

In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

August 27, 2020

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THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

**IN THE MATTER OF:
STATE ELECTION BOARD HEARING**

**2 MLK JR. DR. SE
SUITE 810 WEST TOWER
ATLANTA, GEORGIA 30334**

**August 27th, 2020
9:00 A.M.**

**PRESIDING OFFICER: BRAD RAFFENSPERGER
SECRETARY OF STATE**

**STEVEN RAY GREEN COURT REPORTING, LLC
Kaitlin Walsh, CCR, CVR**

Atlanta, Georgia

APPEARANCE OF THE PANEL

Secretary of State Brad Raffensperger, chair

Rebecca Sullivan, vice chair

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Frances Watson

Chris Harvey

Gabriel Sterling

Transcript Legend

(sic) - Exactly as said.

(ph.) - Exact spelling unknown.

-- Break in speech continuity.

... Indicates halting speech, unfinished sentence or omission of word(s) when reading.

Quoted material is typed as spoken.

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1 P R O C E E D I N G S

2 MR. RAFFENSPERGER: Good morning, everyone. I wanted
3 to call the State Election Board to order. Before we get
4 started since we are on a webinar, if we could just do a
5 roll call of all the Board members? If you could just
6 identify yourself, so we can get you. Is David Worley on?

7 MR. WORLEY: Yes, I'm here.

8 MR. RAFFENSPERGER: Great. Okay. Next, Rebecca
9 Sullivan?

10 MS. SULLIVAN: Present. I'm here.

11 MR. RAFFENSPERGER: Okay. Anh?

12 MS. THOMAS: Anh's not here. She's not on.

13 MR. RAFFENSPERGER: Anh Le? I don't hear Anh. Matt?

14 MR. MASHBURN: Matt Mashburn is here.

15 MR. RAFFENSPERGER: Okay. Are we showing that Anh Le
16 is on or is she still calling in?

17 MR. GERMANY: She's not going to be able to make it
18 this morning.

19 MR. RAFFENSPERGER: Okay. Great. Okay. Well, we
20 have four, and so we're ready to go. Well, I'll begin
21 this with an invocation and a Pledge of Allegiance, if we
22 could do that.

23 (Invocation)

24 (Pledge of Allegiance)

25 MR. RAFFENSPERGER: We have before us the Board

1 minute meetings from last meeting. If anyone -- I guess
2 everyone had a chance to review that. If someone would
3 like to make a motion, now would be the appropriate time.

4 MR. WORLEY: This is David Worley. I make a motion
5 that we approve the minutes of the August meeting.

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. SULLIVAN: Second, Rebecca.

8 MR. GERMANY: Rebecca seconded.

9 MR. RAFFENSPERGER: Okay. All those in favor,
10 signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Any opposed? Motion carries.
13 Okay. Before we get to public comments, if any Board
14 members would like to offer a few comments, now would be a
15 great time to do so. Then, we'll roll into public
16 comments, and I don't know how many people have signed up
17 so far for that, but we'll talk about that to make sure
18 that we really get into the investigation report, and if
19 we have so many public comments, then we'll need to have
20 those afterwards. But let's first -- Board members, if
21 any of you would like to offer some comments before we
22 begin today, the floor is yours. Okay. Hearing none,
23 public comments. How many people do we have signed up for
24 public comments so far?

25 MS. THOMAS: One, two, three, four -- we have four so

1 far.

2 MR. RAFFENSPERGER: Okay. Well, great. Go ahead and
3 have the first person, and I believe we have a time limit
4 of two minutes.

5 MS. THOMAS: All right.

6 MR. RAFFENSPERGER: And please provide your name and
7 where you reside, city or county.

8 MS. THOMAS: Okay. So first, we have Jacqueline S.
9 Elsner. You're self-muted right now.

10 MS. ELSNER: Am I muted? Hello, I'm Jacqueline
11 Elsner from Athens-Clarke County, and I was a monitor for
12 a local nonpartisan cont -- candidate in the June 9th
13 primary in Clarke County for the opening of the absentee
14 ballots. And so I observed that, and I was also an
15 observer while our Clarke County Voter Review Panel was
16 going over the, you know, the ballots that were flagged
17 for them to look at, and so then I -- I was able to
18 visually see the types of mar -- voter marks that the
19 Voter Review Panel was looking at. You know, not every
20 one, but a few, and I could see, and it was explained to
21 us that the scanners had highlighted some problematic
22 things that the Voter Review Panel discussed and came to
23 unanimous decisions, but it was clear that there were some
24 check marks and some x's that voters had made which are
25 valid voter marks by the Georgia Constitution and, you

1 know, they -- they weren't being picked up by the Dominion
2 scanners.

3 And so at the August 10th State Election Board
4 meeting, y'all decided okay, you're going to push the
5 scanners down to a ten percent low mark of, you know,
6 observing voter marks, but our Georgia Constitution
7 doesn't talk about a scanner setting. It talks about
8 check marks and x's are valid voter marks. And so I'm
9 asking you to adjust everything about your State Election
10 Board rulings so that valid voter marks are counted as
11 valid marks.

12 And then I listened to my Clarke County Board of
13 Elections meeting to certify the June 9th primary and
14 heard the attorney for Clarke County, Attorney Judd Drake,
15 instruct the Board of Elections that they absolutely could
16 not bring this up. They could not use the actual
17 experience of their Voter Review Panel to say we need to
18 look more at some more votes that didn't get counted, and
19 I was appalled that the county attorney that my taxes pay
20 for is telling my election board members they cannot go
21 back and look at valid votes. So I ask you to please do
22 whatever -- you know, reduce the percentage of the ballot
23 marks that -- a check and an x by the Georgia Constitution
24 is a valid vote. Thank you.

25 MS. THOMAS: All right. Next, we have George

1 Balbona. You're self-muted right now. Okay. You may
2 speak. Mr. Balbona, you may speak. Okay. We'll come
3 back to Mr. Balbona. Next, we have Helen Butler. You're
4 self-muted right now.

5 MR. RAFFENSPERGER: Morning, Ms. Butler.

6 MS. THOMAS: Ms. Butler, you're self-muted right now.
7 You'll have to unmute yourself.

8 MS. BUTLER: I'm sorry. Am I un-muted now?

9 MS. THOMAS: Yes, ma'am.

10 MR. RAFFENSPERGER: Yes, you're good.

11 MS. BUTLER: Okay. Good morning. I'm Helen Butler,
12 and I'm a resident of Morgan County. I really want to say
13 it's imperative we find solutions for the issues around
14 absentee balloting which is on the agenda today, and I'm
15 specifically addressing that because voters were made to
16 stand in lines, potentially being exposed to the
17 coronavirus, in order to cast their vote. These issues
18 didn't just happen in Fulton. I know they happened in
19 other Metro areas but were more pronounced because of
20 Fulton's numbers. I want to commend Ms. Nuriddin on the
21 Board of Elections who was sounding the alarm and trying
22 to fix those problems along with the public and Fulton
23 voters. But as I see it, I hope that Fulton is coming
24 with a plan to correct those issues.

25 And some of those issues that I think need to be

1 addressed are as follows: absentee ballot applications
2 must be issued from the date received and not held with
3 indiscriminate dates for processing or not processed at
4 all, and I know the Secretary of State did a contract with
5 Runbeck to help with the processing of these ballots, but
6 we must have a quicker delivery time to reach voters less
7 than the 16 days or more in order for them to know what is
8 happening. The absentee ballot applications via
9 electronic means, and I mean email effects -- they must
10 have a system that will capture and process in a timely
11 fashion. What was happening -- none of the electronic
12 applications got processed unless you actually followed up
13 with the Board of Elections and redid them if the voter
14 knew how to do that. They didn't have enough staff to
15 process applications and ballots, and they must have a
16 robust communications system for alerting voters regarding
17 the status of their ballots so that they're not confused
18 and not unaware of what's happening. The cancellation
19 process at the polling location must be improved so that
20 they don't have to wait -- voters don't have to wait for
21 them to get someone --

22 MS. THOMAS: Thank you, Ms. Butler. All right.

23 Next, we have Jeanne Dufort. You are self-muted right now.

24 MR. RAFFENSPERGER: Good morning, Ms. Dufort.

25 MS. DUFORT: Good morning. Many of us across the

1 state work tirelessly to make sure that it's as easy for
2 all of us to register and vote as it is for some of us.
3 The rapid shift to mail voting this spring was
4 unprecedented and created real operational challenges for
5 many counties. Sheer willpower got many of the smaller
6 counties through the surge in applications, but for the
7 larger counties, it was not enough, and some voters, too
8 many voters, suffered.

9 But fast tracking this complaint against Fulton
10 County, moving it ahead of much older complaints, is
11 simply election theater. It reminds me of the rushed
12 hearing in Athens when you punished a Board that was
13 simply making the best decisions it could to protect
14 ballot secrecy. Politicizing the State Election Board is
15 simply wrong, and it erodes public confidence in
16 elections. Georgia chose to fast track implementation of
17 a new resource-intensive system, and then a pandemic hit,
18 and the vulnerabilities were exposed in a terrible way.
19 Your duty is work constructively with counties, not punish
20 them for trying to handle an unprecedented workload and
21 falling short. Fulton County must do better. We all
22 agree on that, but this is not the path to get there.
23 Thank you.

24 MR. RAFFENSPERGER: Thank you, Ms. Dufort. Mr.
25 Balona, if he -- if he wants to speak again, he was, I

1 guess, self-muted last time. Mr. Balbona?

2 MR. BALBONA: Check, check. One, two. Can you hear
3 me?

4 MR. RAFFENSPERGER: Yes, sir.

5 MR. BALBONA: Hello.

6 MR. RAFFENSPERGER: Go ahead.

7 MR. BALBONA: George Balbona, Cobb County. To
8 promulgate rules and regulations, those are the five first
9 words of the State Election Board's duties. Promulgate
10 means to promote or make widely known -- widely known,
11 rather. I was unlawfully removed from a polling location
12 on August 11th, 2020 by four Marietta police officers. I
13 was peacefully observing post-election activities.
14 Georgia election codes provides the public the right to
15 peacefully observe elections, yet four police officers
16 were unaware of this even after I repeatedly cited Georgia
17 election code. I met with Marietta Deputy Chief Farrell
18 last week, and he apologized for my treatment.

19 I'm waiting for the Georgia State Election Board to
20 apologize to me for being so blatantly remiss in their
21 duties. The Deputy Chief and major I met with had over 57
22 years of police experience between them, and they claimed
23 to have never heard of the Georgia election code I cited.
24 They promised to train every Marietta police officer on
25 Georgia election code immediately. The State Election

1 Board should properly train all Georgia law enforcement on
2 Georgia election code immediately.

3 Furthermore, this is not a one-time occurrence. On
4 November 7th, 2017, a dozen peaceful observers were
5 removed from the Fulton North Annex by the Fulton marshal
6 hired for elections security. We cited election code, had
7 an email from Chris Harvey, had a letter from ACLU, and
8 had Lieutenant Sweeney, the officer who hires all
9 elections security in Fulton County on speaker phone all
10 telling him that we had the right to observe, and
11 unbelievably, the marshal refused to hear any of it and
12 evicted us. Enough is enough. Do your job and properly
13 train all Georgia law enforcement on Georgia election
14 code, and while you're at it, properly train election
15 security and poll workers as well. Thank you.

16 MR. RAFFENSPERGER: Thank you, Mr. Balbona. Do we
17 have any other folks that have signed up for public
18 comments?

19 MS. THOMAS: Yes.

20 MR. RAFFENSPERGER: The next person?

21 MS. THOMAS: Next, we have Shannon Everly.

22 MS. EVERLY: Hi, good morning. Can you hear me?

23 MS. THOMAS: Yes.

24 MR. RAFFENSPERGER: Yes.

25 MS. EVERLY: Okay. Great. I would like bring up a

1 couple of points. After speaking with a number of my
2 friends regarding their absentee ballot application
3 process and also experiencing this myself, on the MyVoter
4 page when you log in, you know, under your name and birth
5 date, et cetera, under the absentee ballot request
6 information, it says that if you wish to mail or fax the
7 absentee ballot -- you know, it gives a link to your
8 county registrar, but it specifically says mail or fax.
9 It does not say email.

10 I had to -- I spent probably two hours trying to
11 figure out that I could email the application. I had to
12 make the phone call and find that out, and many people
13 won't realize that. Even though when you click through,
14 there is an email address, but it does not indicate in the
15 instructions that email is a valid option. That would be
16 a very simple change to the webpage of MyVoter page that
17 would provide -- that would facilitate the process, make
18 it much quicker, because many people may not realize they
19 can email the application, and then they end up mailing
20 it, which, of course, slows down the whole process. So I
21 think that would be a very easy fix on the webpage.

22 Another easy fix on the webpage: on the actual
23 application for official absentee ballot, line 7 requires
24 the signature of the voter. It does not specify that an
25 electronic signature is insufficient. Many voters may not

1 realize that it has to be handwritten. In the
2 instructions, it should say that you must print this page
3 and handwrite your signature or mark. That would be an
4 easy fix again to the webpage. It will not necessarily
5 work for everybody because not everyone has a printer, but
6 it would at least facilitate -- it would help prevent the
7 issue where people who don't have printers sign with an
8 electronic --

9 MS. THOMAS: Thank you, Ms. --

10 MR. RAFFENSPERGER: Thank you for that input, Ms.
11 Everly. Do we have any other people that would like to
12 speak this morning?

13 MS. THOMAS: Yes. Next, we have Aileen Nakamura.

14 MR. RAFFENSPERGER: Good morning, Ms. Nakamura.

15 MS. NAKAMURA: Hi, can you hear me?

16 MR. RAFFENSPERGER: Yes.

17 MS. NAKAMURA: Good morning. I'm Aileen Nakamura.
18 As a Fulton County voter, I am deeply offended by the
19 Secretary of State's repeated attempts to cast Fulton as
20 the only county that had problems around the June 9th
21 election. In fact, the matter at hand today, the
22 processing of absentee ballots by Fulton, is a direct
23 result of the Secretary's own doing. First, while he
24 rightly chose to send out absentee mail ballot
25 applications to all active voters due to COVID-19, his

1 failure to communicate with counties and let them know the
2 plan before the press release was the beginning of the
3 problems with absentee ballots for June.

4 I was flabbergasted to learn during the April Fulton
5 BRE meeting that the Secretary had not even reached out to
6 Fulton before his announcement to discuss how the vote by
7 mail effort would impact Fulton and how the State perhaps
8 intended to help. Did he even anticipate what problems
9 such a huge county would face? Let's remember that Fulton
10 has 780,000 active registered voters. That's more than
11 the populations of four states.

12 Second, there's the Secretary's unilateral decision
13 to use Runbeck in Arizona to send out the actual absentee
14 ballots, which is likely illegal. OCGA 21-2-384(a) part 2
15 clearly states that only a county's absentee ballot clerk
16 or board of registrars can mail out absentee ballots.
17 Even in an emergency situation like a pandemic, the
18 Secretary surely can't just choose an out-of-state vendor
19 to send out ballots without an emergency rule by the SEB.
20 And what about all of Runbeck's errors and missteps that
21 occurred in sending out absentee ballots. Coalition for
22 Good Governance has documented many such errors. Who is
23 accountable for those? Shouldn't it be the Secretary
24 himself? Clearly, the Secretary has a personal stake in
25 blaming Fulton County for the disaster of June 9th as a

1 scapegoat for himself. There is a huge conflict of
2 interest with the SEB acting on behalf of the Secretary's
3 Office in this persecution of Fulton County, when the
4 Secretary is the Chair of the SEB. I ask you to stop this
5 fiasco and work to help counties solve actually pressing
6 problems before November. Thank you.

7 MR. RAFFENSPERGER: Do we have anyone else that would
8 wish to speak?

9 MS. THOMAS: Yes. Next, we have Garlan Favorito.

10 MR. RAFFENSPERGER: Mr. Favorito?

11 MR. FAVORITO: Mr. Chairman, voters were repeatedly
12 told that we needed this new unverifiable voting system to
13 establish a paper trail, but voters were not told they
14 will never be able to view that paper trail to make sure
15 election results are correct. We were alerted when this
16 new unverifiable system produced suspicious results in a
17 nonpartisan Gwinnett County runoff, and we sought to view
18 a small subset of the paper trail while in the custody of
19 the county elections director. That request was made
20 prior to certification, but the county attorney denied our
21 public access required by Georgia law under OCGA 21-2-72.

22 The race in question produced inexplicable results.
23 An incumbent judge won a landslide victory in a five-way
24 primary, but then lost the runoff in a 60 to 40 percent
25 landslide. Her vote totals went from 60,000 to -- in the

1 primary to 19,000 in the runoff despite no major event
2 occurring during that time that would have impacted the
3 result. A Voter GA analysis of the result showed that the
4 incumbent judge won in 55 to 61 percent of verifiable
5 mail-in absentee votes in some precincts while receiving
6 only 15 to 22 percent of unverifiable early in-person
7 votes cast concurrently in the same precinct.

8 These bizarre results are unprecedented in Georgia
9 election electronic voting history, but attorneys showed
10 no interest in making sure the correct candidate won.
11 Instead, they were only concerned about covering up the
12 paper trail and this new system that is costing taxpayers
13 \$300 million over a ten-year period. I would file an
14 Election Board case about this violation of law committed
15 by the county attorney, but the last time I filed a case
16 about vote counting corruption, the Inspector General
17 claimed she lost my case after her office confirmed that
18 they had it. The only recourse now is to sue for election
19 transparency where Georgia taxpayers will be forced to pay
20 for the legal battle if you fight to continue conducting
21 secret elections. Thank you.

22 MS. THOMAS: Next, we have Aunna Dennis. You're
23 self-muted. Okay. You're unmuted.

24 MS. DENNIS: Good morning. My name is Aunna Dennis,
25 and I'm the Executive Director of Common Cause Georgia,

1 and I am also a Fulton County voter. The Secretary of
2 State's plan to send every active voter an absentee ballot
3 was undoubtably a good one. However, counties had little
4 time to prepare and had lack of resources to do so.
5 Because of this, across the state we saw the county
6 elections staffs struggle to process record voting numbers
7 of absentee ballot requests. We also saw emailed requests
8 that were being sent back to the voters because the
9 county's server couldn't handle the sudden increase of
10 volume, and no one had thought to increase the bandwidth,
11 and many counties couldn't. We saw absentee ballot
12 requests being mailed to physical addresses instead of --
13 knowing addresses resulting in return requests, wasted
14 dollars, and delays for voters. We saw counties where
15 return instructions included an email for an entirely
16 different county, completely wrong emails, and wrong
17 addressees.

18 And yet, county election staff worked diligently to
19 do their best to make absentee ballot requests that were -
20 - that were processed, voters to be assisted, when they
21 didn't even understand what the delays would be. Absentee
22 ballots were counted, and elections were conducted,
23 imperfect and in the middle of a global pandemic. Fulton
24 County faced many issues, as we all know, in part because
25 it's the most populated county in Georgia. As the issues

1 were exacerbated, there were mistakes. We have no
2 intention of saying that these mistakes were not made and
3 that they were intentional.

4 However, unless the Secretary of State's Board
5 intends to conduct an investigation to hold hearings for
6 mistakes that were made over multiple counties, by the
7 vendors -- with the vendors, and the Secretary of State's
8 Office and its mistakes, that there's an opportunity just
9 to only scapegoat Fulton County, then there's a problem
10 that we see across Georgia, and it needs to be remedied
11 for November and not just for the June primary. The
12 Fulton County and other counties have recognized their
13 mistakes and the focus should be on fixing them and
14 preparing them for the upcoming elections. Thank you.

15 MR. RAFFENSPERGER: Thank you. Next speaker?

16 MS. THOMAS: Next, we have -- next, we have Nan
17 Gartenberg.

18 MS. GARTENBERG: Hello. Yes. My name is Nan
19 Gartenberg, and I'm a voter in Fulton County, and I told -
20 - I've tried to get all of my movers to get to -- to
21 actually participate. I did send an email to J. Shannon -
22 - I don't know if y'all received it -- on July 27th
23 regarding some of my concerns. One of the biggest
24 concerns is that the state voter page must be redesigned
25 for easier use. It is very unclear as to what subsection

1 we're meant to click if a voter needs more information.
2 There are a couple of nonpartisan companies that could be
3 contacted for a redesign, and even the Fulton County
4 website is much easier to use. It seems like the state
5 voter page is actually designed to actually confuse
6 people. So I'd like to -- I think that a redesign of the
7 webpage is something that should be done as soon as
8 possible.

9 The other thing that I have a question about is your
10 hold to deny people who request an absentee ballot about
11 the signature matching laws. Signature matching is a
12 pseudo-science, and I'm not sure -- I'd be very interested
13 to know how that actually is applied when denying people
14 an absentee ballot. I don't know if people are being --
15 have they been trained and are applying uniform
16 nondiscriminatory standards to signature matching and also
17 if there's a problem with an absentee ballot request, is
18 the voter notified and has the -- and do they have an
19 opportunity to cure whatever the issue is? And so those
20 are just two of my many, many issues that I have with the
21 whole program.

22 In addition, -- oh, I guess the third --

23 MR. RAFFENSPERGER: Thank you for your comments. Our
24 next speaker?

25 MS. THOMAS: Next, we have Katrina -- Katrina Dinkle.

1 MR. RAFFENSPERGER: Ms. Dinkle?

2 MS. DINKLE: Can you hear me?

3 MS. THOMAS: Yes.

4 MS. DINKLE: Okay, good morning. Thank you to the
5 Board for all you're doing to conduct our elections during
6 these times. I'm a long-term voter with Fulton and want
7 to voice my concern regarding something a little
8 different. It's regarding the OSCE and observers from the
9 Russian Federation of elections. The OSCE is an
10 international election monitoring organization, for those
11 of you who don't know, of which the US is a member. It is
12 based in Vienna. The Russian Federation of Elections is
13 also a member, and -- excuse me -- historically, teams of
14 election observers, including the Russians, have been
15 allowed to observe our elections in some states.

16 Given the overwhelming consensus by both US
17 intelligence agencies as well as the Senate that the
18 Russians did and will continue to attempt to interfere in
19 our elections, I would respectfully request that the
20 Secretary of State reject any request by this organization
21 to meet with Georgia election officials or observe. My
22 understanding is they were allowed to do this by then
23 Secretary of State and now Governor Brian Kemp in Fulton
24 County during the midterms in 2018, and according to state
25 law, the OSCE would need your express permission and

1 consent, as many states consider this illegal. Please say
2 no to Russian election observers from the OSCE. Thank
3 you.

4 MR. RAFFENSPERGER: Thank you for your comments.
5 Next speaker?

6 MS. THOMAS: Next, we have Mark Swanson.

7 MR. SWANSON: Hi. Yes. Can you hear me?

8 MS. THOMAS: Yes.

9 MR. RAFFENSPERGER: Yes.

10 MR. SWANSON: Thank you. I am a senior citizen, and
11 I was deprived of voting in the primary on June 9th by the
12 failure of Fulton County to send me an absentee ballot
13 which I had requested well -- well before the election and
14 followed up with emails and phone calls, none of which
15 were ever responded to. That's water under the bridge at
16 this point. Right now, I'm quite concerned because on
17 August 20th, I emailed my application for an absentee
18 ballot, as did my wife separately, for the November 3rd
19 election. The same day I sent it, I received an email
20 from the Elections Voter Registration entitled an office
21 absentee ballot request which indicated and confirmed that
22 they had received my email, and it gave instructions then
23 in how to follow up on my request for an absentee ballot.

24 This is where it gets interesting. I followed the
25 process to check with the Secretary of State's ballot page

1 -- or voter ballot page, and it shows that I had -- they
2 had received my application for the August -- the primary
3 runoff election, which I never submitted an application
4 for. And it said it had sent me one before that, which I
5 never received. I still have not received a ballot for
6 the November 3rd election. I'm very concerned, and I've
7 never had any of my phone calls or emails responded to
8 except by electronic means in a general sense, not
9 specifically to me, so there is something wrong with the
10 Secretary of State's Office and perhaps with communication
11 with Fulton County because I never sent in an application
12 for the runoff, and I have sent one in for the November
13 3rd election, and they said they received it, but there's
14 nothing indicating that it has been proc --

15 MS. THOMAS: Thank you, Mr. Swanson.

16 MR. RAFFENSPERGER: Next speaker?

17 MS. THOMAS: Next, we have Sallie Pecora-Saipe.
18 You're self-muted right now.

19 MS. PECORA-SAIPE: Hi, I'm Sallie Pecora-Saipe. You
20 can hear me?

21 MS. THOMAS: Yes.

22 MS. PECORA-SAIPE: Okay. I'm a resident of Fulton
23 County. I have been out of town due to COVID, and --
24 since February. When I realized I couldn't travel back to
25 Georgia, on April 17th, I emailed my absentee ballot

1 application to Fulton County for the June 9th primary.
2 When it was about a month into it, I went to MyVoter page,
3 and yes -- and, you know, there was nothing about it,
4 although I did have the confirmation from Fulton County
5 that -- when they had received my absentee ballot
6 application. I pursued this with MyVoter page. I tried
7 pursuing it with the Secretary of State's Office. I -- I
8 reached out to anybody I knew to try to get my absentee
9 ballot application in. It was finally processed the
10 beginning of June. And I knew that it was being sent,
11 probably from Arizona, but had to reach me in Connecticut,
12 and I had to be able to have it down in Georgia by
13 Tuesday, June 9th. And I was prepared to overnight mail
14 it.

15 However, that absentee ballot was not received by me
16 in Connecticut, but on Saturday night, (distorted sounds)
17 guess what came in that night? And by the way, our mail
18 comes in late. And that was my absentee ballot. It was
19 sent to my Georgia address, not to Connecticut. I was
20 deprived of being able to vote. I find it so negligent on
21 the county and on the state. I want to know how best I
22 can apply now for an absentee ballot.

23 MS. THOMAS: Thank you, Ms. Pecora.

24 MR. RAFFENSPERGER: Next speaker?

25 MS. THOMAS: Next, we have Priscilla Smith. You're

1 self-muted right now.

2 MR. RAFFENSPERGER: Ms. Smith?

3 MS. SMITH: Good morning. Can you hear me?

4 MS. THOMAS: Yes.

5 MS. SMITH: My name is Priscilla Smith. I live in
6 Marietta, Georgia, Cobb County. I want to appreciate all
7 the things that my -- the previous speakers have brought
8 to light. I don't appreciate the scapegoating of counties
9 by the Secretary of State's Office. I don't appreciate
10 the way that Mr. Balbona was treated when he was -- I've
11 seen the video. He was perfectly in his right to do what
12 he was doing. He was not in any way being obstreperous or
13 causing any trouble. He was simply being a citizen
14 observing.

15 I'd also like to bring it to the attention of the
16 Secretary of State's Office that at the last Cobb County
17 Elections Board meeting, there were some irregularities
18 that Mr. Balbona observed in the -- and brought to the
19 attention of Cobb County Elections Board that did nothing,
20 paid no attention to the irregularities that he brought to
21 light. I'd also like to request that while I don't want
22 to scapegoat counties, and I also would like to remind
23 everyone that Cobb County Elections Board voted
24 unanimously to request CARES fund from Cobb County Board
25 of Commissioners to send out absentee ballot request forms

1 to all active voters in Cobb County, the Cobb County
2 Commission did not even make it an agenda item for
3 discussion. It did come up in discussion, but only
4 because it had to, and there was no opportunity for CARES
5 money to be spent in the way that it was supposed to be
6 spent, which is for elections support.

7 However, the irregularities that happened in Cobb
8 County on June 9th with the primary were ridiculous. You
9 had people waiting 5 hours in South Cobb County with the
10 majority African American and people of color living --
11 and you had absolutely no problem in other parts of Cobb
12 County that are more affluent and disproportionately low
13 people of color. Thank you very much for the opportunity
14 to speak.

15 MR. RAFFENSPERGER: Thank you, ma'am. All right.
16 Next speaker?

17 MS. THOMAS: Next, we have Patty Nathan.

18 MR. RAFFENSPERGER: Ms. Nathan?

19 MS. THOMAS: You're self-muted right now.

20 MS. NATHAN: Can you hear me now?

21 MS. THOMAS: Yes.

22 MS. NATHAN: Okay. Good morning. I'm Patty Nathan
23 in Fulton County. Given the state of the Postal Service
24 and how much longer it takes to receive mail, you should
25 mail absentee ballots the day after Labor Day on Tuesday,

1 September 8th. Anything later will be or at least appear
2 to be an act of voter suppression. Thank you.

3 MR. RAFFENSPERGER: Next speaker?

4 MS. THOMAS: Next, we have Liz Throop. You're self-
5 muted right now.

6 MS. THROOP: Hi, can you hear me?

7 MS. THOMAS: Yes.

8 MS. THROOP: Hello? Hi, I'm Liz Throop. I live in
9 DeKalb County, and I want to applaud the Secretary of
10 State for sending absentee ballots out for the June 9th
11 election, and I agree that Fulton and other counties could
12 have done a better job with processing those ballots, but
13 I want to point out something based on my experience. I
14 taught graphic design for 20 years, and about 15 years
15 ago, I really struggled with having dozens of students
16 sending image-based files to my email. It would overload
17 it and shut it down. It took a couple of semesters for me
18 to design a workflow so that those image-based files were
19 limited in size, so they were in an appropriate format,
20 and so they would go to an address that wouldn't overwhelm
21 my inbox.

22 It immediately shocked me when the Secretary of State
23 allowed people to email in their ballots because I knew
24 that that was going to be a problem, and in fact, from
25 what I've heard, that might be the case with Fulton and

1 other counties. I want to point that a denial of service
2 attack is exactly this kind of problem. Someone -- an
3 attack means it's malicious, but sometimes it's
4 inadvertent. When you send too much traffic to an
5 address, it shuts it down. That's a very well-known form
6 of hacking, and I just hope that that is taken into
7 consideration during these discussions today. Thank you.

8 MS. THOMAS: All right. Next, we have Paula
9 Bosworth. You're self-muted. Okay. You may speak. Ms.
10 Bosworth, you may speak. Okay. We'll come back to you.
11 Ms. Howze, Elizabeth Howze?

12 MS. HOWZE: Morning.

13 MS. THOMAS: Yes, we can hear you.

14 MS. HOWZE: I'm Elizabeth How -- I'm Elizabeth Howze.
15 I'm speaking for myself and Paula Bosworth from DeKalb
16 County. State Elections Board Chairman and Secretary of
17 State Raffensperger has spoken out frequently against
18 voting by absentee ballot. He knows very well that
19 absentee ballots are both a long used and very secure way
20 for citizens in the United States to vote. There is
21 simply no reason to question the validity and integrity of
22 absentee balloting. None whatsoever. What will the State
23 Election Board do to see that he stops misleading Georgia
24 voters?

25 Raffensperger is very well aware of the consent

1 decree the Republican National Committee agreed to in 1982
2 preventing the GOP from engaging in voter intimidation
3 practices aimed at minority voters, and he is well aware
4 that the consent decree was updated in 1987 because his
5 party, the Republican Party, had created a voter challenge
6 list of black voters, and he is well aware that the decree
7 was violated again in 1990 and 2004, as the Republican
8 party attempted again to intimidate black voters. The
9 consent decree was lifted in January 2018. What will the
10 State Elections Board do to assure that Raffensperger will
11 not engage in voter intimidation practices of any kind,
12 including absentee ballot intimidation, from now through
13 the election in November?

14 In the past five years, how many times has the State
15 Election Board or the Secretary of State investigated
16 suspected absentee ballot fraud in Georgia? What was the
17 nature of the voter fraud? In those investigations of
18 suspected voter fraud, how many times has it been
19 determined that absentee ballots were cast fraudulently,
20 and how many times was it determined that problems with
21 absentee ballots were inadvertent? How many cases of
22 suspected voter fraud were prosecuted? Of those, how many
23 resulted in convictions? Thank you.

24 MR. RAFFENSPERGER: Thank you. Do we have any other
25 speakers?

1 MS. THOMAS: Yes, we have one more.

2 MR. RAFFENSPERGER: Okay.

3 MS. THOMAS: Ms. Paula Bosworth? Oh, she was with
4 the one before. All right. That's it.

5 MR. RAFFENSPERGER: That's it. Okay. Well, I guess
6 on the agenda next is the investigation report of new
7 cases, and today we're going to meeting just due to the
8 number of cases with Fulton County today, and in the
9 coming months, we'll be looking at other areas. Mr.
10 Germany, do you want to introduce and give an overview?
11 And then I believe that Mr. Harvey and other people, Ms.
12 Frances will be -- Ms. Watson, will be speaking about this
13 also?

14 MR. GERMANY: Yes, sir. Frances Watson is going to
15 give a brief overview.

16 MR. RAFFENSPERGER: Okay.

17 MS. WATSON: All right.

18 MR. RAFFENSPERGER: Go ahead, Ms. Watson.

19 MS. WATSON: Sure. Good morning. This Fulton County
20 investigation was opened as a result of receiving over 250
21 complaints from Fulton County residents that they did not
22 receive their requested absentee ballot, the results of
23 which will show that many did not receive their absentee
24 ballots because they were never processed by Fulton
25 County. Before I present the case findings, I would like

1 to have the Elections Director, Chris Harvey, to provide
2 the Board with some context of what was taking place and
3 the steps that were taken leading up to the June 9th
4 election. Mr. Harvey?

5 MR. HARVEY: Thank you. Good morning, Mr. Chairman
6 and Election Board members. This is Chris Harvey, the
7 State Election Director, and I want to take just a few
8 minutes and sort of set the stage for this. I know that
9 the Secretary and the Board members have been keeping up
10 with events that have been going on throughout the state
11 this year with elections, but I want to try to put it in a
12 little bit of context. I think some of the public
13 speakers spoke well about the things that the county
14 workers have been doing since -- since the pandemic hit,
15 and I want to talk a little bit more about that, and then
16 move specifically into some of the background in Fulton
17 County. So if you'll give me a couple of minutes and let
18 me give you a little bit of background, I think that will
19 be helpful.

20 I want to start by reading an email that I got on
21 April 2nd. I got this email from Claire Moseley, who's
22 the Election Director in Early County down in Southwest
23 Georgia, and as you'll recall, the Albany area was hit
24 particularly hard with the COVID-19. And Early County is
25 a small county. It's a rural county. And this is what

1 she wrote, and what she wrote is representative of many,
2 many conversations I had with elections officials
3 throughout the state as February turned into March turned
4 into April turned into May.

5 And this is -- this is what she wrote: "This is an
6 update on what is really going on in our counties. We
7 have roughly 10,000 people in our county with about half
8 that living here in Blakely. We are all scared. We are
9 one of the hotspots for the virus, according to our
10 numbers. We have 41 known cases here and two deaths so
11 far. If you do the math per capita, that is an extremely
12 high number, and these are people, not numbers. As far as
13 EMS can tell, the majority have originated from a funeral
14 in Albany with a huge birthday party in Blakely
15 afterwards. In our county and city government, our mayor,
16 chief of police, and 8 other workers have tested positive,
17 as well as several county workers. We are working with --
18 we are working in our office with our doors closed and
19 locked to the public but serving our voters and candidates
20 as best we can."

21 "Our grocery store manager is positive. When we have
22 to go there, I am so afraid of whatever is around and
23 whoever is infected but may be asymptomatic and still
24 spreading the disease. After grocery runs, we unload
25 outside our homes and wipe down every single thing we buy

1 before taking it into our homes. There is literally not a
2 single business open except grocery, hardware, and
3 pharmacy. We know these people, and when they pass away,
4 their service must be private so their loved ones don't
5 know how many people really care. It's just awful down
6 here, and we hear daily that it will get worse."

7 "We have five precincts and usually run about 25 to
8 30 poll workers. I don't see how we are going to handle
9 this part as we, Julie and I, can't work all the
10 precincts, and so far we have only 5 poll workers who are
11 willing to work in the presidential preference primary
12 because of the virus. And I'm afraid to even contact
13 these now that it's gotten so much worse. I have reached
14 out to several students, both in high school and college,
15 and they were mostly interested, but all their parents
16 said no. I completely understand their concern. I as a
17 parent, who had my daughter work as a poll officer from
18 age 16, would not allow her to do it now. Poll worker
19 training is a major concern as well. I could not -- I
20 could try by precincts so that we wouldn't go over the 10-
21 person gathering, but the fact is they aren't going to
22 come. Those that can are not leaving their homes. I
23 can't imagine a good election outcome with the unseasoned
24 poll workers that I may be able to come up with. We have
25 worked so hard under already quite daunting conditions to

1 ensure a successful rollout of the new voting equipment."

2 "The county administrator and the Board of
3 Commissioners are not in favor of opening our office to
4 voters. I have told them that this is not something --
5 this is not something we can choose not to do, but they
6 are concerned about putting us and the other poll workers
7 at risk for exposure. All of our precincts are county-
8 owned so we don't have to worry about others being
9 involved, but the Commissioners are concerned about
10 opening our county precinct buildings to voters. They
11 also pointed out that the President, the Commission, and
12 the City has a shelter-at-home ordinance in place through
13 April 30th, so do we just ignore that and open early
14 voting anyway?"

15 "These are not ordinary times. These are desperate
16 times. I have thought many times over the past few weeks
17 that though I have been at my wit's end in elections over
18 the past 23 years, I have never been able -- I have never
19 been made to choose between my job and my life. I feel
20 like this is where we are right now, and I'm really
21 scared, and I'm sad too and frustrated. I've never
22 considered myself old, but now I realize that I am a 63-
23 year-old" and she describes some conditions and her
24 concern for her family. She closes by saying, "I don't
25 know what the answer is, but this is where we are, and I

1 will keep you updated as it goes. Thanks for listening.
2 Very sincerely, Claire Moseley."

3 And again, that's representative of dozens and dozens
4 of phone calls I had with county election officials
5 throughout the state. Since that time, and this was --
6 this was after we had moved the presidential preference
7 primary and moved the primary election -- since then, I
8 also want to point out that last week we had the death of
9 an election superintendent in Chattooga County. Judge
10 John Payne succumbed to the coronavirus and died after
11 almost 50 years as a probate judge and election
12 superintendent. He was, to a large extent, sort of the
13 heart and soul of the elections up in North Georgia. He
14 could have retired and gone home, but he stayed at his
15 post and conducted the primary election, and he is no
16 longer with us.

17 I also want to point out, and it will come out in
18 this hearing I'm sure, the death of the Fulton County
19 election worker -- I believe, Ms. Walker -- who died as a
20 result of COVID-19 in the process of what we're going to
21 be talking about today. I can tell you that at least
22 three members of my team here in the Secretary of State's
23 Elections Division have lost close family members to
24 COVID-19. Many county election officials have lost family
25 members and friends as well, and Ralph Jones, who is the

1 absentee ballot manager in Fulton County, and family
2 members were sickened, fortunately was able to overcome
3 COVID-19. I point out too that when the virus hit with
4 its full force, the legislature disbanded and went home.
5 The Secretary of State's Office started working from home.
6 The county elections officials didn't have that luxury.
7 They had to keep working. They had to deal with machines.
8 They had to deal with poll workers. They had to deal with
9 absentee ballots. And I think that's important to set as
10 a backdrop for this.

11 So let's go back briefly to June of 2019, when we
12 announced the new Dominion voting system. We gave the
13 counties and the Secretary of State's Office an aggressive
14 but achievable timetable in order to get the equipment
15 into the state, get the equipment to the county offices,
16 get the election officials trained and comfortable with
17 the equipment. We had to get poll workers trained on new
18 systems and procedures. We had to get the public educated
19 and experienced using the new voting system, and we had to
20 have the county election offices basically change almost
21 everything they did. Again, it was a tall order that the
22 counties in every respect responded to. To go from a
23 system that used very, very little paper for 17 years to
24 go to a fully paper-based system was not an easy thing for
25 the counties to do, but they responded well,

1 enthusiastically, and heroically.

2 So in late 2019 and early 2020, our office worked
3 with our partners at Dominion Voting System, with KnowInk
4 Poll Pads, and with our Center for Elections system to get
5 to begin this integration of the new voting system. We
6 held in-person training -- training bootcamps for each
7 county that consisted of about four days of intensive
8 training. We held webinars on specific procedures and
9 equipment. We produced and publicized online quick
10 reference guides, instruction manuals, emergency
11 procedures, and similar materials. We held regional
12 trainings in county offices for refreshers and updates.
13 We conducted many demonstrations throughout the state for
14 the public so that they could see and try the new voting
15 system, learn how it operated, and those instructions
16 included many for communities and associations of voters
17 with disabilities. We produced videos in multiple
18 languages for public education.

19 And we even -- when we looked at the election
20 calendar, we selected the March 24th presidential
21 preference primary to roll out the system because believe
22 it or not, that's the easiest election of the year.
23 You're talking about, generally speaking, you know, one
24 contest on the ballot. It would give the voters an
25 opportunity to get in, use the system quickly and

1 efficiently. It would give the counties an easy
2 opportunity to roll it out, and that seemed like a good
3 idea at the time. Of course, nobody knew what we were
4 going to have to deal with.

5 By contrast, the -- the state primary that was
6 scheduled for May is probably the most complex election to
7 hold. You've got -- essentially, you're holding two party
8 primaries and a nonpartisan election, the longest ballot
9 of the year, the most complication in terms of signing
10 ballots. And so we wanted to give everybody a -- a
11 relatively easy run for the first system. As you know,
12 the pandemic hit hard, and we had to revise this calendar.
13 We had to first delay the presidential preference primary
14 from March to May, and then we had to combine those
15 elections and move them back to June to try to give
16 counties and the public the resources and opportunity to
17 deal with the pandemic. But again, at every opportunity,
18 the counties responded heroically and creatively to the
19 challenges.

20 And when it became clear to the Secretary of State
21 that in-person voting was going to be compromised either
22 with fear of the virus or actually with the virus,
23 Secretary Raffensperger made the decision to mail pre-
24 filled absentee ballot applications to 6.9 million active
25 Georgia voters. Of course, as the Board knows, no-excuse

1 absentee voting has been available for over a decade in
2 Georgia, but it hasn't been widely used. It's always been
3 sort of a third distant cousin to in-person voting on
4 Election Day and then advance in-person, usually making up
5 about five percent of the votes cast in an election. And
6 so a lot of people may have known in theory that it could
7 be done. Many people had not actually done it themselves.

8 And one of the challenges was going to be to get the
9 applications from the voters to the counties, get them
10 processed, and get the ballots out. So what we did was we
11 contracted with Runbeck Voting Systems, as you've heard,
12 to -- to process the ballots and remove from the counties
13 the requirement that they actually print the ballots,
14 stuff the ballot envelopes, make sure the right ballots
15 get assigned. We automated the process, and we did this
16 in conjunction with mailing out the applications. I can
17 tell you that in states that do large-scale vote by mail,
18 you know, they recommend that this process be transformed
19 over the time of years rather than weeks. We simply
20 didn't have that luxury. We worked extremely diligently
21 to get partners on board. It wasn't a perfect system. We
22 didn't do everything right, but we tried to communicate
23 what we were doing with the counties.

24 The counties received the information
25 enthusiastically when they realized it was going to take a

1 lot of the front end work off of them. They saw the
2 numbers of applications coming in and most of them
3 realized they would not have been able to process the --
4 the ballots going out themselves. It simply would not
5 have worked. They didn't have the people. They didn't
6 have the space in order to get that done.

7 And so, you know, the -- the ballots were sent out by
8 Runbeck. They were received by the voters. Many -- as I
9 mentioned, many counties ran out of space to process the
10 applications. They ran out of people to do the
11 applications. In many cases, they were working with
12 reduced or significantly shortened staff, and, you know,
13 again, we tried to work with the counties throughout this
14 process to make sure they understood what was going on, to
15 give them updates about when things were happening, give
16 them resources they could follow up with. Everybody was
17 learning together and working together to get this done
18 and keep the ballots flowing as much as possible.

19 Shifting a little bit towards the specific issues in
20 Fulton County, we realized that -- we started receiving an
21 influx of emails and calls from Fulton County voters that
22 voters had not received their absentee ballots after
23 several weeks. In many but not all cases, the voters had
24 emailed their ballots to the email provided on the
25 application. I kept in fairly regular contact with the

1 management staff of Fulton County and let them know about
2 the rising tide of complaints. I spoke with Rick Barron
3 and Ralph Jones at times to let them know what was going
4 on, and they replied back problems they were having with
5 managing a lot of the email applications. The numbers
6 were big. They were having a hard time getting them
7 routed to people who worked with them, and they had
8 problems with their servers and printers trying to print
9 off some of the ballots.

10 I learned that their offices were shut down for
11 several days after the death of the employee that I
12 mentioned before and that Ralph Jones had himself taken
13 ill with COVID-19, further hurting their abilities to
14 manage the flood of applications that were coming in. I
15 continued to stress the importance and the need to process
16 these applications and ballots quickly, and they
17 communicated to me their efforts, that they were -- they
18 were trying their best.

19 While this was going on, Fulton County was also
20 reporting that they were well-staffed with poll workers,
21 and those were mostly coming from other furloughed county
22 workers from other county agencies. While that was the
23 initial report, they continued to report as we kept in
24 touch that they were beginning to lose large numbers of
25 poll workers, and they were also losing polling places.

1 They were having polling places back out and having to
2 find new polling places, having to combine polling places
3 in order to provide voting locations for all their voters.
4 This was exacerbating the problem dealing with absentee
5 ballots because it was drawing resources away from that.

6 They also communicated to me that they were -- they
7 had made the decision to wait until they had processed all
8 the other absentee ballot applications before doing the
9 ones that had come in by email. I didn't think that was a
10 good idea and pointed out that voters who had applied for
11 their absentee ballots as early as April had not gotten
12 ballots, had not gotten any communication, which resulted
13 in them sending in more applications which was adding to
14 the snowball that was building already and was making the
15 problem worse. This was going to manifest itself in some
16 problems that we'll deal with in future hearings.

17 I got -- in regular calls with -- with Fulton County
18 leadership, I got I think well-intentioned promises that
19 they would go ahead and process the 80,000 plus email
20 applications. I was told they were going to hire
21 temporary workers to deal with them, but I don't think it
22 was -- it wasn't until after Memorial Day that they were
23 able to get to all of them. And when an absentee ballot
24 is returned to the Fulton County Office, it has to be
25 entered into our voter registration system, the E-net, so

1 that the voter gets an update that it had been received.
2 Well, they hadn't been entered those in as they came in,
3 so voters whose absentee ballots had been accepted were
4 not getting updates when they checked MyVoter page that
5 their absentee ballot had been received, which again,
6 created the snowball getting bigger again because then
7 they were sending in additional applications or they were
8 calling or they were sending in emails saying what
9 happened to my ballot? And it took -- it took Fulton
10 County a while to recover and get those entered in so that
11 people were getting regular updates and could see the
12 status of their absentee ballot. And again, this -- this
13 caused -- this contributed to the erosion of confidence, I
14 think, in the Fulton County Election Office.

15 The other issue with difficulties processing absentee
16 ballots and getting absentee ballots out or receiving them
17 back in is that when somebody is issued an absentee ballot
18 in the voter registration system, it marks them as having
19 gotten an absentee ballot in the voter registration
20 system. So if they go to vote in person on Election Day,
21 they have to go through a process of canceling the ballot,
22 which again, slows down the process and increases the wait
23 times. I know that's not specifically what we're talking
24 about today. That'll be dealt with in future
25 investigation, but I think it's important to realize that

1 there are far-reaching effects that a failure to process
2 absentee ballots efficiently can have.

3 I want to also say, you know, I don't want there to
4 be any mistake. Everything I said at the beginning of my
5 comments about the heroic work done by the election
6 officials statewide also applies to the election officials
7 in Fulton County. I was in regular communication with
8 Rick Barron, Blake Evans, and Ralph Jones, and they
9 consistently tried to adapt to changing conditions. I
10 didn't see any evidence of dereliction or indifference
11 from them. I think they tried. Unfortunately, I believe
12 the processes in Fulton County trying to deal with the
13 absentee ballots was insufficient and ineffective, and it
14 shifted problems from one area to another, and the
15 inability to identify key problems early and apply new
16 solutions contributed significantly to a significant
17 number of voters in Fulton County not being able to vote
18 absentee and probably not being able to vote at all.

19 Chief Investigator Watson is going to detail the
20 cases as I finish speaking. Lastly, I just want to say
21 that the day after the election in June, I walked down to
22 Fulton County Election Office. I spent about two hours
23 with Rick Barron and Blake Evans in their office asking
24 about how we could provide support or help them improve.
25 I'm pleased to report that we had many subsequent

1 conversations about changes and improvements, and my team
2 and I are standing by to provide as much support as we can
3 going forward. And so I just wanted to provide that
4 background and context as Chief Investigator Watson goes
5 into the specifics of the case. Thank you.

6 MS. WATSON: Okay. This is Frances Watson, and we'll
7 start with the case. It's Fulton County Case 26 -- 2020-
8 016, and with the absentee ballot applications mailed to
9 all the active registered voters, the county saw a
10 tremendous increase in the absentee ballot requests, not
11 only through the mail but fax and email. The email
12 provided on Fulton County's webpage prior to the election
13 and on Election Net to send the absentee ballot
14 applications to was
15 elections.voterregistration@fultoncountyga.gov.

16 This email inbox was set to distribute to a group.
17 Ralph Jones advised it was distributed to 20 inboxes, so
18 one email with an attachment of an absentee ballot is
19 multiplied by 20. 20,000 absentee ballot requests with
20 attachments times 20 is 400,000 emails with attachments.
21 This caused an issue with email not having server space,
22 according to Mr. Jones. The attachments that were
23 received included PDFs, JPGs, and also many other files
24 that would not print. This created an issue with the
25 printer and the inability to print out all the

1 applications. There was some intent at reconciliation of
2 what had been received, what had been processed, but there
3 was no checks or verifications.

4 Ralph Jones advised due to the printing issues,
5 clerks worked straight from the email and did not print a
6 copy. Ralph Jones, the Chief Registrar, advised once the
7 email was distributed to be worked, he deleted the emails
8 to preserve server space. When asked how they planned to
9 retain the emailed absentee ballot application to comply
10 with 21-2-390, Mr. Jones advised that IT might be able to
11 provide them if needed.

12 Many that requested absentee ballots both by mail and
13 by email did not receive them. Some were able to go to
14 the poll and wait in the long lines and sign an affidavit
15 to vote at the poll. This created problems at the poll
16 locations with poll workers not being able to reach anyone
17 at the county to verify if the voter had cast the absentee
18 ballot before allowing them to vote on the machine. Some
19 poll workers were not familiar with how to deal with the
20 voters that had requested an absentee ballot and what
21 steps they needed to take. The complaints concerning the
22 absentee ballots -- our office alone received 254
23 complaints, which we're still receiving comments notifying
24 us that they didn't receive their June or their August
25 absentee ballot.

1 Regarding absentee ballots, we mailed a letter on --
2 or an email to each complainant requesting them to
3 complete a questionnaire. We asked how did you -- how did
4 you request your absentee ballot, when did you request it,
5 did you ever receive it, were you able to vote, et cetera.
6 Approximately half that returned the questionnaire replied
7 that they requested by mail, and half by email.

8 An example of the complaints that we received -- I'll
9 read this complaint from one of the residents, Fulton
10 County residents. "I requested an absentee ballot two
11 months early. Though I spent several hours on this
12 request and filling out the application and emailing it
13 and two follow-up phone calls with elections official to
14 confirm that I could have the absentee ballot sent to my
15 alternate address where I am quarantining with my family,
16 my vote was still effectively suppressed. My absentee
17 ballot was sent to my permanent address rather than the
18 temporary address, again, even though I spent much time
19 ensuring it would go to the right place. On top of that,
20 my ballot request status online never updated to even show
21 the absentee ballot had been mailed, making it impossible
22 for me to track the status. I was unable to -- due to
23 work commitments to drive the 200 miles necessary to pick
24 up my absentee ballot at the permanent address it was sent
25 to or to vote in person, so again, I am very disappointed

1 in the Georgia Elections Board for their handling of this
2 election. When I vote in November, if it's done via
3 absentee, I expect it will be sent to the correct
4 address."

5 A second complaint: "my wife and I emailed our
6 absentee ballot requests April the 2nd. My wife received
7 an email stating that her request had been processed and
8 to check the MyVoter page and that ballot would be mailed.
9 I received nothing. I checked her page and could not find
10 anything, so we called the number as instructed and
11 reached an answering machine which said she would be
12 called right back. The call was never returned. Over two
13 months is plenty, repeat, plenty of time to send out two
14 ballots. No excuses. It is also inexcusable to not
15 return a phone voicemail which has been solicited on your
16 part. Meanwhile, my 98-year-old mother received not one
17 but two absentee ballots. Everything is documented and
18 saved. You have a big problem. Will you reply to this or
19 will it also fall on deaf ears or blind eyes?

20 Incidentally, both of the ballots requested are
21 Republican. This is the first time I have missed voting
22 that I can recall."

23 Examples of the responses continued, further
24 examples. Most of them were requested in early April.
25 "April the 7th, 2020, received the email confirmation of a

1 request that it was processed on May 29th. There is no
2 entry in Election Net that it was entered or processed."
3 "Absentee ballot request submitted on April the 4th." A
4 voter in Alpharetta called Fulton County on May the 20th
5 when they still had not received their ballots and were
6 told they had a problem with the overwhelming number of
7 applications coming in and that they should receive their
8 ballots soon as the very week she called, the issues had
9 been resolved. The ballot still did not arrive, and they
10 called Fulton County again and were told that the county
11 processed it May the 30th. By Election Day, they still
12 did not receive a ballot. They are caregivers for an
13 elderly person and did not want to risk exposure but were
14 forced to go to the poll in order to vote. At the time of
15 the completion of the questionnaire, they still had not
16 received an absentee ballot. And those examples continue.
17 I believe that I sent all of the complaints to the Board
18 for them to review.

19 Our findings in this case: out of the 254
20 complainants that reported they did not receive an
21 absentee ballot, at least 107 of those responded that they
22 did not otherwise vote in the election which was verified
23 through Election Net. 105 of the absentee ballot
24 applications were never entered into the Election Net
25 system to generate an absentee ballot. This is just those

1 that reached out to our office to submit a complaint. I
2 anticipate the numbers to be much higher for those that
3 did not receive their ballots, as evidenced in the large
4 numbers that went to the poll or did not receive an
5 absentee ballot and completed an affidavit. And that
6 concl --

7 The violations: there's sufficient evidence to show
8 that Fulton County received via mail and email absentee
9 ballot applications that were not processed and entered
10 into the system as received or to be processed. A
11 violation of OCGA 21-2-384(2), failure to process and mail
12 requested absentee ballots. And we're recommending this
13 case to be bound over to the Attorney General's Office for
14 this violation. And we also would like to have Gabe
15 Sterling to provide the Board with some additional
16 comments. Gabe?

17 MR. RAFFENSPERGER: Gabe Sterling?

18 MS. THOMAS: You're self-muted right now, Gabe.

19 MR. STERLING: It says green on my thing. Can you
20 hear me now?

21 MS. THOMAS: Yeah.

22 MR. STERLING: Okay. All right. What I'm going to
23 be asked to do is kind of to say what the State is doing
24 to address some of these issues as we move forward into
25 the election time for November 3rd, as the early vote is

1 only about 45 days out. Specifically, in the absentee
2 ballot situation, the State will again take some of the
3 burden off of all of the counties. The State will be
4 sending 565,000 rollover ballots through the vendor
5 Runbeck and Dominion, and on top of that, we have told the
6 counties that we will -- all of the applications that they
7 put into the e-net system by the same date we do the
8 rollover list, which will be the week of September 14th,
9 probably by September 18th, we will also mail all of those
10 as well. As of -- as we sit here today, there's 565,000
11 on the rollover list and about 100,000 that have already
12 been entered into the e-net system for the November 3rd
13 election.

14 We will do this for all the counties with the
15 exception of Gwinnett. As some of you may or may not
16 know, they had to enter into a -- a settlement for a
17 lawsuit with the Democratic Party of Georgia wherein the
18 settlement was that they have to make an irregularly
19 large-sized envelope to handle both sets of languages,
20 Spanish and English, which makes automating that process
21 essentially impossible, and it makes the mailing cost for
22 both the outgoing mail and incoming mail between \$1.60 and
23 \$2 depending on the ballot size. So there's no way we can
24 do that. However, we have put together a partial solution
25 wherein we can print the ballots and organize them by

1 precinct to make it easier for them to be able to hand
2 stuff them themselves, but we've not -- we've been unable
3 to find a vendor to handle it simply because of the size
4 of that. I do know their attorneys went back to the
5 Democratic Party of Georgia to try to see if they could
6 come to another solution, and they are going to stick with
7 the settlement they have. This settlement was done pre-
8 COVID, so at the time, it didn't seem like it had a big
9 impact. Now, in COVID, it obviously does.

10 Another large thing we've done to take care of the
11 processing issues is we are -- we built out an online
12 ballot request portal. We have code tested it, security
13 reviewed, and stress tested the new portal, and we are
14 very close to launching it. We are planning on doing it
15 very soon. And what this will do is this will allow the
16 voter, using five pieces of information, their first name,
17 their last name, their date of birth, their driver's
18 license or state ID number, and their county, to identify
19 the voter. That takes them into an online situation where
20 they are allowed to request their ballot, where they want
21 it mailed and everything. This will cut down on entry
22 errors and loss errors when these things are sent in and
23 touched by many, many human hands over and over again.

24 What happens now sort of mimics the workflow of our
25 online voter registration where the information is put in

1 by the voter. It goes to a dashboard at the county level
2 where a county worker will review the application and say
3 yes or no. It will automatically populate E-net, and then
4 they can fulfill that ballot after that. It's going to
5 make it a lot easier, take a lot of work off of them, and
6 cut down on errors and loss. So we anticipate that being
7 a very successful project to help them, the counties, do
8 their work, and it will also provide some more
9 transparency to the voter because as soon as they submit
10 that, an email will be sent to them saying on this date,
11 we received your absentee ballot application, and here's
12 some information about how you can track it on the MyVoter
13 page.

14 So -- another thing we're working at which is not
15 finalized yet which follows on the same thing with the
16 absentee ballots is a way to do ballot tracking
17 proactively, where a voter can put it their cell phone
18 and/or email and be proactively informed when their ballot
19 is mailed to them, when it is received, when it's been
20 processed back in. So they have a lot more transparency
21 as opposed to what's happened. We saw in Fulton and other
22 counties where they're sort of left in the dark other than
23 going to MyVoter page and if the county hasn't put it in
24 yet, there is no update to MyVoter page because that is
25 where the information comes from. It's from the counties

1 themselves. So the tracking of the ballot, more proactive
2 ability to get to the MVP, is one of the big things for
3 that.

4 Now, the big lift we have is going to be on Election
5 Day. And one of the things that we have done already for
6 all of the counties including Fulton is provide a check-in
7 data analysis to show where they may have either
8 logistical issues or poll worker training issues. We
9 basically took them from the poll pad check-in data. We
10 looked at anything that opened -- we had different levels
11 of opening, and they were color-coded to make it very
12 visibly easy to see where they were having poll worker
13 issues or logistics issues.

14 Along with that, we are working with counties on an
15 analysis of each polling location they're going to have
16 and their equipment allocations to make sure they will
17 function both on a line management perspective and a
18 throughput perspective because at the end of the day, as
19 we have told the counties repeatedly, this is a math
20 problem. One of the really big lifts we've had to do is
21 to change the -- the thought process of everybody involved
22 in elections because for years having paperless voting
23 with the DREs, you could just throw extra equipment into
24 it -- into a polling location, and your problem is solved.
25 When you add the component of paper, regardless of system,

1 you have a throughput issue on those things, so as we've
2 said many times and the Secretary has noted, if you have
3 one voter go through every 25 seconds, you can get 1,725
4 voters through a polling location with a single scanner on
5 a 12 hour Election Day. That's it.

6 So what we've done is we've asked all the counties to
7 give us their equipment allocations for each and every
8 polling location, and then we can see the number of voters
9 they have assigned to those polling locations. We're
10 running an algorithm on the front end to make sure they
11 can process properly the number of people to get through
12 there, and on the back end we're saying if they get the
13 anticipated turnout to come out, if they can get them all
14 through the scanner or the scanners that they've set up,
15 then what we're going to do is we're going to have a
16 color-coded system again where essentially, green means
17 this polling location is going to be good to go. Yellow
18 means you're going to have to rethink this polling
19 location somewhat by either adding equipment and/or
20 people, and then there's the one we don't want to see a
21 lot of which is the red, that there's no way, no how, no
22 matter how much equipment and how much -- how many people
23 you have there, this is not going to be a functioning
24 location.

25 This is in part to address the sort of -- we can't

1 have a one-size fits all which many people want to try to
2 do. In Lumpkin County, we see they have a single polling
3 location with over 22,000 voters there, and they have been
4 doing this for a while, and it functionally works for them
5 right now. And we're running it through, and it seems
6 like it'll work again. What we saw, as an example, in
7 Fulton County at Park Tavern, that was literally one of
8 the faster processing locations in the state, but they had
9 16,685 voters, I believe, assigned to that location, so
10 when they opened -- and they were doing 160 voters an
11 hour. So they had 350 people in line when they open the
12 door, so if you're processing 160 voters an hour with 350
13 people in line at the door, the math shows you you are
14 never going to catch up. So that's why we're working with
15 them on that to add more counties, and I'll get to some of
16 that in a minute.

17 So far of the 159 counties, 142 counties have sent us
18 their initial equipment deployments, so our data analysts
19 are going through those now. We hope to be able to get
20 the initial analysis out to many of the counties next week
21 so they can look at any changes we might need to do as far
22 as reallocation of resources or people. Fulton County --
23 we've asked all counties to look at how they've deployed
24 their voters, and Fulton County is doing a good job so far
25 -- are on a good path of additions. They've moved from

1 164 polling locations in June to 174 in August. Their
2 Election Board met -- I believe it was last Thursday and
3 added 18 more. I've been working directly with some of
4 their consultants in trying to find some more locations,
5 and there's about 15-20 more in the queue right now
6 they're trying to bring in.

7 On poll workers, as many of y'all have seen and heard
8 per Secretary Raffensperger's direction, we have had a
9 very strong push to add more poll workers even before
10 COVID because we knew we wanted to have more younger poll
11 workers to come in. So we've been -- I've seen a lot of
12 success since June 9th and along with partners as diverse
13 as the ACLU and the Metro Atlanta Chamber of Commerce, we
14 have handed over nearly 8500 names of those who would like
15 to be poll workers. And our intent at the Secretary of
16 State's Office per Secretary Raffensperger's direction is
17 to make sure that any and all people who want to be
18 helpful, even if they can't be a poll worker, it's our
19 intention to then put them out there as potentially a
20 field tech as well.

21 And on that front, the Secretary of State's Office is
22 working with our vendor, our counties, and other state
23 agencies to deploy a field tech to each and every polling
24 location to address any training issues that crop up. As
25 we saw on June 9th, most issues that were quote-on-quote

1 equipment issues had to actually do with poll workers
2 being unfamiliar with the equipment because of the
3 inability to do a lot of hands-on training due to COVID.
4 And once we saw what happened if a tech got there who was
5 familiar with the equipment, they could easily address the
6 two main things that we saw. One, holding the power
7 supply button down for the BMDs for more than five
8 seconds. We've also put a sticker onto those UPS's so
9 they know. It says please hold power button down for more
10 than five seconds. And the card encoders in the poll pads
11 being upside down, we've also added a sticker to those
12 that says this side to poll worker. Now, it still takes
13 some work to get some of these things done to make sure
14 everything is done properly, but those were the main
15 things we saw.

16 So these field technicians will be trained on all
17 five pieces of equipment, shown the top three things that
18 go wrong with them, and here's the top couple of fixes.
19 So they're not the full techs that have been there to
20 understand the EMS, the election management system, and
21 all the various parts of this. These people are
22 exclusively dedicated to making sure the equipment works.

23 We've also piloted -- and many of you might seen --
24 working with ESRI, a GIS-based line management and
25 technician deployment tool. That'll be deployed to each

1 county and each tech will be putting in line wait times so
2 we can identify issues early on at the state and county
3 level to make sure we have resources available to make
4 sure those counties allow voters to continue to vote no
5 matter what.

6 We've begun and we've started the process of working
7 with IBM to deploy their Watson artificial intelligence
8 tool to better and more quickly answer voter questions
9 through both chat and through the phone in the time
10 leading up to an election and Election Day. We think
11 that'll take a lot of work and move -- off our call center
12 and move people more quickly to the answers they need in a
13 way they're comfortable with.

14 We've continued to work with Fulton and all of the
15 counties to be better prepared for absentee ballots, early
16 voting, and Election Day. We have seen Fulton escalate
17 the issues that they saw on their Election Day to their
18 county leadership level, people like Dick Anderson and
19 Richard Bailey, who we've been working well with. And
20 we're working in a transparent way to address these issues
21 together.

22 We are planning for the tsunami of voters for the
23 coming Election Day. As Secretary Raffensperger has
24 stated, we anticipate 2 to 2.5 million voters on that day,
25 and it's going to take a lot of team effort to make sure

1 those get done, and all of our work is going to be trying
2 to get as many people as possible to take advantage of the
3 pre-election day voting, both through early voting, the
4 three weeks plus the mandated Saturday, and the absentee
5 voting. We feel that the absentee portal and us taking
6 the rollovers and anything done by mid-September off of
7 the counties will really help the counties to be able to
8 focus on that last amount of those and put their resources
9 to where they need to put them.

10 And I just wanted to say again, thanks for the work
11 you do, members of the State Election Board, and thank you
12 to all the county elections workers who are doing their
13 heroic, hard work as Mr. Harvey pointed out every single
14 day coming into the office when most of their colleagues
15 are not to make sure the November election is a success
16 for each and every voter regardless of their zip code
17 because that is what we are all working for.

18 MR. RAFFENSPERGER: Thank you, Gabriel Sterling.

19 MS. WATSON: Okay.

20 MR. RAFFENSPERGER: Ms. Watson, do you have any other
21 information to present?

22 MS. WATSON: No, sir. That concludes my findings.

23 MR. RAFFENSPERGER: Okay. Well, do we have any Board
24 members that would like to ask a few questions of Ms.
25 Watson or Chris Harvey or Gabriel Sterling?

1 MR. WORLEY: I'm sorry. This is David Worley. I
2 have a question for Ms. Watson. Of the complaints that
3 you received --

4 MS. WATSON: Yes, sir.

5 MR. WORLEY: -- about the failure to send absentee
6 ballot appli -- applications, how many were emailed
7 ballots or -- I'm sorry, emailed requests and how many
8 were mailed-in applications?

9 MS. WATSON: Out of the applications -- or the
10 complaints, it came out to being approximately 50/50, with
11 mail and email.

12 MR. WORLEY: Thank you.

13 MR. RAFFENSPERGER: Good question. Ms. Watson, of
14 the total absentee ballot issues that were raised
15 statewide, what percentage did Fulton County represent?

16 MS. WATSON: Fulton County was approximately -- I
17 would -- I don't have the exact numbers, but I would say
18 at least 75 to 80 percent were Fulton County.

19 MR. RAFFENSPERGER: Thank you. And they represent --
20 Fulton County voters as a percentage of registered voters
21 represent what percent of voters in the entire State of
22 Georgia?

23 MS. WATSON: Let me -- let me check. I do not have
24 that information in front of me.

25 MR. RAFFENSPERGER: Would that be about 10 to 11

1 percent, Mr. Germany?

2 MR. GERMANY: Yes, sir. That sounds right.

3 MR. RAFFENSPERGER: Okay. Any other members? Ms.
4 Sullivan or Mr. Mashburn?

5 MS. WATSON: Yes, Mr. Raffensperger. The attorney
6 for Fulton County is also on the line --

7 MR. RAFFENSPERGER: Okay.

8 MS. WATSON: -- that wishes to speak.

9 MR. RAFFENSPERGER: Sure. Could you provide your
10 name and please go ahead and address the Board, please?

11 MS. PALMER: Yes. All right. Good morning. Can you
12 all hear me?

13 MR. RAFFENSPERGER: Yes.

14 MS. PALMER: Okay. Thank you. This is Amanda Clark
15 Palmer. I wasn't sure kind of where on the agenda I'd get
16 a chance to speak up, so I just wanted to make sure you
17 all knew that I was here on behalf of Fulton County along
18 with my partner Don Samuel. What I would like to do is
19 make a brief statement and then I have Rick Barron, Ralph
20 Jones, and Karen Fickland, who are all employees at the
21 Board of Elec -- Fulton County Board of Elections, who are
22 on the line. And I'd like you to hear from Ms. Fickland
23 briefly after I get done speaking.

24 Chris Harvey said a few of the things I had planned
25 on saying this morning with regards to the state of our

1 world back in March and April and May, and I will endeavor
2 not to repeat what he has said already, but March 14th has
3 become one of those days that we talk about in terms of
4 where were you then. Where were you when you realized
5 school would be shut down for two weeks? Where were you
6 when you realized you wouldn't be going back to the office
7 the next day? And where were you on the day when you
8 thought the worst-case scenario was that we might have to
9 shelter-in-place at home for a few weeks? If somebody had
10 told us back on March 14th that our grade schoolers, a
11 large majority of them, would be starting school virtually
12 in the fall, and masks would become de rigeur, we would
13 have been shocked and despondent.

14 As time marched forward into April and May, we
15 realized that there would be no going back to normal.
16 Most people were riddled with anxiety, trying to figure
17 out what activities were safe to do, who was safe to be
18 around. When we brought our groceries home, we wiped them
19 down with a Clorox wipe and left them in the garage for
20 days until we thought and hoped the virus was gone. We
21 knew very little about the COVID-19 virus and what we
22 thought we knew changed every day as doctors and
23 scientists learned more about how this virus was
24 transmitted.

25 So it's against this backdrop that you should

1 consider today's issue. The primary vote scheduled for
2 March 24th -- March 24th was quickly pushed back to May
3 19th. All the plans that Fulton County had in place for
4 the March 24th primary had to be quickly and drastically
5 changed and without much guidance on how voting in person
6 could be done safely, and I say that because the medical
7 community was still learning about the virus, and
8 therefore, the guidance that they were giving us was
9 changing and evolving on a daily, if not hourly, basis.
10 Not only did the day of the primary change, but the way we
11 voted changed. It was the first statewide test of the new
12 voting system which added paper ballots to our elections
13 for the first time in almost two decades.

14 Then the primary election was postponed again, this
15 time to June 9th. This year, Fulton County had an
16 unprecedented demand for absentee voting. They saw one-
17 hundred-and-forty-fold -- one-hundred-and-forty-fold
18 increase in absentee by mail applications, and the number
19 of ballots actually returned increased a hundred-fold over
20 the 2016 general primary. This phenomenon was not limited
21 to Fulton County, and according to our Secretary of State,
22 Georgia smashed its record for absentee turnout by over
23 400 percent. So as I said, it's worth mentioning that
24 Fulton County was not the only county who faced challenges
25 with the June 9th election. We've heard already about

1 some of the challenges that the other counties were
2 experiencing, and I know that other Metro-Atlanta counties
3 like Gwinnett, DeKalb, Cobb County were also having
4 problems. And I'm sure that the county workers in those
5 counties just like the ones in Fulton did their absolute
6 best to ensure every citizen who was eligible to vote
7 could do so safely.

8 And as we've heard -- excuse me -- Director Chris
9 Harvey say this morning and I've heard him say on previous
10 occasions, those efforts could be appropriately described
11 as heroic, and I absolutely think that word applies to the
12 efforts of Ralph Jones, Rick Barron, and every other
13 Fulton County employee involved in this election. And we
14 appreciate Chris Harvey's comments this morning,
15 recognizing the overwhelming problems facing Fulton
16 County, as well as every other county.

17 So it should surprise no one that there were some
18 challenges with this dramatic increase in demand for
19 absentee by mail voting. So you've heard a little bit
20 about this already, but I want to highlight three things.
21 First, there was a time period in early April where the
22 staff at the Fulton County office could not come into the
23 office because it had to be completely sanitized and
24 decontaminated after staff members tested positive for
25 COVID-19, including Ralph Jones, who you've already heard

1 had to be hospitalized to treat the illness, the COVID-19
2 illness that he contracted. A longtime staff member
3 tragically died from the virus in early April, and when
4 the staff returned to the office on about April 20th, they
5 had to process a lot of absentee applications.

6 So second, the applications could be returned to the
7 county by email or by mail, and for the applications that
8 were sent in by email, as you've already heard, they were
9 sent to an email address that went to 20 different people,
10 which means that one email from a voter actually resulted
11 in 20 emails going to a Fulton County staff member -- or
12 staff members. This overloaded the email system, and it
13 took time to get the system back up and running.

14 I want to just point out quickly that we disagree
15 with something that's been stated already. It was stated
16 earlier that -- so the email address that was -- that was
17 printed on the document that went out from the Secretary
18 of State's Office, that email address was, I believe,
19 elections.voterregistration, and there was a statement
20 made earlier that that email address was on Fulton
21 County's website prior to those documents going out, and
22 that's just incorrect. The email address that was on
23 Fulton County's website earlier this year was ale --
24 elections dot -- I believe it's absentee ballot. And you
25 can go back and verify that using, like, a web archive --

1 if you google way back machine, you can go back and look
2 at what Fulton County's website looked like in April, and
3 it did not have the elections.voterregistration email
4 address on there. And this is important because the other
5 email address that I -- that I just mentioned,
6 elections.absentee, that only went to one person and had
7 that email address been used, it likely would have
8 alleviated the problems that they had with the overload of
9 their email system. Now, Fulton County's website has
10 since been updated. It now uses -- it now says that your
11 email should go to elections.voterregistration, and they
12 did that so as not to confuse the voters.

13 Finally, there were printing issues with printing the
14 applications that were sent in by email because there was
15 no standard format in which the application would be
16 returned, and by that, I mean that some people sent them
17 as JPG files, some sent them as PDFs, some people actually
18 kind of took pictures and actually embedded the picture in
19 the email, so some of the files could not be printed by
20 the printers in the county office. I also want to point
21 out that it is -- it is not correct that we processed the
22 emailed applications last. That is incorrect. We
23 processed applications that were received by mail and
24 applications that were received by email at the same time.

25 So as I said, we appreciate all the comments that

1 have been made already, including by Chris Harvey,
2 recognizing the overwhelming problems that Fulton County
3 and the other counties faced, but we disagree respectfully
4 with his conclusion that the problems were not remedied or
5 addressed quickly enough or sort of highlighted flaws in
6 Fulton County's systems because we think they don't take
7 into account sort of the other factors that were caused by
8 the pandemic, you know, losing the ability to have our
9 employees in the office and being exiled from the office.
10 I mean, the fact of the matter is that many of the
11 problems that this pandemic caused for Fulton County with
12 absentee voting were addressed. Not a hundred percent,
13 but not ninety-nine percent -- I'm sorry, not a hundred
14 percent, but most of them were addressed.

15 Fulton County successfully processed the vast
16 majority of the absentee applications they received. They
17 received approximately 28,000 emailed applications and
18 approximately 116,000 paper applications for a total of
19 over 144,000 applications. The hearing notice in this
20 matter says the State received over 250 complaints from
21 Fulton County residents about not receiving their
22 requested absentee ballots for the June 9th election.
23 This represents an error rate, well, of only .17 percent.
24 Of course, one person who is denied their right to vote
25 for whatever reason is one too many, but in light of the

1 challenges that the COVID-19 pandemic presented, the short
2 timeframe the county had to respond to the changing
3 primary dates, and the unprecedented demand for absentee
4 by mail in voting, Fulton County performed heroically,
5 admirably, and successfully in carrying out the June 9th
6 primary election. Additionally, Rick Barron and his team
7 have identified some improvements to implement going
8 forward that will hopefully prevent some of these issues
9 from recurring, and if you want to hear more about that,
10 we can give you some details.

11 So in summary, we believe that no punitive sanctions
12 of any kind are warranted or appropriate in this matter,
13 including referral to the Secretary of -- I'm sorry, the
14 Attorney General's Office. Punishment is designed to
15 deter certain behavior. That is the essence and purpose
16 of punitive sanctions. Imposing sanctions or referring
17 the matter in this case will only serve to deter
18 qualified, hard-working people from ever signing up to
19 work for a county agency like the Election Board. It
20 sends precisely the wrong message to the people at the
21 Fulton County Election Board who worked so hard to achieve
22 the optimal results under circumstances that were
23 unforeseeable and monumentally challenging. This Board
24 should conclude that there were many problems that need to
25 be overcome [sic] -- overcome, but these problems are not

1 man-made and did not occur because of recklessness,
2 negligence, or malfeasance on the part of any of the
3 people who worked tireless -- tirelessly at the Fulton
4 County Board of Elections.

5 That concludes my remarks. I would like you all to
6 hear a short statement from Ms. Karen Fickland, if now is
7 the appropriate time to do that. So if now is the
8 appropriate time, if -- Rick, if you could have Ms.
9 Fickland -- if you all could unmute yourselves so she
10 could speak?

11 MS. THOMAS: Are you -- are they under Ralph Jones?

12 MS. PALMER: Yes, ma'am. That's it.

13 MS. THOMAS: Okay.

14 MS. PALMER: Thank you.

15 MS. THOMAS: Yeah, they're self-muted right now.

16 MS. PALMER: Ralph, can you -- there should be a
17 microphone button that you can plug -- push and it'll turn
18 green, so you can start speaking. Or they're on the
19 phone. Is there some way to unmute them if they've dialed
20 in on the phone?

21 MS. THOMAS: No. I can't -- can't unmute them if
22 they've dialed in on a phone. They would have had to log
23 in on a computer, but it looks like there's three people
24 that are logged in as Ralph Jones right now.

25 MS. PALMER: Yes. If you could bear with me one

1 second, let me -- I'm going to call Mr. Jones directly,
2 and we'll get this figured out.

3 MR. JONES: Okay. Hold on. Oh.

4 MS. FICKLAND: Hello? Good afternoon, can you hear
5 us? No, they can't hear us still.

6 MS. PALMER: I can hear you.

7 MS. FICKLAND: Oh, okay. Sorry. All right. Hi, my
8 name is Karen Fickland. I'm the Registration Supervisor
9 here. Just wanted to make a small comment about what we
10 were going through during that time, so the increase in
11 the number of applications that we had was probably ten
12 times more than anything we've normally received for an
13 election cycle. And I've been here 22 years, and I've
14 never seen an election like that before.

15 So on March 16th of this year, we were notified that
16 our office would be closed until further notice due to
17 COVID-19. Mr. Jones had us -- had us to come [sic] into
18 work for the next two Mondays, so we could meet and
19 discuss a work plan. At the end of the second week, I
20 believe it was around the 2nd or 3rd of April, our postman
21 reached out to me to tell me that we had a half a bin of
22 mail, which equates to about 9 trays. On the following
23 Monday when we reported to work, there was a full bin,
24 which is approximately 18 trays of mail to be processed.
25 At that point, the mail room staff was coming in --

1 started coming in daily, along with a few other staff
2 members that would report at least two days a week to
3 assist. After that point, the mail steadily increased
4 from the one bin to between two and three full bins daily.

5 Around the same time, the applications sent in via
6 email and fax also started increasing. On several
7 occasions during the first two weeks, we had issues
8 printing those applications. Our IT department had to
9 come down at least twice a week to assist us with the
10 issues. At the end of the month, the volume of email
11 attachments was so heavy that the system crashed, and it
12 took the IT department several weeks to correct those
13 issues. We were working overtime to deal with the
14 dramatic increase in absentee ballot applications. We
15 were working anywhere from two to four hours extra a day,
16 including working on the weekends. Our ability to
17 efficiently process those applications was hindered by the
18 fact that most people were working from home with only a
19 few of us in the office.

20 On top of the increased workload, we had -- we had
21 some very difficult personnel issues happening at the same
22 time. Mr. Jones started feeling poorly in late March. It
23 seemed to get worse over the next week. He tested
24 positive for COVID-19 and was ultimately hospitalized.
25 Despite this, Ralph made himself available via phone and

1 email, but he still had his own health and recovery to
2 focus on. We had another staff member also to get ill
3 [sic], and she too was hospitalized, and unfortunately,
4 she passed away on April 15th. When the information of
5 her passing was shared in the office, it was devastating.
6 Emotional -- it was a devastating emotional impact to our
7 office. We were all touched by her passing, and it took a
8 toll on our production. The office had to be shut down
9 for four days, so it could be sanitized and made safe to
10 return to work.

11 I know that I personally did my best to process every
12 absentee application we received, and I believe that
13 everyone else in the office also did their best. I would
14 never intentionally try to keep anyone from exercising
15 their right to vote, and none of my coworkers would
16 intentionally keep any Fulton County citizens from being
17 able to vote. We did our best despite all the challenges
18 we were facing due to the pandemic. Thank you for your
19 time.

20 MS. PALMER: Thank you all. This is Amanda Clark
21 Palmer again. I just want to let you know that Ralph
22 Jones and Rick Barron are also available if anyone has
23 questions for them.

24 MR. RAFFENSPERGER: Do they want to speak before we
25 ask questions, or do they want to make a presentation or

1 any comments?

2 MS. PALMER: No, they do -- I don't believe they have
3 any comments or statements to make. They're just
4 available to answer questions.

5 MR. RAFFENSPERGER: Okay. Thank you very much.
6 Well, Board members, do you have any questions for the
7 Fulton County election officials or any other questions
8 for any of the presenters that you've heard so far?

9 MR. WORLEY: This is David Worley. I had several
10 questions for --

11 MR. RAFFENSPERGER: Please go ahead, Mr. Worley.

12 MR. WORLEY: -- for Ms. Palmer, I guess, or whomever
13 can answer these questions. It sounds as if the office
14 was closed for cleaning for a total of 4 days, is that
15 correct?

16 MR. JONES: Yes.

17 MR. BARRON: Yes, that's correct, and they also --
18 staff took two days off for bereavement after Beverly
19 Walker died.

20 MR. WORLEY: Okay. How many of the email
21 applications that were received were never processed?

22 MS. PALMER: This is Amanda Clark Palmer. If I could
23 -- I don't know that we have the answer to that, in part
24 because, you know, we know that the number 250 was in the
25 complaint. We don't have the names of those people. We

1 did look at some of the names that were -- the last names
2 that were in the State's PowerPoint presentation that we
3 just looked at. And then at least -- at least for some of
4 them, we think that some of those applications were
5 processed. There's at least one person who did have his
6 ballot mailed to him. So I apologize that we can't answer
7 that. It's really due to a lack of knowing who all the
8 complainants were and being able to track down what
9 happened with them.

10 MR. WORLEY: Well, but shouldn't the office be able
11 to know of these vast numbers of applications that were
12 coming in how many they never got to? And that leads to
13 my second question. Of the mail applications that were
14 sent in, how many of those were never processed?

15 MR. BARRON: Mr. Worley, we processed every
16 application that we received. Now, whether -- whether
17 they were processed later is one thing, but every
18 application that we received, we believe we processed.

19 MR. WORLEY: Well, when you say later, do you mean --
20 I mean, what do you mean by later?

21 MR. BARRON: Well, --

22 MR. WORLEY: Do you mean after the primary?

23 MR. BARRON: I think just based on -- on what you
24 heard from -- from our attorney, we had -- we had major
25 issues processing applications out of the email, and so

1 some of those were not processed in what we consider to be
2 a timely -- anyone would consider to be a timely manner,
3 but we went back through all -- all of the emails to make
4 sure that we processed all of the time.

5 MR. JONES: Twice.

6 MR. WORLEY: And -- and what about the mail in
7 applications? I mean, were they processed in a timely
8 manner? And I guess I have a question. What do you
9 consider a timely manner? I mean, when were --

10 MR. BARRON: Well, most --

11 MR. WORLEY: -- the last -- I'm sorry. When were the
12 last email -- I'm sorry, the last mailed in applications
13 being processed? On what date before the primary?

14 MR. BARRON: We -- I mean, we processed them all the
15 way through Friday night before the election.

16 THE COURT REPORTER: I'm sorry. This is the court
17 reporter.

18 MR. WORLEY: And -- And -- I'm sorry. And were all of
19 them processed by that Friday night, all of the
20 applications?

21 THE COURT REPORTER: Excuse me. Sorry, sorry, sorry.
22 This is the court reporter. I know there's two men on
23 that one line. Can you tell me who's speaking, please?
24 Thank you.

25 MR. WORLEY: Yes. This is David Worley.

1 MR. BARRON: This is Rick Barron.

2 THE COURT REPORTER: Thank you. I meant Mr. Barron.
3 Thank you, Mr. Worley.

4 MR. WORLEY: Those were all the questions that I had
5 for now.

6 MR. RAFFENSPERGER: Are there any other Board members
7 that have questions?

8 MR. MASHBURN: This is Matt Mashburn. I have a few.
9 Rebecca, do you have any? Would you like to go first?

10 MS. SULLIVAN: Go ahead, Matt.

11 MR. RAFFENSPERGER: Go ahead, Matt.

12 MR. MASHBURN: Okay. As you were talking about the
13 processing, as the representatives of Fulton County were
14 talking about the processing of the absentee ballot
15 applications, did you use the bar code to process the
16 applications faster or not? And how was -- and if not,
17 how was that decision made?

18 MR. JONES: What is he asking?

19 MS. FICKLAND: It's about that barcode that was on
20 the applications.

21 MR. BARRON: But they didn't process any faster. I
22 mean, the barcode didn't speed up processing. I mean,
23 that was -- we used it. Some people were processing --

24 MR. JONES: Not for the application.

25 MR. BARRON: Yeah, for the application, it didn't

1 speed it up, using the bar code. I mean, one of the --
2 one of the main things about data -- data entry is you
3 want to keep your hands on the keyboard, so if you -- you
4 process looking at the voter registration number -- I mean
5 I think some people might have preferred just to use the
6 scanner, but you're taking your hands off the keyboard at
7 that point. So it -- I think it was up to -- it's up to
8 the individual user how they did it, but I processed many
9 applications. I spent hours processing applications, and
10 it was no faster to use the -- the bar code scanner.

11 MR. MASHBURN: All right. And so y'all -- y'all --
12 you entered them manually the whole time?

13 MR. BARRON: Yeah.

14 MR. MASHBURN: Okay.

15 MR. BARRON: You have to process all of them
16 manually. The barcode scanner doesn't do anything except
17 to just bring up the name, and then you have to do the
18 data entry, so if you take your hand off of the barcode
19 scanner to -- to do the data processing, it -- you're
20 taking your hand off the keyboard. It's better just to
21 look at the application and just do the data entry.
22 Nothing -- it doesn't speed -- it doesn't speed up the
23 process.

24 MR. MASHBURN: Okay. Thank you. The next question I
25 have is with -- I'm very sympathetic, and I think the

1 descriptions that people have made of -- of heroic work by
2 election workers and supervisors and management is an
3 accurate description because it was certainly
4 unprecedented times, and also, I want to also just state
5 in advance that I've found everybody at Fulton County to
6 be, especially Ralph Jones, to be uniformly kind,
7 cooperative, helpful, open, and very welcoming. So I -- I
8 don't think any of this inquiry on my part at least
9 indicates -- and I don't think any other member of the
10 Board has that opinion either that this is saying that
11 people in Fulton County are bad people, but I've always
12 found them to be very kind and welcoming and very open and
13 friendly. But we also have to kind of get to the root of
14 these issues, and so while COVID was a problem, an
15 unprecedented problem, the question with regard to email
16 multiplications of one email turning into, you know,
17 multiples, 20, 40, whatever, that wasn't COVID-related,
18 was it?

19 MS. PALMER: This is Amanda Clark Palmer. I'm just
20 going to answer your question. I agree. That's not
21 COVID-related, but that's why I made a point to say that
22 the selection of that email address was not something that
23 Fulton did, and I'm not pointing fingers here. I don't
24 think anybody, you know, intentionally tried to choose an
25 email address that was not the best one, and I will also

1 say that that issue has been addressed. We've also
2 addressed the problem with the printers. We have also
3 standardized the format in which we will accept email
4 applications. Mr. Barron has gotten some grant money for
5 Fulton County that will enable him to buy additional
6 equipment and pay for additional staffing, so Fulton
7 County has taken steps to make sure that the issues that
8 happened with the emailed applications do not occur in the
9 future.

10 MR. MASHBURN: Does Fulton County -- this is Matt
11 Mashburn again. Does Fulton County know whether -- I know
12 the counties talk to one another. Did Fulton County
13 receive any information that -- that other counties were
14 having similar problems? And if so, was Fulton County's
15 response similar to these other counties or different, and
16 if it was different, how so?

17 MS. PALMER: I'll let Mr. Barron address that one
18 because I know that he -- he was speaking to people in
19 other counties.

20 MR. BARRON: Most -- most of our discussions with
21 other counties happened after the election, so we -- you
22 know, it was indicated to me that many counties had
23 similar issues to us. I mean, you know, I think during
24 that time, all of us -- all of the counties were focused
25 on their own issues, and so we weren't -- we weren't

1 speaking on a regular basis before the June election
2 because we were just buried. And I think one of the
3 things that -- when our office -- the mail started coming
4 in at the time -- in big numbers at the time that Mr.
5 Jones was out who oversaw that -- that process and Ms.
6 Walker died, and so we were -- we were tens of thousands
7 of applications behind at the time we started data entry
8 because -- because of the office being shut down, so it
9 put us in the hole right -- right off the bat.

10 MS. PALMER: Mr. Barron, this is Amanda Clark Palmer.
11 Could you also say, you know, a few sentences about how
12 having an online, you know, portal or website to apply for
13 an absentee ballot would fix this problem?

14 MR. BARRON: Yes, and I know that the State is
15 putting together a portal, and it should be ready next
16 week, but that is going -- that is going to -- that is
17 going to alleviate most of these issues because, you know,
18 on a portal -- it would have be helpful for all of the
19 counties to have a portal up, you know, back then. And I
20 was told by US Digital Response that one could have been
21 put up, you know, within -- within a week or two. And I
22 think a portal is something that would have enabled all of
23 the counties -- you need an intake mechanism in which to
24 track everything. If you don't have that intake
25 mechanism, then -- and you have a situation such as us

1 where we had a group email set up, and you have
2 applications going to multiple boxes, and it shuts down
3 the system, it -- it complicated matters for
4 reconciliation. But if you have something going through a
5 dashboard, which would be a portal, then -- and it's right
6 on Election Net, it makes it much easier to -- to track
7 everything that you do.

8 There was -- once -- none of us, we weren't prepared
9 with the way our email boxes were set up for the influx to
10 have, you know, tens of thousands of emailed applications
11 come in, and I think one of the issues that you have is
12 you have some emails come in with multiple attachments.
13 You have some come in with -- with applications that were
14 embedded into the email. You had these extension files --
15 the extension types that were that coming in. There was
16 no standardization. That was another thing that should
17 have been set up at the very beginning is that there
18 should have been a standard set up, maybe whether -- it
19 could have just been JPGs and PDFs were the only things
20 that were accepted, but that wasn't the case. We were
21 getting movie files. We were getting all sorts of files.
22 We couldn't -- we couldn't print them. And we were
23 getting all of them -- we have nice commercial printers,
24 commercial copier printers, but they -- we were -- they
25 were -- what's it called, Ralph?

1 MR. JONES: They were spooling.

2 MR. BARRON: They were spooling. And so you would
3 send a print job over, and people were send -- multiple
4 people would send the print jobs over, and you'd have this
5 spooling happening. And then at first, people didn't
6 realize that all of the applications weren't printing out
7 and so what we've done to rec -- we've standardized
8 everything now so that we only accept the JPG and PDG
9 applications, and if they aren't in those formats, we
10 reject them. We've had to do that in order -- so that --
11 in order for us to be able to print them off of our
12 printers because we -- my staff knew early on that there
13 were certain file extensions we could not print, and they
14 would cause the printers to spool. And in addition to
15 that, we had to have people from Canon in here to -- to
16 reset the printers multiple times before everyone realized
17 what was happening, but when we -- we ran out of memory
18 also because all of the email boxes were full from all of
19 these extensions and large file sizes.

20 MS. PALMER: Mr. Barron, this is Amanda again. Am I
21 correct that you don't anticipate those problems again
22 because of the portal, because of getting more printers,
23 and because of standardizing the way you're going to
24 accept applications by email?

25 MR. BARRON: No. I think those -- we got those set

1 up on July 20th, and since then, we've had much better
2 success, especially through the email. We've -- we
3 processed more ballots for the August election, our August
4 runoff for Sheriff and District Attorney, than we did for
5 the presidential election in 2016. And so, I believe
6 that, you know, we -- we're well on our way to be able to
7 serve the voters for November.

8 MS. PALMER: Okay. Great. Thank you.

9 MR. WORLEY: Mr. Secretary, this is David Worley. I
10 had another question.

11 MR. RAFFENSPERGER: Please go ahead, Mr. Worley.

12 MR. WORLEY: And Ms. Palmer, either you can answer
13 this or -- or perhaps it would be better if Mr. Barron
14 answered this question, but -- and while it's not the
15 subject of today's complaint, I would like to know the
16 answer. I have received -- I did receive at least four
17 calls from Fulton County voters prior to the August runoff
18 who had requested absentee ballots by mail or by email and
19 never received their ballots. How would you explain that
20 if you have fixed these ballots?

21 MR. BARRON: These are applications or...?

22 MR. WORLEY: These were people who sent in
23 applications, by email --

24 MR. BARRON: Can you provide --

25 MR. WORLEY: I will provide you the names after the

1 call. Happy to do that. But they never received their
2 ballots.

3 MS. PALMER: Why don't you let us look into that,
4 please, so we can verify that they were processed and
5 figure out where the disconnect is? Because there are --
6 as you know, there are other people involved in the
7 process of getting an absentee ballot out.

8 MR. GERMANY: This is Ryan --

9 MR. WORLEY: Sure. I will send those names to Ms.
10 Palmer at her law firm email.

11 MS. PALMER: Thank you very much.

12 MR. GERMANY: This is Ryan Germany. I was just going
13 to ask Frances -- did you also receive complaints, similar
14 complaints, about the runoff in Fulton that Mr. Worley was
15 just referencing?

16 MS. WATSON: Yes. I did. I can provide those names
17 also.

18 MR. BARRON: And I think they were -- we need to see
19 what date they came in on too because most of our -- the
20 reconciliation process that we put in place started -- I
21 think it was either July 20th or 21st.

22 MR. RAFFENSPERGER: Any other Board members? Ms.
23 Sullivan, do you have any questions?

24 MS. SULLIVAN: Sure. This is Rebecca Sullivan. I
25 think we all recognize the tremendous challenges that were

1 faced by Fulton County in the primary, and I certainly
2 appreciate the efforts that were made by the county
3 election officials to meet those challenges. I think what
4 we've got before us today is whether or not there was a
5 violation of the election code for failure to timely
6 process the absentee ballot applications. I heard that
7 Fulton County disagrees with a couple of points that were
8 made in the presentation this morning, but does Fulton
9 County deny that at least a hundred absentee ballot
10 applications were not processed in a timely enough manner
11 to allow those applicants to vote an absentee ballot?

12 MS. PALMER: So this is Amanda Clark Palmer, and my
13 response to that is I don't -- I can't answer that, just
14 because as I said before, we don't have all of the names
15 of the people who complained, so we haven't been able to
16 go through, you know, and troubleshoot what happened with
17 each person. We do not deny that there were people who
18 had their absentee ballot -- or I'm sorry, whose
19 application for an absentee ballot was not processed. I
20 just can't say to you that we agree with the 150 number.

21 MS. SULLIVAN: Okay. Thank you.

22 MR. RAFFENSPERGER: Do we have any other questions
23 from our Board members?

24 MR. MASHBURN: This is Matt Mashburn. I do have a
25 question. There was an issue earlier during Frances'

1 presentation about that there were email applications that
2 had been deleted, and there was an indication that she
3 inquired whether they could be recovered and was told that
4 they might be recovered. What's the current status of
5 those applications? Are they found or are they deleted?

6 MR. JONES: This is Ralph Jones. I can answer that
7 one. In order for us to be able to process that, some of
8 the staff had to remove the emails from their particular
9 email box. We said we asked one staff member to not
10 remove any of their emails, so we do have a record of all
11 emails that have come in, but everybody else in order for
12 them to maintain a system with the email system was
13 removed. But we do have one staff member who retained
14 every email that came in for the June election, so we do
15 have a record of all emails that have come in.

16 MR. MASHBURN: Thank you, Ralph.

17 MR. RAFFENSPERGER: Okay. Do any other members have
18 any questions for anyone from Fulton County or any of the
19 presenters this morning? Mr. Germany, do you have any
20 other questions that you would like to ask?

21 MR. GERMANY: No, sir. The only thing -- Frances is
22 raising her hand.

23 MR. RAFFENSPERGER: Okay.

24 MR. GERMANY: But the only thing I would say is -- is
25 to add a little bit of context. You know, we did -- we

1 have obviously dealt with every county throughout this.
2 Other Metro counties experienced similar issues,
3 particularly related to the emailing in of applications,
4 and they experienced problems at the beginning similar to
5 what Fulton was regarding server space and things like
6 that because the volume, as everyone knows, was
7 unprecedented from an absentee voting perspective. I
8 think one thing that we saw that happened is for instance,
9 in Cobb County, they recognized the problem and they were
10 able to resolve it fairly quickly by adding additional
11 server space. In Fulton County, they weren't able to, and
12 it kind of snowballed and turned into a much bigger
13 problem, and obviously, some of that is due to COVID and
14 the Fulton-specific issues, and, you know, I think some of
15 that was probably just not recognizing the problem at the
16 beginning and responding to it. And, you know, by putting
17 off processing applications, it basically just allowed the
18 snowball to grow.

19 MR. RAFFENSPERGER: And Ms. Watson? You wanted to
20 add some additional comments?

21 MS. WATSON: Yes. I would just like to request that
22 Fulton County provide a hard drive with the absentee
23 ballot email requests to our office, if that's possible.

24 MR. RAFFENSPERGER: Would that be possible for Fulton
25 County to provide that?

1 MS. PALMER: This is Amanda Clark Palmer. I don't
2 see why it wouldn't be.

3 MS. WATSON: Okay. Thank you. That's all I have.

4 MR. RAFFENSPERGER: Thank you. So this case is
5 before the Board, SEB Case Number 2020-016, Fulton County,
6 processing absentee ballots. What is the position of the
7 Board on this matter?

8 MR. WORLEY: This is David Worley. I have a couple
9 of comments before stating what I think my position is.
10 First of all, there were problems in a lot of counties on
11 Election Day, and those problems related to the machines.
12 It related to a lack of poll workers. It related to a
13 number of things that caused severe problems in the June
14 primary which we all know about. I don't necessarily
15 think it's fair at this point to single out Fulton County
16 for the problems that they've had that related to the
17 absentee ballot applications.

18 On the other hand, while the -- the COVID phenomenon
19 as Ms. Palmer said was not limited to Fulton County, it
20 seems that the large extent of problems with the
21 processing of absentee ballot applications were clearly --
22 clearly evident in Fulton County, and I don't think that -
23 - now that the case is before us, I don't think that we
24 can ignore that. And if one person being denied their
25 right to vote is too many, 250 is certainly too many. And

1 -- I mean, it seems clear from the testimony that we've
2 heard today that while there was a severe problem with the
3 email applications at Fulton County, there was also a
4 problem with the mailed in applications, where it seems
5 that over a hundred were never processed. So our job at
6 this point is to decide whether there's probably cause to
7 refer the case to the Attorney General or not, and there's
8 no question in my mind that there is probably cause to do
9 this.

10 But beyond that, this is going to be a severe problem
11 is November if it's not fixed. We're going to have 5
12 million people trying to vote in Georgia. If half of them
13 vote by absentee ballot as they did in the primary, then
14 we're going to have huge numbers of absentee ballot
15 applications that need to be processed correctly, and
16 we're going to have huge numbers of people who are wanting
17 to know whether their ballot is going to be processed.
18 And if it's -- they don't get the ballot, then they're
19 going to show up at the polls on Election Day, and we're
20 going to have a repeat of the problems that we had in the
21 primary. So this problem has got to be fixed, and I'm
22 very sympathetic to the problems that Fulton County and
23 election workers in other counties had, but there is
24 almost no margin for error anymore in processing absentee
25 ballots and making sure that November's elections work.

1 So that is my view, and I hope that that message is
2 clearly conveyed to Fulton County and every other county
3 in this state and to the Secretary of State's Office,
4 which is doing its best, I know, to fix this and other
5 problems. But -- but there is just no margin for error
6 anymore. So all that having been said, I don't think that
7 we have any choice but to bind this over under the
8 standards that we normally use for adjudicating cases --
9 to bind this over to the Attorney General's Office, and I
10 would make a motion that we do that.

11 MR. RAFFENSPERGER: We have a motion before the
12 Board. Do we have a second?

13 MS. SULLIVAN: I'll second that motion. Rebecca
14 Sullivan.

15 MR. RAFFENSPERGER: Ms. Sullivan has seconded. Do we
16 have any further comments before we bring this to a vote?
17 Do any Board members wish to speak further on this?

18 MR. MASHBURN: This is Matt Mashburn. I'm the junior
19 member of the Board, so I defer to Rebecca, if she'd like
20 to go first.

21 MS. SULLIVAN: Please go ahead, Matt.

22 MR. MASHBURN: Thank you. I'd just like to address a
23 couple of issues, some that were raised in the public
24 comments section, but -- but are relevant here in that one
25 thing -- I don't think Fulton County is being unfairly

1 scapegoated because the problems that they're being
2 reviewed on actually happened, and an interesting thing
3 about the scapegoat is the scapegoat is innocent, and all
4 the sins are placed on the scapegoat. So I don't think
5 anybody is scapegoating Fulton County here and certainly
6 not the Secretary. I think to accuse the Secretary of
7 that was unfair and certainly not -- not warranted by the
8 facts. I think there's a -- there is a systems management
9 issue definitely at Fulton County, and it has to get
10 fixed. It's widespread. It's consistent, but it just has
11 to be fixed, and it has to be fixed now.

12 And there's two parts of that in that I applaud
13 Fulton County, especially Robb Pitts, the Chairman of the
14 Commission, and I told him this personally when I saw him
15 that I was so proud that he had taken such proactive steps
16 with arranging for the arena to be used as a polling
17 place, and so I don't think that I'm -- I don't think that
18 what we're acting on today shows that we don't appreciate
19 Fulton County's efforts at remedying the situation. But
20 one of the things that we always hear in public comment is
21 this might lead to voter suppression. Well, what's the
22 evil of voter suppression? The evil of voter suppression
23 is disenfranchisement, and as my colleague David Worley
24 correctly pointed out, that -- that happened here. And
25 so, I agree with David, and I agree with Rebecca's second

1 of the motion that this be bound over. And I will vote
2 accordingly. Thank you.

3 MR. RAFFENSPERGER: Do we have any other Board
4 members that wish to speak? So I understand that we also
5 have a complainant that's in on this call, and he would
6 like an opportunity to speak. Would the Board members
7 wish to hear from this complainant or go straight to the
8 vote?

9 MR. WORLEY: Yes.

10 MR. RAFFENSPERGER: If you could go ahead and connect
11 them?

12 MR. GERMANY: Yes, sir.

13 MS. THOMAS: Mr. Kevin Ward?

14 MR. RAFFENSPERGER: Mr. Ward.

15 MS. THOMAS: You're self-muted right now.

16 MR. RAFFENSPERGER: Mr. Ward?

17 MS. THOMAS: Mr. Kevin Ward?

18 MR. RAFFENSPERGER: Mr. Ward, you can speak now. If
19 you are muted, unmute your phone and you can begin. Mr.
20 Ward?

21 MS. THOMAS: We can move to that next one. Kimberly,
22 no. She's not on. Douglas? He's not on either. Was
23 Brandy Tanner...?

24 MR. GERMANY: I think you should just proceed with
25 the vote. Sorry about that.

1 MR. RAFFENSPERGER: Okay. No worries. This is
2 before us. Do any of the Board members wish to make any
3 comments? Hearing none, I'll ask to bring this to a vote.
4 All those in favor of binding SEB Case Number 2020-016,
5 Fulton County, processing absentee ballots, over to the
6 Attorney General's Office, please do so by signifying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Any opposed? Hearing none
9 opposed, motion carries. Is there any other comments or
10 new business that members would like to bring before the
11 Board, or should we have a motion for adjournment?

12 MR. WORLEY: This is David Worley. I'd move that we
13 adjourn.

14 MR. RAFFENSPERGER: Do we have a second?

15 MR. MASHBURN: Second.

16 MS. SULLIVAN: Second.

17 MR. MASHBURN: Matt Mashburn.

18 MR. RAFFENSPERGER: All those in favor of
19 adjournment, do so by signifying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: We are adjourned. Board members,
22 thank you so much for your time and effort, and thank you
23 very much for diligently pushing into these issues and the
24 time -- the additional time it's taking to this kind of
25 weird election year, during a big election year with big

1 turnout and also with the COVID-19 situation and with the
2 new election system. Once again, I wanted to thank all
3 the county election officials if they're listening in on
4 the call. I appreciate all the efforts and know the
5 challenges that all of us face this year. God bless you
6 all. Thank you. Meeting is adjourned.

7 (Meeting adjourned 11:24AM)

CERTIFICATE

**STATE OF GEORGIA
COUNTY OF DEKALB**

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 95 constitute a true, correct and accurate transcript of the testimony heard before me, an officer duly authorized to administer oaths, and was transcribed under my supervision.

I further certify that I am a disinterested party to this action and that I am neither of kin nor counsel to any of the parties hereto.

In witness whereof, I hereby affix my hand on this, the 22nd day of September, 2020.

**Kaitlin Walsh, CCR, CVR
CCR #: 5910-3132-3171-2256**

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