

In The Matter Of:
SECRETARY of STATE
STATE ELECTION BOARD MEETING

September 3, 2020

Steven Ray Green Court Reporting, LLC
404 733 6070

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**

**September 3rd, 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

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Frances Watson

Chris Harvey

Amanda Clark Palmer

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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P R O C E E D I N G S

MR. RAFFENSPERGER: It's 9AM, and we'll begin, and I'll call the meeting into order, and if we could start off with -- Matt, since you're here, do you want to do the invocation?

MR. MASHBURN: I'd be glad to.

(Invocation)

(Pledge of Allegiance)

MR. RAFFENSPERGER: Okay. Okay. If we could just do an official roll call, Mr. Worley, are you here?

MR. WORLEY: Yes, I'm here.

MR. RAFFENSPERGER: Great. Ms. Le?

MS. THOMAS: Ms. Le, you're self-muted right now.

MR. RAFFENSPERGER: Ms. Le?

MS. LE: I'm here. Yes. I'm present.

MR. RAFFENSPERGER: Great, and Mr. Mashburn's here.

MR. MASHBURN: Yes.

MR. RAFFENSPERGER: And myself. We have everyone. Okay. Item number two on the agenda is the approval of the board minute meetings from August 27th, 2020. Members of the Board, you have that before you to review. Now would be the appropriate time for a motion.

MR. WORLEY: This is Mr. Worley. I make a motion that we approve the meeting minutes of the August 27th meeting.

1 MR. RAFFENSPERGER: Thank you, Mr. Worley. Do we
2 have a second for that? Do we have a second?

3 MR. MASHBURN: This is Matt Mashburn. I second.

4 MR. RAFFENSPERGER: We have a second. Do we have any
5 comments about the meeting minutes, any additions,
6 changes, or anything else you wish to make? Hearing none,
7 all those in favor of the minutes as presented, please do
8 so by signifying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? None opposed.
11 Motion carries. Okay. Now, we move on to the third point
12 of the agenda, public comments. And I believe our staff
13 member, Ms. Thomas, will be managing that process. How
14 many folks do we have signed up for comments?

15 MS. THOMAS: So far, it's about ten folks.

16 MR. RAFFENSPERGER: Ten folks. We'll allow two
17 minutes each, and we'll go ahead and handle that right
18 now, so who is the first person we have?

19 MS. THOMAS: First, we have Liz Throop.

20 MR. RAFFENSPERGER: Okay. Ms. Throop, good morning.

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

22 MS. THROOP: Good morning. Thank you. I'm Liz
23 Throop, and I live in DeKalb County. The first duty of
24 the State Election Board is to supervise and coordinate
25 the Office of the Secretary of State and others to obtain

1 uniformity in practices and proceedings and legality and
2 purity in all primaries and elections. The fifth duty of
3 this Board is to investigate the administration of
4 elections and to report violations to the Attorney General
5 or appropriate DA for further investigation and
6 prosecution. No investigation into Fulton County's role
7 in the June 9th absentee ballot delay can be meaningful
8 without this Board's thorough review of the role of the
9 Secretary of State.

10 Why did the Secretary of State tell 6.9 million
11 voters to go ahead and send emails with image attachments
12 to counties without first establishing dedicated email
13 addresses and servers to handle the traffic? Did
14 Secretary Raffensperger even ask counties if this was
15 going to work? Small counties, especially those with
16 sparse Internet availability, might not have had troubles,
17 but Fulton has over 800,000 registered voters. What email
18 account do you use that can handle that kind of traffic?
19 While Fulton's actions weren't criticism, your actions
20 will be a sham unless you take an honest look at all the
21 relevant parties. Thank you.

22 MR. RAFFENSPERGER: Thank you. Our next speaker,
23 please?

24 MS. THOMAS: Next, we have William Brown.

25 MR. RAFFENSPERGER: Mr. Brown?

1 MR. BROWN: Can you hear me?

2 MR. RAFFENSPERGER: Yes, sir.

3 MR. BROWN: Okay. Thank you. I didn't understand
4 the instructions last week, so I was planning on speaking
5 then, but here I am now. My name is William Brown. I
6 live in Sandy Springs, Fulton County, and I have three
7 parts of my comments. One is my obtaining and submitting
8 an absentee ballot for the June 9th primary. My wife and
9 I mailed the absentee ballot request on April 10th. She
10 received hers on April 27th, and eventually her vote was
11 received by the county on May 22nd. Mine never arrived.
12 In 11 exchanges with 5 different people, Secretary of
13 State's Office, Fulton County, and my representative in
14 the Georgia Senate, eventually, I received a ballot May
15 26th. I put it in a drop box May 28th.

16 Next, I tried to learn what happened to my ballot. I
17 made status requests starting June 5th through -- excuse
18 me, June 5th through July 20th. 14 exchanges, 8 people,
19 Secretary of State, Fulton County, and the Georgia
20 Assembly rep -- 7/20, July 20th, I filed an Open Records
21 Request. My GA representative said my vote had not
22 counted. I learned that from him on August 5th. I emailed
23 the ORR administration on August 17th because I had no
24 response, despite the law requiring a three-day response.
25 I received an ORR administration email on August 19th,

1 saying it appears Fulton County never received my ballot.
2 So I'd like to ask, how do I find out where my ballot is?
3 I put it in the drop box, and according to the Secretary
4 of State's ORR administration, it never was received by
5 Fulton County. That's the end of my comment. I want to
6 find out how to know what happened to my ballot, and I
7 think that will help everyone in case the same thing
8 happens to them.

9 MR. RAFFENSPERGER: Thank you, Mr. Brown. Our next
10 speaker?

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

12 MR. RAFFENSPERGER: Ms. Nathan?

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

14 MS. NATHAN: Good morning. I'm Patty Nathan from
15 Sandy Springs, Fulton County. Rather than expending our
16 limited state and county resources on investigating Fulton
17 County, you should be resolving all the technical issues
18 and breakdowns across the state. Problems so significant
19 that they required at least 20 counties to extend their
20 voting hours. Thank you.

21 MR. RAFFENSPERGER: Thank you, ma'am.

22 MS. THOMAS: All right. Next, we have Rhonda Martin.

23 MR. RAFFENSPERGER: Ms. Martin?

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

25 MS. MARTIN: Can you hear me?

1 MR. RAFFENSPERGER: Yes.

2 MS. THOMAS: Yes.

3 MS. MARTIN: Okay. My name is Rhonda Martin. I am a
4 Fulton County voter and a board member of the Coalition
5 for Good Governance. At a recent Fulton County Board of
6 Registration and Election meeting, I presented my
7 Christmas in November wish list. I'd like to share it
8 with you now. The first gift I want for me and all
9 Georgia voters is an efficient portal to use to request an
10 absentee ballot. Thank you for already granting this
11 wish. I found the new portal very easy to use, and
12 MyVoter page shows that my application was received, and
13 my ballot will be issued on September 18th.

14 Second, I want drop boxes distributed throughout the
15 state in obvious and convenient locations. With all of
16 the concerns about the USPS, drop boxes are going to be
17 more important than ever. Unfortunately, there's a lot of
18 confusion about drop boxes. When discussing concerns
19 about this recently with friends, many seemed to think
20 that drop boxes were available at their polling places.
21 It only makes sense, right? This underscores the
22 importance of accepting absentee ballots in the usual
23 places that people go to vote. They don't want to stand
24 in line. They have done their homework. Let's let them
25 turn it in and get the credit in the easiest possible way.

1 The third gift I want is for the scanners to be
2 configured to reliably count every vote that a human would
3 count. Technology should support our efforts not subvert
4 them, and during adjudication, vote review panels should
5 be encouraged to consult the original paper ballots
6 whenever the ballot images seem unusual, for instance,
7 when it appears that a voter has cast an entirely blank
8 ballot. What's that about? Vote review panels should
9 feel comfortable investigating these issues.

10 Finally, when ballots are being hand-duplicated, I
11 want the election laws and rules of Georgia to be
12 followed. I want duplicate ballots to be marked as such
13 and labeled so that the originals can be referenced when
14 conducting audits. I hope you all are feeling generous
15 and will do all you can to make my dreams for this next
16 election come true. Thank you.

17 MS. THOMAS: Next, we have Laura Walker. You're
18 self-muted right now.

19 MS. WALKER: Good morning, everyone. My name is
20 Laura Walker, and I'm from Columbus in Muscogee County,
21 and I just wanted to volunteer to be a witness or someone
22 that you question when you investigate all of the counties
23 that had issues in the June primary. Muscogee County had
24 -- probably about 10 of our precincts had early morning
25 problems getting set up and delays because of deliveries

1 of machines, and we had lines all day at about five of our
2 precincts. Our voting time was extended out -- from all
3 of our precincts until 9PM, and we had line warmers out at
4 one of our precincts who did not -- were not able to
5 finish voting until 10PM that night, so I'm sure you're
6 not singling out Fulton County for any reason. I look
7 forward to giving you my testimony or assistance when you
8 come to check out all of the counties that had issues
9 because of lack of thoughtful and realistic procedures for
10 the state. Thank you.

11 MR. RAFFENSPERGER: Ms. Frances Watson heads up our
12 investigation commission, so that's who you should reach
13 out to. Thank you. Our next speaker?

14 MS. THOMAS: Next, we have George Balbona. You're
15 self-muted right now.

16 MR. BALBONA: Can you hear me?

17 MS. THOMAS: Yes.

18 MR. RAFFENSPERGER: Yes, sir.

19 MR. BALBONA: Hi, it's George Balbona. I'm from Cobb
20 County. I took a little field trip yesterday to go down
21 to Chatham County, Savannah, to observe the hand recount
22 for the State House District 163 election which -- run-off
23 -- which was decided by 20 votes, razor-thin, worth a hand
24 recount. I had a quick question. Clearly, -- let me say
25 hand recount one more time. Why was there a Dominion

1 Voting Systems representative present all day for a hand
2 recount? What purpose could he possibly serve? This is
3 looking at paper, and that's not really their forte. So,
4 on top of being there all day, in a rather Three Stooges
5 kind of way, whenever I tried to look at his name on his -
6 - on his credentials, he would flip it over or cross his
7 hands over it. This is not transparency. He would not
8 let me see his name. We played this game all day. Why?

9 On top of that, Russell Bridges and Thomas Mahoney,
10 that's the Elections Supervisor and the Chairperson of the
11 Board of Elections, intimidated and threatened at least
12 three people including myself, who were observers, with
13 removal, unlawful removal. On top of that, I was made
14 aware that Russell Bridges, the Elections Supervisor for
15 Chatham County, doesn't provide responsive information
16 when somebody submits an Open Records Request. That is
17 utterly unacceptable. I think he should be told by the
18 Secretary of State about OCGA 50-18-70. This isn't
19 optional. You can't choose to not follow Georgia Election
20 Code, okay, or any part of OCGA, really. This cherry-
21 picking is getting ridiculous. I just submitted two Open
22 Records Requests this morning, one to Chatham County Board
23 of Elections and one to the Secretary of State. I hope I
24 will receive my responsive -- initial response in three
25 business days, and that they, you know, the cost --

1 anyway, --

2 MR. RAFFENSPERGER: Next speaker?

3 MS. THOMAS: Next, we have Aklima Khondoker.

4 MS. KHONDOKER: Hello, can you all hear me?

5 MR. RAFFENSPERGER: Yes.

6 MS. KHONDOKER: Thank you for convening this meeting,
7 and thank you to everybody and your wonderful comments. I
8 just want to say that I echo a lot of the sentiments that
9 I heard from William Brown, from Patty Nathan, from Rhonda
10 Martin, from Laura Walker, from other speakers today, and
11 anyone who wants to get in touch to talk about these
12 issues to work together and with the Secretary of State's
13 Office, my name is Aklima Khondoker. My email address is
14 aklima@allvotingislocal.org. I am the Georgia State
15 Director at All Voting is Local. We are a campaign housed
16 with a leadership conference, and we are dedicated to
17 promoting and protecting voting rights.

18 Now, Fulton County's processing issues were apparent
19 because it is one of our most populous counties, not
20 because other counties did not experience issues.
21 Fulton's volume of applications and ballots outpaced other
22 counties, so it makes sense that similar complaints were
23 not wildly publicized. But as Mr. Worley noted at the
24 last meeting, one person denied their vote is too many,
25 and we must work together to ensure that no voter is ever

1 disenfranchised. We, along with other voting rights
2 groups, have recommended that the Secretary of State's
3 Office provide clear mandates and uniformity for all
4 counties to follow not just suggestions, so that
5 processing delays due to an influx of absentee ballots do
6 not jeopardize votes.

7 Specifically, applications must be issued immediately
8 and not held for indiscriminate processing times. The MVP
9 site must also be updated immediately with when
10 applications and ballots are received and processed.
11 Absentee ballots must be sent to voters immediately with
12 enough time for voters to cure any issues, and more staff
13 is necessary to ensure that all counties can process
14 applications and ballots correctly ahead of time. Your
15 office must provide mandatory directions to county offices
16 so that our voters are not disenfranchised in November.
17 Investigating individual counties is not enough.

18 We are open to working with the Secretary of State's
19 Office, to communicating with voters, and helping the
20 process along. Please connect with us. Again, my name is
21 Aklima Khondoker. My email address is
22 aklima@allvotingislocal.org. We are connected with other
23 civil partners in doing this work. Please connect with
24 us. We are happy to work together to ensure that our
25 elections work more efficiently and effectively for all of

1 our voters. Thank you.

2 MR. RAFFENSPERGER: Thank you, ma'am. Next speaker?

3 MS. THOMAS: Next, we have Dawn Ginnaty. You're
4 self-muted right now.

5 MS. GINNATY: Good morning.

6 MR. RAFFENSPERGER: Good morning.

7 MS. GINNATY: Thank you for the meeting and allowing
8 us to speak. My name is Dawn Ginnaty. I'm from Fayette
9 County. I am a proud voter and very happy that we are all
10 on the same page. We all want to have equitable
11 elections. However, what we saw -- the lines that we saw,
12 the suffering that we saw for -- in order for people to be
13 able to vote in the -- in the last several elections is an
14 embarrassment as a Georgian. I'm sure we all feel
15 embarrassed, and that's why we're all here, and we're all
16 -- want to work hard for the next election. And it's this
17 Board's responsibility to make sure that that happens
18 throughout all of Georgia.

19 We should be investigating any -- any long lines that
20 occurred in the last elections and ensure that that
21 doesn't happen going forward. Every person's right is to
22 be able to vote. All the speakers made wonderful points.
23 I especially want the gentleman who had missed -- was
24 unable to vote or his vote wasn't counted, how can -- you
25 know, when you have that, you need to -- we all need to

1 know why that happened. A vote was cast. It was
2 presented, and it wasn't counted. The precinct -- we've
3 heard that there are precincts that are being changed and
4 maybe larger precincts areas. I want to know that -- how
5 are the voters being -- being notified of the changes in
6 their precincts. It's wonderful that the -- there's a
7 large facility in downtown Atlanta that will house a
8 precinct --

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

10 MR. RAFFENSPERGER: Thank you. Next speaker?

11 MS. THOMAS: Next, we have Paula Bosworth. You're
12 self-muted right now. You're unmuted. You can speak now.

13 MR. RAFFENSPERGER: Okay. Next person? That's the
14 tenth speaker. Is there one more? That's it? That's
15 everyone?

16 MS. THOMAS: That's all.

17 MR. RAFFENSPERGER: Okay. Great. Thank you for your
18 public comments today. Before we get started with the
19 investigation, we'd like to allow our Board members to
20 make any opening comments that they might have. Mr.
21 Worley or Ms. Le, would you have any opening comments that
22 you would like to share with the Committee and the public
23 before the investigation is opened?

24 MR. WORLEY: This is Mr. Worley. I do have an issue
25 that I want to make a statement on. Earlier this week,

1 Judge Ross in US District Court issued a ruling allowing
2 counties to count absentee ballots that are returned
3 within three days after the election as long as they were
4 postmarked on Election Day. I've had the opportunity to
5 read Judge Ross' ruling. It's carefully thought out.
6 It's a very reasoned decision. I think it sets a standard
7 that is consistent with how we treat military ballots, and
8 I think it's the right thing to do.

9 There were a number of claims that were brought in
10 the case that Judge Ross dismissed, but she did rule on
11 behalf of the Plaintiffs on that one issue, and I think
12 she did so correctly. I was disappointed to read in the
13 paper that the Secretary of State planned to appeal Judge
14 Ross' decision. I don't think that's good or -- I don't
15 think it's good for the State. I also don't think it's
16 good for the voters. I think an appeal or the prospect of
17 an appeal will only lead to more confusion. I think it's
18 important that we have a consistent rule right now that is
19 understood by all the counties.

20 So number one, I would urge the Secretary of State
21 not to appeal Judge Ross' decision. Let's respect it,
22 deal with it, and move on. Second, I intend to inform the
23 Attorney General and our outside counsel in the case that
24 I have no wish to appeal that decision as a party in the
25 case and to instruct them not to file an appeal on my

1 behalf. Thank you.

2 MR. RAFFENSPERGER: Thank you. Do we have any other
3 Board members that wish to speak? Mr. Mashburn?

4 MR. MASHBURN: I -- I'm going to take my mask off
5 just to make my transmission more clear. I also read
6 Judge Ross' opinion, and I appreciate my colleague David's
7 comments. I think, as usual, his comments are well
8 thought out and well spoken. I just happen to disagree
9 with the conclusion that he has drawn in that military
10 ballots have a special place in that we have heroes out on
11 the front lines defending the country in harm's way, and
12 so a little bit of extra accommodation in that regard
13 doesn't bother me.

14 The thing that I am concerned about -- and David and
15 I and the rest of the Board and the Secretary of State,
16 the staff of the Secretary of State, and the counties have
17 been working so hard to respond to COVID, and in fact, we
18 have drawn -- some report had us number one in the nation
19 for responding to COVID in the steps that we have taken.
20 And so the Board has been proactive, the Secretary of
21 State has been very proactive, the staff has been very
22 proactive, and we've worked very, very hard to set up a
23 carefully balanced system. And one of the precepts that
24 I've always followed is that votes should not be cast
25 after the polls have closed.

1 And the judge's order, by allowing votes to be
2 counted as long as they're postmarked by midnight, I fear
3 is going to create a problem with campaign staffs who have
4 now heard the results of the election going to those
5 voters who have absentee ballots that haven't been cast,
6 and -- and -- I fear -- my fear and one of the fears that
7 we've -- as we've crafted, carefully crafted, this system
8 through months and months and months of hard work, has
9 been that we don't want to increase the likelihood or the
10 incentive for ballot harvesting or voter intimidation.

11 And I fear that in the five hours after the polls
12 close and the midnight that these order opens up the
13 citizens of Georgia to intimidation. It opens up to
14 ballots being cast after the polls have closed that will
15 be counted. And therefore, I would instruct please the
16 Secretary of State's Office to immediately appeal, and if
17 they need one of the parties to authorize it, I authorize
18 the immediate appeal, and I hope -- while the majority of
19 that opinion I thought was well reasoned and well thought
20 out, I hope this portion of the opinion will be reversed
21 on appeal. Thank you.

22 MR. RAFFENSPERGER: Thank you, Mr. Mashburn. Do any
23 other members have any comments on any issues that they'd
24 like to discuss before we get into the investigation
25 report?

1 MS. LE: This is Anh Le, and I would just echo some
2 of Mr. Mashburn's thoughts. I -- I definitely appreciate
3 Mr. Worley's thoughts, but I don't think that UOCAVA
4 voters and local voters, in state voters if you will, can
5 be completely compared -- I guess on equal grounds, in
6 terms of availability and resources. For one, we're
7 making special rules for local voters or in state voters
8 such as drop off boxes and other accommodations that
9 UOCAVA voters do not have access to.

10 There's also voters overseas with timing
11 considerations, dates, you know, with how fast and how
12 soon the ballots can get to us here in the state, and
13 sometimes they're a day behind, day ahead. So they're --
14 it can't be completely in parallel. And those rules are
15 made -- or the laws for the three days extra for UOCAVA
16 are to accommodate those differences. And given the
17 resources that we're doing and making available to in
18 state voters, I don't think it's completely correct to
19 make one completely in sync with the other given the
20 different accommodations that they need. And I think for
21 that reason, I would lean towards Mr. Mashburn's thought
22 on this one. Although I very much appreciate Mr. Worley's
23 thoughts as well.

24 MR. RAFFENSPERGER: Thank you, Ms. Le. I will say
25 that we always want to be -- make sure that for our

1 military voters, that we reach out to them. When you
2 think about their dedication and sacrifice, we always want
3 to make sure because they've gone above and beyond the
4 call of duty because when they do sign up for military
5 service, in effect -- I mean, it's in effect a blank check
6 and sometimes that check gets cashed. They pay the
7 ultimate price of their life, so if there's anything that
8 we can do to just extend those three days for our military
9 overseas, then we'll help those folks. And also, if you
10 think about things that we've done in the past, that my
11 father had the opportunity to take advantage of after he
12 fought in World War II -- we've always done these things.
13 I think it's a wonderful thing about our nation, and so I
14 appreciate the comments of Ms. Le about the strong
15 distinction between the sacrifice that the military folks
16 make for our nation, and so we're very grateful for that.

17 With our investigation report, Ms. Watson, we'll turn
18 that over to you with the new case. And then you might
19 have some other speakers, but I'll let you introduce them,
20 if you want to present SEB Case 2020-027. The floor is
21 yours.

22 MS. WATSON: Yes. That's correct. Yes, at first, I
23 would like to have the Elections Director Chris Harvey to
24 say a few words before I present.

25 MR. HARVEY: (sound goes in and out, Mr. Harvey

1 repeats his comments later in the meeting.) Good morning,
2 Mr. Secretary. I just wanted to say a few words before
3 this presentation starts. I don't feel like I need to
4 rehash the comments I made last week regarding the COVID
5 response. (???) I just want to remind the Board members
6 that (???) I also want to say just a word or two about
7 Fulton in response to some of their comments and things
8 that they said, the idea that this is a kind of
9 persecution case of Fulton County. I disagree with that
10 characterization. I think that (???) I think one of the
11 differences here is that we see so many problems sort of
12 rose through the (???) and I think the goal is to identify
13 issues and find solutions in order to work together so
14 that (???) we want to make sure we're working with them
15 and working towards a resolution with them. (???) So I
16 just wanted to remind the Board of the situation that
17 Fulton County and the rest of the state is in (???) and
18 sort of identify that it's not a -- it's not exclusive to
19 Fulton County. It's something that we're dealing on (???)

20 MR. MASHBURN: Mr. Secretary, may I ask that the
21 record from the previous hearing be included in today's
22 record?

23 MR. RAFFENSPERGER: Is there any objection? Hearing
24 none, so ordered.

25 MR. MASHBURN: Mr. Secretary, this is Matt Mashburn.

1 I move that the record from the previous hearing be
2 included -- as unanimous consent, to the record from the
3 last hearing being included in this hearing.

4 MR. RAFFENSPERGER: Any objections? Hearing none, so
5 ordered.

6 MS. WATSON: Okay. I'm ready to present. Again,
7 this was SEB 2020-027, Fulton County, and this is mainly
8 dealing with issues that were presented on Election Day.
9 The -- the first category of complaints involve polls
10 opening late, and we identified 12 locations that opened
11 late, Adams Park Library, Camp Truitt Senior Center,
12 Clifton Church, Jackson Warren T School, Lindsay Street
13 Baptist, Morris Brandon, Park Tavern, Pittman Park,
14 Southwest Arts Center, the Fairmont, Wills Park Recreation
15 Center, and Woodland Elementary School. Two polls
16 received the wrong equipment. They were swapped. One
17 received the other and had to be delivered, which created
18 an issue with them opening late. One of the complainants
19 stated they showed up to vote at 6:45 and at 7, they were
20 still not ready. We were told at 7:30 that they were
21 waiting on supplies. The polls did not open until 7:50,
22 then it took other 40 minutes for the voting to begin.

23 We had many complaints from voters that their polling
24 locations were changed, voters at the incorrect polling
25 location due to the poll location changes and reports that

1 they received no notice of the change. There were 45
2 polling locations that were changed, eight due to
3 renovations, one was closed, and 32 due to COVID-19
4 closures or concerns, and four the reason was unknown, and
5 this was according to Fulton County. Many of the voters
6 received a notice in the mail that was dated May the 22nd,
7 2020, but was not received until after the election on
8 June 9th, 2020. This created confusion and delays at the
9 polls with voters showing up at the incorrect location and
10 not being able to find where they were supposed to go.

11 There were many complaints due to the long lines.
12 Overwhelmingly, the biggest complaint was the long lines
13 and the slow rate that the line was progressing, reported
14 up to wait times of 6 hours. Some of the issues that
15 resulted in the lines were due to some of the polling
16 locations having to be relocated or changes in the polling
17 locations. It created some locations that had many voters
18 that were assigned to that location with not enough
19 resources to process in a timely manner. For example,
20 Park Tavern that had approximately 16,000 voters assigned
21 to the location on Election Day.

22 Poll worker lack of training led to delay in setting
23 up, operation of, and trouble-shooting basic issues with
24 the equipment. The wrong equipment and/or supplies not
25 available created delays in waiting for equipment and

1 supplies to be delivered. The inability of the poll
2 managers and the poll workers to contact the elections
3 office on Election Day: poll managers expressed difficulty
4 in reaching the elections office to report issues,
5 requesting assistance, and verifying voter information.
6 The delay in technical support, an example was Christian
7 City -- City requested a technician at 7:30AM and did not
8 arrive [sic] until 3:30PM.

9 Complainants report the reasons for the long lines
10 were not enough poll workers, poll workers not properly
11 trained, and polls opening late. Forty-nine percent of
12 the poll managers expressed that they did not feel that
13 they were adequately trained at operating the voting
14 machines. Thirty-five percent of the poll managers did
15 not believe they had adequate staff on Election Day.

16 The ADA issues that were reported -- we had two
17 complaints. The second, possibly on Baptist Church
18 precinct, there was no headsets, the ATI, available at the
19 poll site for a voter who experiences blindness to cast a
20 private ballot. Also, at Peachtree Hill Recreation Center
21 polling site, a voter who experiences blindness could not
22 independently verify information and party affiliation on
23 the tablet upon arrival. There was no headset, the ATI,
24 or controller available on site upon arriving. He chose
25 to stay and wait until they could get that equipment there

1 on site. Once it was on site, the poll workers had
2 difficulty in setting it up and operating it. It took
3 over four hours for him to be able to -- to cast his vote,
4 but he stayed and made sure that that was done.

5 Multiple poll locations without the required signs
6 posted: this is also bound to be the case in the August
7 election. When the investigators were out doing their
8 poll monitoring, some of the signs that were not posted:
9 the card of instruction, the notice of penalties, the
10 voting rights poster, voting instructions, and the notice
11 of the elderly. There were no oaths signed by the poll
12 workers at the Messiah precinct in Pittman Park. There
13 was no seal on the scanner at one location, and no poll
14 worker badges at Pittman Park. St. James Methodist Church
15 precinct advised two voters they did not have an extended
16 hours paper ballot with the PPP available for them to
17 vote, so those two voters cast ballots without the PPP on
18 the ballot.

19 We identified training as an issue, a lack of
20 training. The poll managers that we talked to, we asked
21 them what their experience in working at the polls were.
22 We found that, overall, that they were not new to being a
23 poll manager, but they were new to this equipment. Most
24 poll workers had little if any training on the actual
25 machines themselves. The online training that Fulton

1 County offered did not properly prepare the elections
2 staff to conduct the election. They did not know how to
3 set the equipment up. Some reports were that they were
4 having problems turning the machine on. They didn't know
5 to hold the button down for a few seconds to make the --
6 to power on up the equipment. They didn't know how to
7 deal with the issues such as paper jams and error
8 messages. They had great difficulty in reaching anyone at
9 Fulton County to get assistance when they had issues at
10 the poll location. Some precincts had techs and some did
11 not. The poll workers expressed not having enough
12 training in provisional ballots, emergency ballots, and
13 extended hours procedures.

14 Poll managers voiced complaints regarding
15 instructions that were not clear, requested more hands-on
16 training with smaller class sizes, and basic
17 troubleshooting and training on equipment for the poll
18 workers to include mock set-up and closing, training in
19 all the new forms with checklists for each package at the
20 end of the night to make sure everything is included in
21 their packages. Equipment issues that were reported to us
22 from the poll managers in our phone interviews and in
23 their questionnaires: they expressed concerns in the poll
24 pads that they had false positives when scanned driver's
25 licenses. The search looks for various match points, and

1 it's up to the poll worker and the voter to verify the
2 information is the voter, but we're still researching this
3 to verify exactly what the issue is there.

4 The poll pads failed to show the voter registration
5 number, needed to be rebooted, would go offline or fail to
6 sync. If the voter access card was not inserted into the
7 encoder all the way, it wasn't -- it failed to sync
8 properly. The card would not properly encode. This
9 created a situation where the voters would go back, and it
10 would have to be encoded again, which, again, created a
11 delay. The BMDs failed to power on, again, a training
12 issue on how to set up and power on. Display asking for a
13 code: a training issue to identify what the codes are and
14 how to deal with those -- those displays. The need for
15 the BMD to be reset, error signals -- it stopped working,
16 invalid activation code, again, addressed through
17 training. At 8:30 to 9PM, BMDs started to shut down,
18 which, I believe, is a training of how to set up the power
19 supply for the machines.

20 The scanner paper jams, repeated complaint: in our
21 poll monitoring, -- this came up more in Fulton County --
22 there was a metal box that Fulton County had that seemed
23 to have a paper jam. There was some internal ledge that
24 the paper would catch on and would not drop fully into the
25 -- into the box. Again, reported that UPS failed, and

1 they had to be rebooted and that they were too slow.

2 Supplies and forms not provided on Election Day:
3 there were no recap forms provided to the precincts. To
4 resolve the issue, as the machines and paperwork were
5 submitted to the warehouse, the recap forms were completed
6 by other staff with the managers being contacted later to
7 come in and sign the forms. Some did not have the poll
8 zero count sheet, the numbered list form, or provisional
9 inner and outer envelopes. Not enough seals were
10 provided. When they would have to open up the ballot box
11 in order to clear a jam, they would have to take the seal
12 off, and then you have to reseal it, so you're using more
13 seals when you're having to -- having to do that
14 throughout the day. Printer paper, power strips, missing
15 cords for the poll pads, missing extension cord for the
16 carry box, missing log-on passwords for the poll pads --
17 fifty-four percent of the poll managers that we spoke to
18 advised they did not have adequate supplies for Election
19 Day.

20 Our recommendations are that we're recommending that
21 Fulton County Board of Election and Registration and
22 Fulton County Director of Elections Richard Barron be
23 bound over to the Attorney General's Office for the listed
24 violations. If you would like for me to read all of the
25 violations, I would be happy to do so.

1 MR. MASHBURN: I ask for unanimous consent that the
2 violations be included directly in the record.

3 MR. RAFFENSPERGER: Any objections? So ordered.

4 MS. WATSON: That concludes my presentation.

5 MR. RAFFENSPERGER: Okay. Fulton County, if you
6 could speak at that podium there, that way we'll pick you
7 up on the mic.

8 MS. PALMER: Good morning. My name is Amanda Clark
9 Palmer. I'm here on behalf of Fulton County. I was at
10 the hearing last week, so it's nice to see some of you in
11 person, and good morning to everybody else who's on the
12 phone. Yet again, Fulton County finds itself in the
13 crosshairs of this Board for alleged that occurred during
14 the June 9th election. As we said at last week's hearing,
15 the June 9th election was unprecedented in just about
16 every aspect, and the employees of the Fulton County Board
17 of Elections exhibited heroic efforts to conduct a
18 successful and inclusive election.

19 These employees and the volunteers who assist during
20 an election are people who strive every day to achieve the
21 most efficient election process that is possible. Their
22 efforts to maximize absentee voting, early voting, and
23 Election Day voting reflect their belief, shared by all,
24 that our country, state, and county depend on the voting
25 electorate for our democratic system of government to

1 thrive. Not a single Board member, staff member, poll
2 worker, or volunteer has ever shirked his or her
3 responsibility, and they receive very little credit for
4 their work. They do not deserve to be vilified, and yet,
5 that is how they feel right now, being the only county
6 that has been called to account before this Board for the
7 June 9th election. No one who works for the Board or the
8 County Registration and Election Office is perfect. No
9 one is clairvoyant or able to predict natural disasters,
10 such as a pandemic, but they are absolutely above reproach
11 when it comes to their dedication to their jobs.

12 It's not possible to overstate the effect the
13 coronavirus pandemic had on the elections in June and
14 August, to say nothing of the absentee ballots and early
15 voting in the spring and summer months. You heard about
16 that last week, and I'm not going to repeat my comments
17 today, but you know that despite all the challenges Fulton
18 County faced, the staff continued to do their work,
19 handling over 140,000 absentee ballots for the June
20 election, which was a gargantuan increase of the expected
21 amount, and ultimately pulled off an election where
22 233,000 people voted.

23 The State Board did recognize Fulton County's efforts
24 at the hearing last week and yet found probable cause to
25 bind the case to the Attorney General because it seems

1 that a violation is a violation, and that's all it takes
2 to bind a case over. Respectfully, I say that is
3 insulting because it seems only to apply to Fulton County.
4 The issues that Fulton County experienced during the June
5 9th election were not unique to them. I heard some of the
6 callers mention issues with other counties this morning,
7 and we know that many other counties, including ones in
8 our metropolitan area, as well as rural counties that are
9 hours away, experienced long lines, malfunctioning voting
10 machines, and not enough poll workers, just to name a few.
11 All issues caused by the pandemic.

12 If a violation is a violation, then why is it that
13 not a single notice of violation has been issued to any
14 other county in the state for the June 9th election? If a
15 violation is a violation and nothing more must be shown,
16 it would seem that notices of violation should have been
17 issued to virtually all 159 counties in our state.
18 Perhaps the Secretary of State receives more complaints
19 about Fulton County, but Fulton County also has the
20 largest number of voters. Fulton County is where the
21 Secretary of State had its investigators going to various
22 polling locations, looking for any possible election law
23 violations.

24 Now, I'm not here to suggest that that's actually
25 what this Board should do. I don't think you should

1 chastise Cobb County, Gwinnett County, DeKalb County, or
2 Chatham County. I think you should praise each and every
3 one of those counties for their dedication to this
4 election.

5 The Fulton County Election Board and the staff that
6 work tirelessly from March -- really, earlier than March
7 through today to improve voting procedures accept
8 responsibility for the problems that occurred despite
9 their best efforts, and we're prepared to address those
10 violations that are contained in your notice of hearing.
11 We also submitted a letter brief yesterday, which I
12 believe was included in your materials, where we really
13 gave a lot more specifics in responses to some of the
14 allegations, and you know that we're not claiming they
15 were no problems. We recognize there were, and we're not
16 claiming that the election ran flawlessly, and we know
17 there were problems with the machines, and the signage,
18 and the lines, but we explained to you what the cause of
19 those problems were.

20 And I think more importantly, and what I really want
21 to focus on, is the steps that Fulton County has taken to
22 make changes and improvements and things that have been
23 implemented to address those issues that arose in June.
24 And so I want to highlight some of those for your
25 consideration today. First, Fulton County has made

1 arrangements to increase the number of the advance voting
2 locations for the November election to 24. They didn't
3 plan to have only, you know, 5 to 8 early voting locations
4 available for the June pandemic, but with the fears about
5 the coronavirus, as well as the extremely late notice of
6 the renovations to Grady High School, that was really
7 ripped from their control, but they now have made
8 arrangements that are in place to make sure they have 24
9 advance voting locations for the November election. And
10 as you know from our brief, in the June election, there
11 were only 5 locations available at the beginning of the
12 early voting period, and that number increased to 8 by the
13 third of the week -- by the third week of advanced voting.

14 Second, Fulton County has resumed in-person training.
15 They were unable to conduct in-person training for a time
16 period before the June 9th election, but that has been
17 resumed and will be conducted frequently and at regular
18 intervals before the November election. And in fact,
19 there will be some poll workers, you know, by virtue of
20 having worked in the various Election Days coming up to
21 November, who will have received multiple in-person
22 training sessions before the November election. And
23 previously, poll workers had to pass a 10-question
24 examination at the end of the training in order to be
25 certified as a poll worker. That has been changed, and

1 they now have to pass a 20-question examination before
2 they are certified.

3 Third, Fulton County will have a technician present
4 on site at every precinct on Election Day. These people
5 will be available and trained to deal with any technical
6 issues that arise with the equipment. There will also be
7 three call centers available with approximately one
8 hundred operators to answer calls from both poll workers
9 and voters with any concerns on Election Day.

10 We will have -- by virtue of having more locations
11 available, we're going to have fewer voters per location,
12 and that will improve the issue with lines and delays in
13 voting. Fifth, the poll workers are going to have more
14 experience with these new machines, and we fully expect to
15 see fewer technical issues with people not remembering
16 where to go to troubleshoot any problems with the
17 machines. So we will no longer have, you know, people who
18 are novices at working these new voting machines.

19 Sixth, with improved absentee ballot procedures, we
20 expect that absentee voters will not be showing up at the
21 polls insisting on their right to vote, which ultimately
22 causes a delay because the poll worker has to prepare an
23 affidavit and follow some certain procedures in order to
24 cancel that previously requested absentee ballot. And we
25 want to thank and applaud the State for creating the

1 online portal that we think is going to be able to greatly
2 facilitate the absentee voting process.

3 And since we talked about included the minutes from
4 last week, I would ask you all to remember the other
5 comments that we made about improvements in the absentee
6 ballot process that we talked about last week. We can
7 also address if anybody has any questions about the
8 specific alleged violations or any other questions that
9 you have. We have some employees with us here. Rick
10 Barron is here, as well as Nadine is here. Johnny Harris
11 is here. They are employees of the Fulton County Board of
12 Elections. Johnny can speak to training, and Nadine can
13 speak to supply issues and equipment issues, if anybody
14 has any questions for them. So at the end of this matter,
15 this Board should vote to close and dismiss the matter
16 rather than taking any other action. And to be fair and
17 just, you should also thank the hard work of the Fulton
18 County Elections Board and their staff, and they deserve
19 far more than just a simple we bind this over to the
20 Attorney General's Office based on probable cause.

21 MR. RAFFENSPERGER: Are there any other comments
22 anyone on your side would like to make?

23 MS. PALMER: No. That's why we submitted the brief
24 yesterday because otherwise, I think I'd be standing up
25 here for probably 30 more minutes, but if any of the Board

1 members have questions, we do have the people I mentioned
2 who are available to answer them or address them, or I
3 could do that as well.

4 MR. RAFFENSPERGER: Okay. Thank you, Ms. Palmer.
5 Let's hear from the first person who'd like to speak. If
6 they could provide their name, and then expound on the
7 issue that they've had.

8 MS. THOMAS: So the first complainant is Micah
9 Ascano.

10 MR. RAFFENSPERGER: Okay.

11 MS. THOMAS: Yes, sir. You're able to speak now.

12 MR. RAFFENSPERGER: Go ahead, sir.

13 MR. ASCANO: Thank you. So again, I've submitted
14 some comments in writing, and I'll highlight a few points
15 from -- from what I submitted before, but when I showed up
16 to the polling place early, for early voting, I mean, the
17 line was fairly long, but a poll worker told me it was
18 only about an hour wait, and I figured that must be
19 correct because we're all trying to socially distance,
20 space it out, and that would make it longer. About an
21 hour and a half later, they said it was going to be about
22 another hour, and at the end of the day, it took close to
23 four hours. I -- I looked back at my watch and my
24 schedule and realized it was about three hours forty-five
25 minutes from the time I stood in line to the time I walked

1 out the door, and that doesn't include parking or anything
2 else or getting there, which is a good chunk of my day,
3 when I originally intended to take my lunch break, go
4 vote, and get back to work. So I had to manage a lot with
5 my boss to say, like, I'm so close to voting, and then
6 I'll get back to work.

7 But for me, it's -- it's very frustrating to see some
8 people leave the line. One gentleman had his wife pick
9 him up, take him to a gas station to go to the bathroom,
10 and come back because he didn't know if there were
11 facilities at the front of the line or if they were
12 accessible due to the pandemic. There was no food or
13 water offered until I probably got up near the front of
14 the line. I don't know if that's common or part of the
15 voting process because honestly, I've never had to be in
16 the line long enough where I'd think about going to the
17 bathroom, getting water, or needing a snack to stay awake.

18 It -- it was a very frustrating experience that
19 again, I think someone just mentioned that most of the
20 problems were on Election Day. This was early voting. It
21 was four hours in the middle of the day, early voting, and
22 to see people in such miserable conditions and such
23 confusion and not much communication from poll workers.
24 No signage where we were in the back of the line to call
25 anyone to ask for, you know, what's going on, can we fix

1 this -- there was just no communication, no process. And
2 even when we got inside, it wasn't even clear where you
3 could vote. The machines honestly -- because there were
4 multiple sides to the machines, well, we didn't know there
5 was a backside, so consistently I saw one of the backsides
6 of the machines not being used because who would go behind
7 the machine to look to see if you could vote there? It
8 wasn't intuitive, and it was just a very frustrating
9 experience.

10 Again, I've mentioned most of this already in my
11 written comments. But I wanted to reiterate some of those
12 things and just say as kind of extra color commentary that
13 I -- the machines may be new, but the demographic of the
14 poll workers tends to be more older people, who, in my
15 experience, are less technically savvy, and if that's your
16 demographic of people working the polls, you need to have
17 the process and technology to cater to that demographic.
18 I voted in August at the Atlanta Hawks stadium to a much
19 younger demographic who was very comfortable with the
20 technology, and one of them flat out told me it really
21 wasn't that hard, but that's because they're a younger
22 generation who understands technology. And I've
23 personally worked with dealing with process technology
24 with a lot of older employees, and I have to build the
25 process and technology around them at their level, and to

1 me, that just makes common sense, and I don't know if
2 that's a fault of a particular department or the vendor or
3 whoever, but to me, that seems like a fundamental thing.
4 You don't take the highest, most complicated piece of
5 technology and give it to someone who can't turn on the
6 iPad. And sorry, I'm frustrated, but those are my
7 comments, and I thank you for your time.

8 MR. RAFFENSPERGER: Do we have another speaker?

9 MS. THOMAS: That's the only one right now.

10 MR. RAFFENSPERGER: That's it?

11 MS. THOMAS: Yeah. If anyone else would like to
12 speak towards this case, please raise your hand right now
13 or write in the comments box so we can give you a chance.

14 MR. RAFFENSPERGER: Okay. Well, we've heard from
15 Fulton County. We've heard from the complainants, though
16 there may be some other comments. Board members, we have
17 before you SEB Case 2020-027, what comments would you like
18 to make or what questions do you have, or do you want to
19 make a motion about -- what is the disposition of the
20 Board?

21 MR. WORLEY: Mr. Secretary --

22 MR. RAFFENSPERGER: Mr. Worley?

23 MR. WORLEY: I'm sorry. Ms. Le can go ahead.

24 MR. RAFFENSPERGER: No. It's -- Mr. Worley, you go
25 ahead. You spoke up first. Go ahead.

1 MR. WORLEY: All right. I had -- I had -- before
2 making any comments, I had a number of questions for Ms.
3 Palmer.

4 MR. RAFFENSPERGER: Okay.

5 MR. WORLEY: Ms. Palmer, thank you for the letter
6 brief. That was very helpful and cleared up a lot of
7 issues in my mind, but I did want to follow up on a few of
8 the points that you made. First, on page 4 of your letter
9 brief, you have an item 4 that begins, "the complications
10 with absentee ballots," can you see that?

11 MS. PALMER: Yes.

12 MR. WORLEY: Okay. I -- I had a question regarding a
13 statement you make there. You say though the number of
14 absentee voters reduced the number of Election Day voters,
15 this was more than offset by the number of Election Day
16 voters who came to the poll after having registered as an
17 absentee voter, which required the preparation of an
18 affidavit, et cetera. Are you really saying that -- I
19 mean, is that really mathematically possible? Because it
20 seems to me what you're saying is that most of the people
21 who requested an absentee ballot didn't get one, and I --
22 I'm sure that -- I certainly hope that that's not the
23 case.

24 MS. PALMER: Yes, Mr. Worley. What I meant -- not
25 that there was a one for one in terms of the number of

1 voters, but that the people who had to come to the polls
2 because they had some kind of issue with their absentee
3 ballot would increase the amount of time it took for them
4 to vote. You know, it would take longer for somebody like
5 that to vote than it would for somebody who was just
6 coming to vote without having requested an absentee
7 ballot, and so that extra time, you know, would delay the
8 line and impact the, you know, time and speed with which
9 that particular precinct may be able to process their
10 voters. That's what I meant.

11 MR. WORLEY: Okay. Thank you. I had some other
12 specific comments about -- or specific questions about
13 some of your responses that you itemized later in the
14 letter brief. Item two that -- about the Fulton County
15 Board of Elections failed to provide at least one
16 electronic ballot marker, do you see that? I'm sorry.

17 MS. PALMER: Oh, yes. Over on page 5?

18 MR. WORLEY: Yes. On page 5, and you indicate that
19 for item number two the precinct workers were instructed
20 over the phone about where to find the unit and that
21 problem was resolved.

22 MS. PALMER: On Election Day. They -- it was part of
23 the online training that they received, where all of the
24 supplies were located on the carrier, and then on Election
25 Day, there was one precinct that called and said, you

1 know, we can't find the headset, and they were instructed
2 over the phone where to find it.

3 MR. WORLEY: Okay. And then on your response to item
4 three about the necessary Election Day forms, in your
5 response, the second paragraph, you say the zero-county
6 sheet was not provided in the Secretary of State's supply
7 store and Ful -- Fulton County was told not to bother
8 using it. Who -- who told Fulton County that?

9 MS. PALMER: Could you bear with me one second, and
10 I'll get the answer to that for you?

11 MR. WORLEY: Sure.

12 MS. PALMER: I'm going to ask Ms. Williams, who's
13 here in the room. So Mr. Worley, my understanding is that
14 Fulton County was told by their Chief, Mr. Evans, not to
15 use it, and this was -- and Mr. Barron has confirmed that
16 other counties received the same instructions with regard
17 to that particular form.

18 MR. WORLEY: Okay. Thank you. And then finally,
19 there's an allegation that Fulton County -- and this is
20 your response four on page six, for your response to item
21 four on page six. The Fulton County Board of Elections
22 violated OCGA section 21-2-99, instruction of poll
23 officers and workers in election procedures. Could --
24 could you just elaborate on what -- why it is that you
25 think Fulton County is not responsible for that kind of

1 violation?

2 MS. PALMER: Sure. So as I noted in our response,
3 you know, they naturally had limitations with the pandemic
4 on how to provide training that were kind of two-fold.
5 And these -- these were things that were outside their
6 control. Number one, they actually had trained over a
7 thousand people in person before, you know, the pandemic
8 hit. So then the pandemic comes, and now they have a
9 large number of people who had previously been trained
10 call them -- communicate to them and say I'm not going to
11 be a poll worker anymore. Right? I don't feel
12 comfortable doing it. So they lost all of those people
13 that they had previously provided in-person training to.

14 Secondly, given the conditions of the pandemic, and I
15 would again ask everybody to kind of remember what, you
16 know, life was like in March and April. I think that was
17 really before we were wearing masks. It was before, you
18 know, things had started to open back up in our state, and
19 people were -- were really reluctant to leave their homes,
20 which necessitated that Fulton County had to develop an
21 online training within a very short time period. And they
22 did that. It was -- Mr. Harris, am I correct? Was it a
23 three-hour online training for --

24 MR. HARRIS: Closer to four.

25 MS. PALMER: Closer to a four-hour online training

1 session that they developed. It was offered multiple
2 times, and then they also did webinars with their poll
3 workers right before the June 9th election, where the poll
4 workers could call up and ask questions, and it was, you
5 know, more of an interactive thing. You know, look, I
6 recognize that virtual training, especially when you're
7 dealing with new equipment, is not as good as in-person
8 training, but I just -- given the limitations that they
9 were facing at that point in time, I don't know what they
10 could have done differently. You know, we're dealing with
11 new machines.

12 I want to echo something that the complainant said
13 when he called. It does turn out that most poll workers
14 tend to be older. I think there are plenty of people of
15 all ages who are comfortable with technology, but I think
16 it's fair to say as a general rule maybe people who are
17 older are less comfortable with technology, and I'm
18 certain that has some kind of impact when we're talking
19 about this particular issue.

20 But they had a multi-hour training session. They
21 gave a test at the end of it to certify that people were,
22 you know, paying attention and retaining the important
23 information. You know, I just -- I don't know how you can
24 turn at Fulton County and say well, if there were problems
25 at the polls that day, you know, with people who -- who

1 didn't retain the information, you know, maybe because
2 they didn't have that hands-on experience or for whatever
3 reason. I don't see how Fulton County should be held
4 responsible for that violation, given all the other
5 circumstances that were at play.

6 MR. WORLEY: Thank you. Those are all the questions
7 that I have. I'll have some motions to make at the
8 appropriate time.

9 MS. LE: I have a question for Ms. Palmer. This is
10 Anh Le.

11 MR. RAFFENSPERGER: Go ahead, Ms. Le.

12 MS. LE: Ms. Palmer?

13 MS. PALMER: Yes.

14 MS. LE: I just wanted to ask if you can clarify -- I
15 think you did -- you clearly laid out all the different
16 steps that Fulton County took in training the poll
17 workers, and in abstract, it sounds good in the sense that
18 there's a test and the materials fit together,
19 opportunities -- multiple opportunities to ask questions -
20 - as interactive as virtual can get. But given that it
21 still fell short and in your words, not as good as in-
22 person training, can you elaborate on what can -- what has
23 been done, other than going through the steps in terms of
24 substance and achieving that end result which is getting
25 trained poll workers sufficiently trained, regardless of

1 the method of training, whether it's in person or online,
2 adequately and sufficiently trained and ready for this and
3 future elections? I don't think that the age gap should
4 be -- I think it's a consideration in terms of if someone
5 isn't as familiar with technology, but your training
6 sessions, I'm assuming, should address all the different
7 levels of -- of familiarity with technology. I'm
8 assuming. So could you elaborate on how your county,
9 Fulton County, is going to close that gap that they
10 clearly missed in this last election, in terms of
11 training? Even though I understand some steps were taken,
12 I'm looking for substance. Thank you.

13 MS. PALMER: Sure. I'd be happy to. So Fulton
14 County, as I said before, has resumed the in-person
15 training. It's offered multiple times at different
16 locations throughout the county so that there are plenty
17 of opportunities to be trained. I was just observing, on
18 Tuesday I believe, down at the building that the Fulton
19 County Board of Elections offices are in. They were
20 conducting an in-person training. It was a small class
21 size so that, you know, people could ask questions. They
22 had the equipment in front of them to use it and interact
23 with it.

24 And then as I said before, they're -- we're going to
25 have poll workers who because they have now worked

1 multiple elections have more familiarity with the
2 equipment, so they're going to have that kind of
3 institutional knowledge that they bring with them. And
4 then also as I said before, we're going to have
5 technicians at every site in the November election who
6 will be on site and dedicated to that precinct, you know,
7 to be there to troubleshoot any problems there may be, and
8 we've expanded -- the number of people who were the call
9 center for the June 9th election was also impacted by
10 COVID. It was a lower number than Fulton County had
11 wanted to and anticipated having, and so they now have --
12 they will have a hundred people in the call centers for
13 the November election. So those few steps that I've just
14 outlined will address that issue that you raised.

15 MS. LE: Thank you.

16 MR. RAFFENSPERGER: I understand that we now have
17 four complainants. If we could have the first additional
18 complainant -- if we could have the first one?

19 MS. THOMAS: So first, we have Cigdem Oktem. You're
20 unmuted, and you can speak now.

21 MR. OKTEM: Thank you. I hope you all can hear me.

22 MR. RAFFENSPERGER: Yes.

23 MR. OKTEM: Perfect. Thank you. My name is Cigdem
24 Oktem, and I just wanted to share a couple of thoughts
25 here. I echo the comments that have been shared by

1 others. I also was in the four-and-a-half-hour line to
2 vote, encountered the kinds of issues that are being
3 discussed, but beyond that, I also observed -- because I
4 did do the subsequent vote, you know, did the subsequent
5 voting opportunity that we had and did that in a different
6 location. And so here's something that I think is worth
7 considering.

8 Given the fact that the current process requires
9 voters to go through three separate lines to register, to
10 check in and get the key card to then vote, and then to
11 turn the key card in, if everything goes smoothly, we're
12 still talking 6 to 7 minutes, and that was a concern. As
13 I think about anticipating the kind of volume we're going
14 to talk about for the fall, for the November elections, so
15 I wanted to just be clear here that as you all are
16 thinking about and very thoughtfully addressing the
17 changes that are needed to ensure everything goes as
18 smoothly as possible, the fact that the process itself
19 even under the best circumstances does require a certain
20 amount of time -- I hope that's being taken into account
21 so that that's part of the assumption in looking at how
22 many locations would be sufficient, how many poll workers,
23 et cetera. Because that was a big concern that I noted
24 when I kind of took a step back from the in the moment and
25 looked at the overall process.

1 And just one thing to reflect on as well as I'm
2 listening to the conversation here, there is one thing
3 that is a little disconcerting which is I recognize that
4 there was a crisis afoot and that impacts things, but most
5 organizations have, you know, scenario planning and crisis
6 planning scenarios that they walk through in advance so
7 that when unexpected issues come up, there's at least some
8 sort of sense of a plan or what could be done. I haven't
9 heard any of that, so to the extent that that's something
10 worth considering for the future, I wanted to bring that
11 up because most organizations these days both non-profit
12 and for-profit are really dialing up their crisis planning
13 and their scenarios because things happen that are
14 unexpected. So I just wanted to share my thoughts on
15 these and again, went through the painful process that
16 everybody else has spoken about and beyond the
17 observations I had, which they have already shared so I
18 don't want to repeat it, the fundamental underlying
19 process itself, I think, calls for looking more closely at
20 the number of resources that are needed to ensure
21 everything goes smoothly. So thank you.

22 MR. FLETCHER: Hello? Can you hear me? Hello, can
23 you hear me?

24 MS. LE: Hello, this is Anh. I can hear you, but I
25 don't hear anyone else.

1 MS. THOMAS: We can hear you. We can hear you.

2 MR. FLETCHER: (distorted sound) My name is Maceo
3 Fletcher. I'm from Fulton County. I would like to say
4 hello to David Worley. We've worked on campaigns in the
5 past together. But my question is why is it that there's
6 always problems centered around minority areas, whether
7 it's the polls being moved or polls being closed or
8 merging the polls or different aspects, but it's always
9 something preventing a mass of people from voting. And
10 they can't vote because there's a problem or a technical
11 difficulty, and we know because we see them out there.
12 Jesse Jackson came in and the ACLU found it was
13 suspicious, so it seems like there's always some sort of
14 voter suppression in the minority areas. I can't hear
15 anything. Can you fix the audio, please? This feels like
16 voter suppression right there.

17 MR. WORLEY: Hello, this is Mr. Worley. Did Ms.
18 Palmer want to respond to that?

19 MR. RAFFENSPERGER: Would anyone like to address any
20 of the comments or questions that they brought up?

21 MR. HARVEY: I hope you're not talking about the last
22 call. I couldn't understand it. Okay. But generally,
23 the questions or comments that have been made -- and I
24 understand there may have been some difficulty hearing me
25 when I made my comments at the beginning of the meeting,

1 so I'll -- I'll reiterate them again, I think, for the
2 people on the webcast. Again, I wanted to just reiterate
3 what I said in the previous meeting about the situation
4 that Fulton County and the rest of the state were under in
5 the June election. All those comments made then, I would
6 repeat them, but save everybody the time to actually go
7 through that.

8 Some of the questions -- and I responded also at the
9 beginning of the meeting to the issue or the idea that
10 Fulton County was somehow being unfairly singled out or
11 criticized. I don't think that's -- that's an accurate
12 characterization. The numbers of complaints we got and
13 sort of the depth and scope of the complaints indicated to
14 me that there were some pretty fundamental issues that we
15 wanted to make sure we got resolved before November. Yes,
16 there were other counties that had problems, and frankly,
17 there are a number of other counties that have
18 investigations that are being undertaken by Ms. Watson and
19 her team, and they will eventually get their time going.

20 The fact was that when Fulton County had some -- some
21 real obstacles and some real road blocks, they had a much
22 harder time recovering as the day went on, and they
23 weren't able to get ahead of it. Other counties had
24 issues with delivery of equipment. They had lines. They
25 seemed to be able to recover a little bit. And so, as I

1 mentioned I think last week, the day after the election, I
2 walked down to the Fulton County Office and sat in Mr.
3 Barron's office, and we spoke for about two hours, and we
4 talked about what can we do to make this try to work?
5 What can we do so this doesn't happen again? What
6 resources do you need? What can we do to help you guys?
7 Because as everybody knows, it's the county that actually
8 runs the elections. We certainly support. We certainly
9 create an environment, hopefully, where they can be
10 successful, but really, we don't open any polling places.
11 We don't deploy equipment. We don't select poll workers,
12 train them, and things like that.

13 So over the -- the, you know, series of the last
14 couple of weeks since June -- or couple of months, I guess
15 now, I've had regular communication with Mr. Barron and
16 members of his team. I think we've made a lot of
17 progress, but again, to why we're here today is because I
18 think it was important that -- that Fulton County
19 understood the gravity of what was going on, and if we saw
20 the similar kinds of systematic problems that we saw June,
21 regardless of what the COVID situation was, we thought
22 there were going to be problems.

23 I've said before that if somebody had told me in
24 January or when we were at our conference in December of
25 last year -- if somebody had told me that deploying a new

1 voting system would be the fifth or sixth hardest thing we
2 would have to do in elections this year, I think I would
3 have, you know, quit and done something else. The fact is
4 all these issues that came up that Fulton County dealt
5 with were problems that every county dealt with. You
6 know, some really rose to the challenge. Many were, you
7 know, had challenges and had issues that they were able to
8 deal with.

9 So my thought in this is that we want to continue to
10 build partnerships with counties. We want to solve
11 problems. We want to leverage our office's ability to
12 provide solutions so that when the voters go to November
13 or when they actually start in mid-October, early October,
14 they have a great experience and that Fulton County is
15 able to provide the level of service for the county that I
16 absolutely know they intended. But I know Mr. Barron, I
17 know Mr. Jones, I know Chairperson Cooney are interested
18 in providing for the citizens of Fulton County.

19 If I could just mention a few things that we've done
20 in partnership with Fulton County that I think are moving
21 towards to that end, like I said, I probably speak with
22 Mr. Barron once a week. We have large county conference
23 calls with the ten largest counties in the state so that
24 we can address their specific needs and specific issues.
25 We've talked about having -- basically exchanging liaisons

1 on Election Night so that Fulton County has somebody in
2 our command center, and we have somebody in their command
3 center so that we can have immediate communication back
4 and forth. We don't have to miss phone calls and wonder
5 what's going on.

6 One of the things that we knew was a problem was the
7 absentee portal, and we launched that last week, and it
8 has been really a tremendous success. I think everybody
9 recognizes that. I know when we have some of our regular
10 callers of the State Election Board, when they're praising
11 our efforts of the election absentee ballot portal, you
12 know that it's a success, and we've seen over 50,000 --
13 we've got about 10,000 absentee ballot applications a day
14 on that portal, and counties are responding incredibly
15 well.

16 And we've sent over 4,000 applications to Fulton
17 County for people that want to become poll workers. As a
18 matter of fact, I had a conversation with Mr. Barron after
19 this last week and the week before about what they're
20 going to do with all these folks, and how they, you know,
21 they can't even absorb all that, so they're going to build
22 a reserve list, and they're going to have people as
23 backups, and they're going to maybe offer some of those
24 people to be Dominion technicians.

25 So the fact that I think the Secretary of State's

1 Office and Fulton County recognized immediately that there
2 were some problems and that we've worked together -- I
3 told Mr. Barron that I knew that -- that issues would come
4 up in the press and public things would be said, but it
5 was my commitment that we work together in a partnership
6 so that the citizens of Fulton County, the citizens of
7 Georgia, are best served, and they're the ones that get to
8 vote. And I think we've been largely successful to that
9 end, and I think this hearing is kind of a continuation of
10 that process, and as was mentioned by several Board
11 members last week, the real goal is to have a successful
12 election in November and to identify the things -- it's
13 encouraging to hear some of the responses that were
14 presented that Fulton County's already done to improve it,
15 so I think we're on the right track. I want to continue
16 that partnership. We've got about two months to go, and I
17 think everybody -- I know everybody at the Secretary of
18 State's Office and I believe everybody at Fulton County
19 wants to make this the best election that Georgia's ever
20 seen.

21 MR. RAFFENSPERGER: Well, Board members, I'll put it
22 back in your hands. This is before you. I don't know if
23 you have any comments or if you want to make a motion.

24 MR. WORLEY: Mr. Secretary, this is David Worley.
25 I'm -- I'm having a little trouble hearing you.

1 MR. RAFFENSPERGER: Mr. Worley, it's back to the
2 Board. Do we have any comments or does anyone want to
3 make any motions at the present time. Ms. Le? Mr.
4 Mashburn? Mr. Mashburn has a -- the floor is yours.

5 MR. MASHBURN: First, I think Fulton County's
6 attorneys have made an excellent presentation today.
7 Fulton County has been well-represented, and their
8 attorneys have done an excellent job and have presented
9 their case very well. One thing that I did appreciate was
10 when there was something that needed to be admitted, they
11 just admitted it rather than fight every single last point
12 to the bitter end, so I think that helped a lot.

13 One thing I would like to address though specifically
14 is I might have misread the letter last night, but I read
15 that Fulton County was being vilified, and I heard today
16 during the excellent presentation by the attorney that
17 they felt vilified, and so I wanted to -- I wanted to kind
18 of address that in that I've been down at Fulton County as
19 a member of the public observing, credential poll watcher,
20 credential tabulation person for over 30 years, and I've
21 never been treated with anything other than respect and
22 kindness and friendliness and helpfulness, and so I don't
23 believe this Board or the Secretary of State and certainly
24 not I have any intention to vilify anyone at Fulton. I've
25 been very respectful -- or very appreciative of the

1 kindness that they've shown me through these years or the
2 friendliness and count them as very kind and diligent
3 public servants, and I appreciate all the work that we
4 have -- that they do for the citizens of Fulton County and
5 Georgia.

6 But -- and so I want to be very clear that the
7 takeaway from at least my comments and I think I hear the
8 Board saying the same thing was not that the county
9 workers go home and say that we've been picked on or
10 vilified, and that was their takeaway. So I just wanted
11 to be real clear about that. Being the junior member of
12 the Board, Mr. Worley, my colleague indicated that he was
13 prepared to make a motion, and so I would yield the floor
14 back with the Secretary's permission to Mr. Worley for his
15 motion.

16 MR. RAFFENSPERGER: Mr. Worley, the floor is yours.

17 MR. WORLEY: Well, before I make the motion or maybe
18 a series of motions, I just wanted to make some general
19 comments. First of all, the problems that were
20 experienced on the primary Election Day were not unique to
21 Fulton County. I think we need to recognize that and
22 address that and I think the -- I hope and I do think the
23 Elections Division is addressing that problem with other
24 counties, and there, I expect, will be complaints filed
25 against other counties as a result. But when -- when 20

1 counties in the state have to hold their polls open beyond
2 7PM, clearly that's a problem, and it's obviously not
3 isolated to Fulton County. I also think that some of the
4 problems that were brought to our consideration today were
5 directly related to the pandemic, to poll workers not
6 showing up, to longstanding precincts deciding that they
7 no longer wanted to be precincts -- polling locations,
8 that is, and I don't really know -- I mean, I think that
9 Fulton County handled that as best as they possible could.

10 So that being said, I also think that we need to
11 consider the complaints that we have today in light of our
12 past practice in similar situations, and it's generally
13 been our practice, and I think it should remain our
14 practice, that we take into account how responsive the
15 county has been, how willing the county has been to
16 correct problems that we're dealing with. And I do think
17 that Fulton County has been very forthright, very
18 cooperative in dealing with these problems. They
19 certainly are taking these matters very seriously and
20 working very hard to make sure that these issues don't
21 come up again in November.

22 So with all that being said, there are a couple of
23 the items that have been complained about that I think
24 ought to be dismissed. And the first is the failure of
25 the Board of Elections to provide at least one electronic

1 ballot marker that meets the requirements to be accessible
2 to individuals with disabilities. It seems clear from the
3 evidence that Fulton County actually did provide that
4 equipment. The poll personnel were not able to find it
5 immediately, but they did eventually find it, but that
6 Fulton County did provide that. So I would make a motion
7 that that alleged violation be dismissed.

8 MR. RAFFENSPERGER: Do we have a second?

9 MS. LE: Mr. Worley, I'd like to just add a thought
10 to that. For that one voter, I think -- let me rephrase.
11 I think this is a training issue, and it's something that
12 Fulton County has spoken about either, but it's also
13 something that's in control of the Fulton County, I guess,
14 poll workers or their domain in the sense that, you know,
15 for that one voter who comes in and needs -- and it takes
16 a while or in some cases, if they can't find it, that one
17 voter, it affects him one hundred percent.

18 So I move to -- I would not support the motion to
19 dismiss that because it's something they could address in
20 voting, and I would echo everything you say and Mr.
21 Mashburn is saying. I haven't been in elections on the
22 operations side. I do appreciate the nuances and the
23 challenges that come with every day, under normal
24 circumstances, let alone under a pandemic. I mean, that's
25 -- it's hugely challenging to say, and that's an

1 understatement. So I do appreciate what these counties,
2 the challenges they may go through, and it's not lightly
3 that I say that because I know it's challenging. But
4 we're in the business of ensuring the right to vote, not a
5 privilege to vote but the right to vote is carried out to
6 the best that we can. And I think in that case, I would
7 not want to dismiss -- in the case of -- I think you're
8 talking about number two -- to dismiss that, but lead that
9 back in so that the Fulton County Board can address in
10 terms of the training. So I would not support that
11 motion.

12 MR. RAFFENSPERGER: Do we have a second? Motion
13 fails due to lack of second.

14 MR. WORLEY: Okay. Thank you.

15 MR. RAFFENSPERGER: Do you have any other --

16 MR. WORLEY: Yes. I have some other motions. The
17 next motion -- and this is item three in the letter brief
18 of Fulton County. The allegation is that the Board of
19 Elections failed to provide necessary Election Day forms,
20 and it seems that the only form that is at issue is the
21 zero-county sheet, which was not provided in the Secretary
22 of State's supply store, so I would move to dismiss that
23 allegation.

24 MR. RAFFENSPERGER: Well, they mentioned the
25 Secretary of State's Office -- they can address whether

1 the Secretary of State's Office provided that form. Ms.
2 Watson or Mr. Harvey?

3 MS. WATSON: Yes. There was additional forms: the
4 recap form was not provided to any of the precincts, and
5 the numbered list form, and the inner and outer
6 provisional envelopes were not provided. They were
7 provided, but they ran out, and they had to be resupplied
8 at some locations. Some locations didn't receive the
9 necessary supply. I'm sorry?

10 MR. RAFFENSPERGER: Was that a Fulton County issue or
11 a Secretary of State issue?

12 MS. WATSON: That was -- Fulton County did not
13 provide those.

14 MR. RAFFENSPERGER: Okay. We have a motion. Do we
15 have a second? Hearing none, motion fails. Do we have
16 any other motions?

17 MR. WORLEY: Yes. I have two other motions that I
18 would make. Well, three other motions. Let me -- let me
19 start with the items that are indicated as items five
20 through seventeen in the letter brief that Fulton County
21 submitted. Those do appear to be the minor types of
22 violations for which we normally issue a letter of
23 instruction to Fulton County or to any county, and so I
24 would make a motion that we send a letter of instruction
25 to Fulton County on the items listed as numbers five

1 through seventeen in their letter brief.

2 MR. RAFFENSPERGER: Do we have a second? Do we have
3 a second?

4 MS. LE: I would respectfully modify that motion to
5 items six through seventeen.

6 MR. WORLEY: I'd accept that as a friendly amendment.

7 MR. RAFFENSPERGER: Okay. So we have that before us,
8 items six through seventeen. Any further comment on that?
9 All those in favor of that motion?

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Motion carries. Okay.

12 MR. WORLEY: And then I would have two further
13 motions, Mr. Secretary. The first would be relating to
14 item four in the letter brief, which is the allegation
15 that Fulton County violated the code by its training of
16 voters, failure to properly train the voters -- I'm sorry,
17 the election workers. It seems to me that under all the
18 circumstances here of the pandemic that everyone is
19 dealing with that Fulton County did the best that they
20 reasonably could be expected to do under the circumstances
21 of the pandemic. And so I would move to dismiss that
22 allegation.

23 MR. RAFFENSPERGER: Do we have -- is that a motion?

24 MR. WORLEY: Yes. That's a motion.

25 MR. RAFFENSPERGER: Do we have a second? Do we have

1 a second? Motion dies due to lack of second. Do we have
2 any --

3 MR. WORLEY: Okay. And then I'd have one --

4 MR. RAFFENSPERGER: Go ahead.

5 MR. WORLEY: -- final motion. And this relates to
6 the first item in the letter brief about polling places
7 not being open. Apparently, there were 12 polling places
8 that were not open on time. And again, I think we have to
9 consider this in light of the pandemic and the large
10 number of precincts that were -- where the church or the
11 school decided, often at the very last minute, that they
12 would not be a polling place. Again, I don't think that
13 is something that is within Fulton County's control to
14 such an extent that we should hold them responsible for a
15 violation of the code because the election precinct opened
16 somewhat late. I just don't think that that's fair or
17 reasonable.

18 I also don't think we should be in the business of
19 referring to the Attorney General every time a polling
20 precinct opens somewhat late. There are remedies for
21 that. When those precincts are open late, they are held
22 open late in the evening, and they should be, obviously.
23 And I don't want to encourage any county to not work
24 extremely diligently to open the polls on time. That has
25 to be done for the adequate operation of our election

1 system, but given that there were 12 locations out of well
2 over 150 locations that Fulton County operates and that
3 those seemed to be, based on the evidence, related to
4 these in many cases unforeseeable precinct changes --
5 polling location changes -- I don't think it's appropriate
6 to bind that over to the Attorney General's Office. I
7 would make a -- so at the very least or at the very most,
8 I think we should send a letter of instruction because of
9 that, but I do think it's more appropriate under the
10 circumstances that that allegation be dismissed, and I
11 would make a motion that it be dismissed.

12 MR. RAFFENSPERGER: Do we have a motion -- a second
13 to dismiss? Hearing none, motion fails.

14 MR. WORLEY: Then, Mr. Secretary, I'd make one final
15 motion to send a letter of instruction to Fulton County
16 regarding the 12 polling locations that were not available
17 at 7AM.

18 MR. RAFFENSPERGER: Do we have a second? Hearing
19 none, that motion fails also. Do we have any other Board
20 members that would like to speak or present a motion?

21 MS. LE: I just want to add to -- or comment on Mr.
22 Worley's thoughts on the polling -- this is Anh Le, for
23 the record -- thoughts on the polling places opening late.
24 We have in the past, if I recall correctly, sent to the
25 AG's Office polling places that don't open on time for

1 various reasons, and -- and I think you're right, Mr.
2 Worley, to the fact that, you know, this is caused a lot
3 by the pandemic, but the fact that it opened late -- we
4 have bound it over for -- part of the reason being for
5 that voter who comes at 7, asks for time off or to come in
6 late to work to vote, and has to leave because the polling
7 place didn't open. You know, again, for that one voter,
8 that is one hundred percent denial of that person's right
9 or impairment of that person's right to vote, even if we
10 were to extend it to 8, 9, 10 o'clock at night. So it is
11 very much important that when we say we're going to open
12 on time at 7 o'clock that we do, in fact, open on time.
13 So for that reason, I don't take it lightly that when
14 we're supposed to open at 7, that we don't -- for the
15 simple fact that we compensated late at night, to me, is
16 not parallel compensation.

17 So for that reason, I move to bind the rest of the
18 items to the AG's Office, not in the spirit of
19 prosecution, but hopefully, in the spirit of finding --
20 having more time to work it out with Fulton County to find
21 a viable resolution to these problems so that we can
22 mitigate them in the future and perhaps as a model for
23 other counties who may encounter similar problems in the
24 future as well. I think there's a lot of hope for that,
25 and I think that we can achieve that. So I'm not asking

1 to bind over so that we can prosecute or vilify Fulton
2 County in any way, but perhaps to give it more time so
3 that we can -- the Secretary of State's Office and the
4 AG's Office and Fulton County can collaboratively work out
5 a more meaningful path going forward on those items.

6 That's my motion.

7 MR. MASHBURN: Second.

8 MR. RAFFENSPERGER: We have a motion. Oh, second.

9 Any further comments?

10 MR. WORLEY: I'd like to just make a couple of
11 comments. This is Mr. Worley, for the record. First of
12 all, I appreciate the comments that Ms. Le has made, and I
13 certainly agree that every, you know, every voter who is
14 inconvenienced by the polls being open late is a serious
15 problem. But I'm afraid that we've adopted a standard
16 here which means that every time now a poll is held open
17 late because it opened late in the morning, that we're
18 going to have to refer that to the Attorney General for
19 investigation. And that happened in 20 counties on
20 primary day so I fully expect that we will get reports
21 from the Secretary of State on each of those counties and
22 that we will refer those over to the Attorney General for
23 investigation, each one of those. That's the standard
24 that we seem about to set, and I don't think that's the
25 right standard to set.

1 Beyond that, I just want to make one final comment.
2 Last week, for the issue of absentee ballot applications,
3 I took the position that those needed to be referred over
4 to the Attorney General because that was a very serious
5 situation of denying persons their right to vote. That
6 situation to me was a much more systemic problem that took
7 place over a long period of time that was not related as
8 directly to the pandemic as the Election Day issues that
9 we've been dealing with today. So just by way of
10 explanation, I just wanted to explain that that's the
11 distinction that I made and the position that I took last
12 week and this week. Thank you. That's all.

13 MR. RAFFENSPERGER: Mr. Mashburn, do you wish to
14 speak?

15 MR. MASHBURN: Yes, sir. For the discussion before
16 we vote on the motion, I don't -- I'm not voting on the
17 motion on the basis that we have agreed that every single
18 late opening precinct is a referral. I'm -- I see a big
19 difference between one precinct opening late because say
20 as an example, the fire department failed to bring the
21 keys on time at 6:30 in the morning, and so they're --
22 they've fixed the problem, but they did open late. But 12
23 is a different matter than one, so I am going to vote for
24 the motion, but I -- I don't believe that my vote is
25 setting a standard that every single late-opening precinct

1 is a cause for referral.

2 MR. RAFFENSPERGER: Any other additional comments?

3 MS. LE: And this is Anh Le, and those are my
4 thoughts as well. I do not think this is the one size
5 fits all, blanket standard, that any time for any reason
6 whatsoever -- as with every case that's come before us,
7 there are lots of facts, and it's facts-based. So, and,
8 you know, to the extent that it is out of -- completely
9 out of the county's control and not something that they
10 can address through training or better practices, then I
11 think that deserves a different look than something that's
12 otherwise under their control and could be improved with
13 training. So my motion also does not mean it's a blanket,
14 universal, any time you're late you'll be bound over to
15 the AG's Office for prosecution.

16 MR. RAFFENSPERGER: Hearing no further comment, all
17 those in favor of the motion as presented, signify by
18 saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Those opposed?

21 MR. WORLEY: No.

22 MR. RAFFENSPERGER: Motion carries. Okay. There's
23 some other items on this list. What is the will of the
24 Board?

25 MR. MASHBURN: I think we got them all. Did we?

1 MR. WORLEY: I think Ms. Le's motion was to refer
2 everything other than the items that we had voted on a
3 letter of instruction on to the Attorney General.

4 MR. MASHBURN: I agree. Yes, I agree. That was my
5 understanding.

6 MR. RAFFENSPERGER: Okay. Great. So that concludes
7 our work then. Do we have any additional comments from
8 any of the Board members?

9 MR. MASHBURN: Before we adjourn, I would like to
10 make one additional comment, and that is I would like to
11 commend the Secretary of State and the staff for the
12 online portal. I used it myself, and the whole process
13 from beginning to end took less than a minute, and that
14 included a confirming email that I received, as well as an
15 online message that confirmed it, so I just think that was
16 a terrific rollout. It worked perfectly, and the whole
17 process took me less than a minute from beginning to end,
18 so I just wanted to take a minute to commend the Secretary
19 and the Secretary's excellent staff for getting this up
20 and running and just did a great job with it.

21 MR. RAFFENSPERGER: Any other members? Mr. Worley?
22 Ms. Le?

23 MR. WORLEY: This is Mr. Worley. I have heard good
24 reports about the portal as well, and I commend the
25 Secretary for getting that rollout done. Of course, the

1 proof is in the pudding, and Mr. Mashburn will be very
2 happy when his ballot comes shortly after September 19th,
3 I guess. And I just hope everything continues well with
4 the operations of that portal. Does the Election Division
5 have any figures yet as to how many people have used the
6 portal so far?

7 MR. RAFFENSPERGER: I believe we're at 80,000 right
8 now. Mr. Harvey is shaking his head yes. And I think
9 we're adding fifteen to twenty thousand a day, so it's
10 been very well received.

11 MR. WORLEY: Well, that's excellent news. Thank you.

12 MR. RAFFENSPERGER: Thank you.

13 MS. LE: This is Anh Le. I've also used the portal,
14 and it's -- it's great. I had a great experience with it.
15 Thank you.

16 MR. RAFFENSPERGER: Now would be the appropriate time
17 for a motion for adjournment, if anyone would like to so
18 move.

19 MR. WORLEY: So moved.

20 MR. MASHBURN: Second.

21 MS. LE: Second.

22 MR. RAFFENSPERGER: All those in favor?

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: We are adjourned. Thank you.

25 (Meeting adjourned 10:52AM)

CERTIFICATE

**STATE OF GEORGIA
COUNTY OF DEKALB**

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 71 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 28th day of September, 2020.

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

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