of elections and registration, Mr. Ross Jones (phonetic) reported that the election supervisor Mr. Walter Maze (phonetic) voted a ballot for his mother Ms. Maze during the November 4th, 2014 election. Additionally, Mr. Jones had some issues with Mr. Maze in that he did not hold or establish a voter review panel

during this election for the review of any ballots which need to be reviewed duplicate. It was found that the Thomas County election supervisor, Mr. Walter Maze, did improperly complete sign an in-person absentee ballot application for his elderly mother during the advance early voting in Thomas County for the November 4th, 2014. Mr. Maze then created a voter access card and voted for his mother on the DRE machines at the Thomas Judicial Center. His mother Maurice Maze (phonetic) was not present at the time the voting took place.

The second allegation concerning the voter review panel was insufficient evidence to support any violation of that.

We recommend that Walter Maze the Thomas County election supervisor be bound over to the AG's office for the listed violations.

MR. SECRETARY: Any questions for Mr. Lewis?

(No response)

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

(No response)

MR. SECRETARY: Any other discussion or recommendation from the board?

MR. SIMPSON: I move we accept the recommendation to bind the case over.

MR. SECRETARY: Judge Simpson moves to bind over. Do we have a second?

MS. SULLIVAN: Second.

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

MR. WORLEY: I would like to have some discussion or I would like to make a statement on this. The report that we received indicates that Mr. Maze had a pretty cavalier attitude about doing this. Be that as it may, my mind goes to orders of magnitude are more important or more problematic than the case of the fiancé. He voted for his dead fiancée. I mean, this is an election official who clearly, according to the report, figured out what he needed to do on the DRE machine to vote for his mother. I concur that this ought to be bound over and I would suggest that the Attorney General's office look at this very seriously.

MR. SECRETARY: Speaking for myself, I would agree with that statement. Any other discussion? We have a motion and a second to bind this over to the Attorney General's office.

(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 it over. 2015-002, which is Number 53 in our binder.

MS. WATSON: The complainant Ms. Green (phonetic) alleged that Cobb County board of elections and registration failed to count her provision ballot in the general election held on November 4th, of 2015. The proper voter registration was not properly updated. The complainant went into Northstar church voting precinct to vote during the November 4th, 2015 general election.

She completed a change of address form as she had recently moved. She did not think her poll location would change if she was still close to the location. The poll worker checked into the express poll and said her precinct should be Terrell 01. The complainant knew the address listed in express poll was an old address from 2012. A third person interjected with the complainant to vote a provisional ballot. She was directed to the provisional ballot table where she completed the ballot. The complainant followed up about her voter registration verifying the most recent address change was completed. The complainant received a notice in December that her provisional was not counted because she had voted at the wrong poll location. Cobb County chief registrar Beth Cush (phonetic) verified that the provisional ballot was rejected based on the voter voting at the wrong poll. Beth Cush advised that the poll workers did not instruct the voter to vote the provisional ballot but instructed her to go to the correct poll location which she had time to do so before the close of the poll.

Cobb County states that the rejection was based on election code 21-2-218(d) the state (indiscernible) elector failed to notify the registrar by the fifth Monday prior to an election so the elector should have voted in the precinct where elector's address was located. Also Georgia election code 21-2-451(c) except as provided for in sections 21-2-218 and 21-2-386, no person shall vote in any primary or election at any polling place outside the precinct in which such person resides nor shall such person vote in a precinct in which such person resides unless such person has been registered as an elector then such person may appear on the electors list for that precinct and Board of Elections rules 183-1-12.06 4(a) and 4(d). However, at the end of Rule 183-1-12.06 4(d) the Georgia Election Code O.C.G.A. 21-2-419(c) the cite is giving directions as to the voters casting provisional ballots out of precinct and how to account for the voter's ballot once cast. Beth Cush did not believe that O.C.G.A. 21-2-419 applied to this situation on the screen because Ms. Cush understood the code section and it would not apply to a voter knowingly voting in the wrong precinct.

During the course of the investigation it was found and substantiated by the chief registrar Beth Cush that the Cobb County board of elections and registration had rejected a number of provisional ballots during the November 4th, 2014 general election based on voters voting in the wrong precinct. Ms. Beth

Cush believed Cobb County board of elections and registration to be valid in rejection of the ballots for this reason, again, citing the listed sections.

At the request of the investigators, Cush provided the following documents which were the breakdown of provisional ballots that were received. The investigator reviewed the ballots and it was confirmed that there were 340 provisional ballots that were rejected for voters voting at the wrong poll location during the November 5th general election.

We recommend the Cobb County board of election and registration and Jeneen Elenor (phonetic), Beth Cush, chief registrar in Cobb County be bound over to the AG's office for violation of 21-2-419(c)(2), for validation of professional ballots and registrars determine after the polls closed but not later than three days following the primary election that the person voting the provisional ballot timely registered and was eligible and entitled to the primary election that voted the wrong precinct then the board of registrars shall notify the election superintendent. The superintendent shall count such persons vote which were cast for candidates in those races for which those persons that were entitled to vote that shall now count those cast for candidates in those races in which those persons were not entitled to vote. 340 counts in violation of State Election Board Rule 183-1-12.06(4)(d) as Cobb County board of elections and registration failed to count all those case for such persons for candidates for whom such persons were entitled to vote 340 counts.

MR. SECRETARY: Any questions for Ms. Watson?

MR. WORLEY: Thank you, Mr. Chairman. I just want to be very clear about what your report is saying. Your report is saying that all of the provisional ballots that Cobb County rejected on the basis of the voter voted in the wrong poll that is 340 ballots should have been counted?

MS. WATSON: They were only rejected because they were at the wrong poll and they could have had time to get to the correct precinct. So that is correct. They should have been counted.

MR. WORLEY: They should have been counted so Cobb County mistakenly --

MS. WATSON: They believed that they were correct.

MR. WORLEY: I understand Cobb County believed that they were correct but it's the position of the Secretary of State's office and I know we will get a report from the Attorney General if the case is bound over, that all of those 340 votes should have been counted.

MS. WATSON: Yes.

MR. SECRETARY: All right, anything else for Ms. Watson?

(No response)

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

(No response)

MR. SECRETARY: Hearing none. Do we have a recommendation or other discussion?

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

MR. SIMPSON: Second.

MR. SECRETARY: Mr. Worley moves and Judge Simpson seconds to bind over. Any other discussion from the board?

MR. WORLEY: I would like to discuss or say something about this. I think this is a very important case for the Attorney General's office to look at and an important case once that's done for the Secretary of State's office to notify election officials around the state because it's my understanding, from what I hear on election days, that very frequently a voter, not just in Cobb County, but in many counties, will ask for a provisional ballot and be told no that they have to go to another precinct for whatever reason. They are denied a provisional ballot up until a certain point in the day, which is frankly in violation of the law, and not be able to vote or vote a provisional ballot and not have that vote counted. So I think this is a very important issue for the Attorney General and the Secretary of State's office to look at and I appreciate the investigation that has been put into this.

MS. WATSON: Thank you.

MR. SECRETARY: Any other discussion from the board?

(No response)

MR. SECRETARY: Hearing none. We have a motion and a second. All those in favor signify by saying, "aye."

(Whereupon the vote is unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. 2015-004, which is Number 54 in our binder.

MR. WATSON: Yes, sir. This is Lowndes County Election Supervisor Deb Cox (phonetic) reported two people came in and

applied for voter ID cards and they acted in a manner that raised staff suspicion. Ms. Cox stated the female applied for a voter ID card using the name of

Miracle Sincere Rayford and the male applied for a voter ID card using the of Derek Mitchell.

The investigator was able to verify that Antoinette Rayford (phonetic) was the individual that submitted the application in the name of Miracle Sincere Rayford. Antoinette was under sentence for a felony conviction. The investigator met with Antoinette Rayford and her boyfriend David Seymore (phonetic). Antoinette advised that she used her daughter's name

Miracle Sincere Rayford to obtain the ID card. She returned the ID card to the investigator. David Seymore was interviewed and asked why he had gotten an ID card in the name of Derrick Mitchell. He stated because he was trying to get a real estate job and he had a previous conviction on his record. David Seymore returned the ID to the investigator.

We recommend Antoinette Rayford and David Seymore be bound over to the AG's office for 21-2-561(2)(3) and 21-2-562(a)(1) and Antoinette Rayford be bound over for additional charges of 21-2-216(b), qualifications of electors general.

MR. SECRETARY: Any questions for Mr. Watson?

MS. SULLIVAN: I have a question. Do we not normally refer these cases to the district attorney for criminal prosecution? That is a criminal code; correct? I believe that 21-2-562, fraudulent entries is a felony.

MS. WATSON: Right.

MR. LEWIS: Ms. Sullivan, we have them handle them both ways. Some counties do refer for prosecution to the local DAs office and they are handled at the local level. There are times that the counties report those violations to us and we conduct the investigation as well.

MR. SECRETARY: I think the problem is prosecutors, for whatever reason, political or resources, will not move forward with these types of cases.

MR. LEWIS: That is correct. Some DAs offices will proceed others work other crimes instead of voter registration applications.

MR. SECRETARY: Now, we can as a board refer this to the DA's office, if you would like, and see what they say.

MS. SULLIVAN: Is there any reason we can't bind over and refer to the DA's office?

MR. LEWIS: We certainly can do that.

MS. SULLIVAN: I'll make that motion when the time comes.

MR. SECRETARY: All right, any other questions for Mr. Lewis or Ms. Watson?

(No response)

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

(No response)

MR. SECRETARY: Hearing none. We have a motion to bind over and refer to the local district attorney's office. Do we have a second?

MR. SIMPSON: Second.

MR. SECRETARY: Judge Simpson 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. 2015-007, which is Number 56 in our binder.

MS. WATSON: On February 6th, 2015, the Clarke County elections office submitted a complaint alleging Emmanuel Smith (phonetic) appeared to register to vote and obtain a voter registration card using his brother's identification. Emmanuel D. Smith entered the Clark County elections office on January 26th, 2015, and submitted a voter registration while he was under a felony sentence the returned on February 2nd, 2015, submitted fraudulent voter registration in the name of his brother, Larry B. Perkins (phonetic).

We recommend Emmanuel D. Smith elector be bound over to the AG's office for the listed violations.

MR. SECRETARY: Any questions for Ms. Watson?

(No response)

MR. SECRETARY: Hearing none. Anyone else wish to speak on this matter?

(No response)

MR. SECRETARY: Hearing none. Do we have motion or any other discussion?

MR. SIMPSON: I move we bind over.

MR. SECRETARY: We have a motion by Judge Simpson to bind the case over.

MR. HARP: I second that motion.

MR. SECRETARY: Senator Harp 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. Does that get everything on the new cases?

MS. WATSON: Yes, sir.

MR. SECRETARY: Well, we have a more minutes before lunch. We could move on to the Attorney General's report. Is there any one on the board that would like to remove a consent order that

is in your binder for the Attorney General's office? If not, we will vote in block again to accept the recommendations.

(No response)

MR. SECRETARY: All right, is there anyone in the audience today that is here for any of those Attorney General report cases that would like for us to remove those and discuss them? Any member of the public or anyone else?

(No response)

MR. SECRETARY: Hearing none. I will be glad to take a motion to accept the recommendations.

MR. HARP: So moved.

MS. SULLIVAN: Second.

MR. SECRETARY: All right, Senator Harp moves to accept the Attorney General report consent cases on our agenda. Ms. Sullivan seconds. Any other discussion?

(No response)

MR. SECRETARY: Hearing none. We will vote. All those in favor signify by saying "aye."

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign? And that motion carries. We will move on to the recommended dismissal cases on the

Attorney General report. Any member of the board that would like to pull out and discuss any or all of the dismissal cases?

(No response)

MR. SECRETARY: Hearing none. Anyone from the public or anyone here that would like to discuss any of the three recommended dismissal cases from the Attorney General report?

(No response)

MR. SECRETARY: Hearing none. I will accept a motion by the board to accept the recommendation for dismissal for the agenda items on the dismissal part of the Attorney General report.

MR. HARP: So moved.

MR. SIMPSON: Second.

MR. SECRETARY: Senator Harp moves to accept. Judge Simpson 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 oppose same sign? And that motions carries. We have completed that part of our agenda. And let the record reflect that I am shocked that we have gotten through all of our

business this morning before our lunch break. I do believe that we need to move into executive session; is that correct?

MS. CORREIA: That is correct.

MR. SECRETARY: What I will do, just so you-all know, we will move into executive session to discuss legal matters. To discuss pending litigation. So we will do that and we will come back here at 1 o'clock to come back out of executive session and adjourn the meeting. So we are glad to have you-all join us for that fun-filled afternoon.

We also have one other agenda item of electing a vice chair. So we will do that, as well when we come back. But with that being said I will take a motion to adjourn into executive session and take a lunch break until 1 p.m.

MR. WORLEY: So moved.

MR. SECRETARY: Judge Simpson?

MR. SIMPSON: I move that we appoint or elect Rebecca Sullivan as vice chair.

MR. WORLEY: I would second that nomination.

MR. SECRETARY: Well, let me redo what we are doing. Another order of business before we move into executive session. Judge Simpson has moved that we nominate a vice chair. He has nominated Ms. Sullivan. I could not agree more. Mr. Worley has seconded it. Any other discussion?

(No response)

MR. SECRETARY: No discussion from the board. Anyone else wishing to speak on this matter?

(No response)

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

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. We are proud to have Ms. Sullivan as the vice chair for the State Election Board. Now we will take a motion to move into executive session and I have a lunch break until 1 p.m.

MR. WORLEY: So moved.

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

MR. SIMPSON: Second.

MR. SECRETARY: Judge Simpson seconds. Any other discussion?

(No response)

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

(Whereupon the vote was unanimous.)

MR. SECRETARY: All opposed same sign and that motion carries. We will see whoever would like to come back at 1 o'clock. For those of you that are leaving thanks you so much for taking the time to be here today. Thank you.

(Session suspended at 11:47 a.m.)

(Back on the record at 1:00 p.m.)

MR. SECRETARY: All right, we are going to re-adjourn the State Election Board meeting. Our first order of business coming back from executive session and our lunch break is I need a motion to come out of executive section and to go back into our regularly scheduled State Election Board meeting.

MR. WORLEY: So moved.

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

MR. HARP: Second.

MR. SECRETARY: Senator Harp seconds. Let the record reflect that Mr. Simpson is no longer with us but we still have a quorum. Any other discussion in regards to coming out of executive session?

(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 come out of executive session. The last order of business today that we have, unless someone has new business, is for us to adjourn. Any new business?

(No response)

MR. SECRETARY: Hearing none. I will accept a motion to adjourn the State Election Board meeting.

MS. SULLIVAN: So moved.

MR. WORLEY: Second.

MR. SECRETARY: Ms. Sullivan moves. 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 have adjourned. Thank you-all for being here today, and Senator Harp, this will most likely be the shortest meeting that you ever attend with the State Election Board.

(Meeting concluded at 1:02 p.m.)

CERTIFICATE OF COURT REPORTER

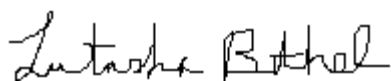
STATE OF GEORGIA

COUNTY OF DEKALB

I hereby certify that the foregoing meeting was reported as stated in the caption and the questions and answers thereto were reduced to writing by me; that the foregoing pages represent a true, correct, and complete transcript of the evidence given on September 20th, 2017 .

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 deposition; I will not be taking this deposition 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 23rd day of October, 2017

A handwritten signature in black ink, reading "LaTasha Bethel". The signature is written in a cursive, flowing style.

LaTasha D. Bethel

Certified Court Reporter

Georgia Certificate #2660