

In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD

February 17, 2021

Steven Ray Green Court Reporting, LLC
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THE OFFICE OF THE SECRETARY OF STATE

STATE OF GEORGIA

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

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

**February 17th, 2021
9:00 A.M.**

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

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

Atlanta, Georgia

APPEARANCE OF THE PANEL

Secretary of State Brad Raffensperger, chair

Rebecca Sullivan, vice chair

Anh Le

David Worley

Matthew Mashburn

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Carter Jones

Frances Watson

Transcript Legend

- (sic) - Exactly as said.
- (ph.) - Exact spelling unknown.
- (???) - Audio feed unclear
- 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: Good morning, everyone. I'd like to call the meeting to order of the State Election Board for February 17th, 2021. We'll start off with an invocation and a Pledge of Allegiance, and I'll do the invocation.

(Invocation)

(Pledge of Allegiance)

MR. RAFFENSPERGER: Well, good morning. Before we get started, if we could have a roll call of attendance since this is a Zoom call, if I could call all the members. Mr. Worley?

MR. WORLEY: Present.

MR. RAFFENSPERGER: Okay. Ms. Anh Le?

MS. LE: Good morning. Present.

MR. RAFFENSPERGER: Good morning. Mr. Mashburn?

MR. MASHBURN: Present.

MR. RAFFENSPERGER: Ms. Sullivan?

MS. SULLIVAN: Present.

MR. RAFFENSPERGER: Okay. Your name wasn't on the leader board here, but great. We have a full complement of State Election Board members. Before we get started, we've updated the agenda to have a presentation from Car -
- Carter Jones, who was our monitor that the State Election Board inserted into Fulton County as part of the

1 consent agreement we had with Fulton County coming out of
2 the June primary election. Mr. Germany, if you would like
3 to -- you probably have some background information to
4 share about that, and then you'll be introducing Mr.
5 Carter Jones.

6 MR. GERMANY: Thanks, Mr. Secretary. This is Ryan
7 Germany. The Board members, as you well remember, we
8 entered into a consent agreement with Fulton County
9 following the issues that arose during the June primary.
10 I want to thank the Board members for doing that and for,
11 you know, taking the novel step that to my knowledge has
12 not been done before of appointing Carter Jones as the
13 monitor for the Fulton County elections to oversee the --
14 the substantive kind of solutions that would have been put
15 in the consent agreement that Fulton County agreed to. I
16 want to thank Fulton County Board of Elections too for
17 welcoming Carter in, for agreeing to Carter. We had --
18 part of the consent order was we had to agree with Fulton
19 County who the monitor was going to be, and I think we
20 ended up between the two of us really fortunately landing
21 on Carter Jones.

22 His experience in elections was with the
23 International Republican Institute where they would
24 monitor elections in developing countries, and so he was
25 familiar with observing elections, and I think Carter did

1 a great job really going to Fulton and becoming --
2 becoming a trusted person and someone they saw as a help.
3 And I know that's what the Board, I think, wanted to do
4 with the way we approached the Fulton County case. So
5 I'll turn it over to Carter. I know he'll -- he'll give
6 some brief remarks, and then he'll obviously be available
7 for questions from the Board, and I just want to thank
8 Carter for -- he put in a lot of -- a lot of hours at the
9 Fulton County Elections headquarters, at State Farm,
10 really, all over the place. So Carter, thanks for your
11 service, and I look forward to your report.

12 MR. JONES: Thank you, Ryan, for that kind
13 introduction, and ladies and gentlemen of the Board, thank
14 you for the opportunity to come here and share some of my
15 observations from my time with Fulton County here with you
16 today. I do want to preface all of my statements today
17 with the reminder from what -- what was in my executive
18 summary that has gone -- gone out to folks that wanted to
19 get it that at no point in my more than 270 hours around
20 Fulton County's election processes from October to January
21 did I see any illegality, fraud, or intentional
22 malfeasance. Now, that being said, I did, unfortunately,
23 see a lot of sloppy processes, and that was one -- one
24 thing that I wanted to really highlight today, and I was
25 aware of that BRE meeting yesterday, and I do want to

1 underscore that firing Rick Barron is not a shortcut to
2 fixing the mismanagement inside Fulton's elections
3 department.

4 From -- from November to January, I saw a lot of
5 things that could be tightened and also the kind of
6 fingerprints of what I will call systemic disorganization.
7 We talk about, at State Farm, a failure to adequately pre-
8 scan before Election Day, November 3rd, led to -- I will -
9 - I will say chaos at State Farm Arena, scanning into the
10 night. We all know what happened with the controversy
11 that came around November 3rd with working so late. I
12 don't need to allude to that anymore. On November 3rd --
13 November 5th, excuse me -- a failure to deliver election
14 materials on time. Going into the November election, I
15 was at Fulton's warehouse on the Monday before November
16 3rd until 1AM. Still, all election materials had not been
17 delivered, and I was back there at 5AM the next morning,
18 November 3rd, to see that there were still election
19 materials that hadn't been delivered, and the polls were
20 supposed to open in two hours. That is not all the fault
21 of Richard Barron.

22 There was no process provisionals going into the
23 November 3rd election, and that was apparent on November -
24 - November 7th, when we had to recall party monitors,
25 myself, as well as the Deputy Secretary of State and

1 Commissioner Liz Hausmann to go down to State Farm Arena
2 to watch Fulton figure out what was going on with their
3 provisional process. Had there been a system in place,
4 then they would have been able to easily pick that up and
5 figure out what ballots they had missed, what ballots
6 needed to be rescanned, or even how many ballots they had,
7 but it was my understanding that they did not at any point
8 do an intake count on provisional ballots, and they -- as
9 a result of that, there was mass confusion, and a lot of
10 folks -- a lot of folks having, you know, no idea how or
11 what the actual problem was and then perhaps solving it in
12 the worst way possible by instead of hand counting ballots
13 to see if their paper record matched the number of ballots
14 they had there, they used the OPEX cutters again to use
15 them as very expensive -- very expensive ballot counters
16 instead of just doing it by hand, which nearly gave me a
17 heart attack because I thought they were opening new
18 ballots on the Saturday after the election.

19 There was -- it's documented in my report there was a
20 sloppy chain of custody within the Pryor Street office,
21 ballots bouncing all around Pryor Street leading into
22 November 3rd. But to Fulton's credit, they learned from
23 my comments to their leadership in January, and they were
24 able to buttress those and do the entire process linearly
25 at the World Congress Center. Perhaps, it is this

1 willingness to learn from their mistakes that caused some
2 grade inflation that the BRE wanted to talk about
3 yesterday.

4 One -- one big issue that we saw in terms of the
5 consent order is that Fulton did not adequately update
6 Election Net and give voters credit, which caused a lot of
7 confusion for people that had requested absentee ballots,
8 perhaps filled them, perhaps not. Some people got
9 multiple ballots, and that's just sloppy -- sloppy
10 management, and I don't mean multiple ballot applications.
11 I think a lot of folks got multiple ballot applications.
12 I mean actual, physical ballots. I saw one -- I had one
13 poll manager send me a photo of someone who had received a
14 UOCAVA ballot who was not active-duty military, and the
15 only way that that would happen would be sloppy -- sloppy
16 data management on Fulton -- on Fulton's behalf.

17 Last minute mailers and voter registrations completed
18 at the 11th hour on October 26th is, I find, very, very
19 sloppy, and again, not the fault of the Elections Chief
20 but part of a systemic disorganization within Fulton
21 County. I have the number in my report, but more than
22 160,000 notice of poll changes were sent out a week before
23 the election, which caused me and the Secretary of State's
24 Office to be flooded with complaints about Fulton changing
25 something "at the last minute." I also know that -- I

1 believe it was 2500 voter registrations had not been
2 completed, and the ACLU even got involved going into the
3 election. I believe it was the Friday before the Tuesday
4 we voted in November.

5 These are all just part and parcel of the larger
6 systemic issues within Fulton's management, and there's no
7 shortcuts to fixing that. It's going to take an internal
8 review, as well as an, you know, autopsy or post-action
9 review to figure out what they can actually fix.

10 And then from an elections standpoint, one thing that
11 I would like to encourage the Board on is that -- is that
12 transparency and proximity are not the same thing. I was
13 at the World Congress Center on January 5th when Fulton
14 was served a court order demanding that party monitors get
15 more access and get closer to the actual, physical
16 process. Now, apart from social distancing guidelines and
17 the fact that there was atrocious mask etiquette or mask
18 hygiene on the part of the monitors, I think there was a
19 massive misunderstanding between the definitions of
20 transparency and proximity. I believe Fulton's process
21 was very transparent. I think there are things they could
22 have done better in January, but just because you're not
23 right up against a -- a poll worker being able to see
24 their screen does not mean that the election is not
25 transparent. There were cameras all over the place. You

1 could see that nothing illegal was happening. No ballots
2 were showing up in the middle of the night. There was
3 transparency in the process. However, you know, there was
4 not necessarily the proximity I would have liked.

5 And then one last axe that I've been grinding for
6 months is that I would like to see the State Election
7 Board push the parties to have greater accountability for
8 the folks that they provide credentials to as their
9 monitors. We had folks that had no training and clearly
10 no understanding of how the election process worked coming
11 down there thinking their party credential was a badge and
12 a gun and that they were going to stop the steal or get
13 involved and yell at election workers. We had multiple
14 death threats to people's faces, taking pictures inside
15 the polling unit, and just sowing -- sowing discord and
16 confusion due to a lack of training.

17 If there was a protocol for the parties to actually
18 vet the folks that came down, it would serve the process
19 of rumor abatement so that anyone who was trained would
20 know the actions and the hardware that you would see in
21 elections. It would also remove some of the confusion in
22 the process. To provide an example, if everybody is
23 trained that wants to be a credentialled monitor, when an
24 attorney from not the state alleges that suitcases were
25 pulled from out from under the table at State Farm,

1 everyone that's received the training knows that those are
2 ballot bins, and we have them in every precinct in the
3 state. So there's a functional element to that.

4 So with that being said, I will yield my time back to
5 the Board and open -- open it up to any questions that
6 y'all might have.

7 MR. RAFFENSPERGER: Thank you, Carter. Carter,
8 before we get to that point, for the citizens that are
9 listening in today, I know that the Board members have
10 seen your resume, but have you ever monitored elections
11 before, and if so, where? And what organization did you
12 represent when you did that? Just provide some background
13 information.

14 MR. JONES: Yes, sir. So I worked with the
15 International Republican Institute for four years, almost
16 five years, in Washington, D.C. I organization IRI's --
17 actually, our entire delegation, which is the Consortium
18 for Elections and Political Party Strengthening, which is
19 IRI, NDI, which is National Democratic Institute, and
20 IFES. I did a lot of the logistics and planning for the
21 2015 Nigerian national election monitor, so I was -- I was
22 there. I was physically on the ground for Nigeria's 2015
23 elections. I monitored that. I also did data collection
24 on the back end, so that we could write our elections
25 report. Let's see. I also did a lot of preparation work

1 for Kenya's 2017 election, but I moved on from IRI before
2 that election actually occurred. I have about a decade of
3 election experience from running campaigns to studying
4 electoral systems to working at IRI, which is -- their
5 tagline is advancing democracy worldwide.

6 MR. RAFFENSPERGER: And I remember, if I recall,
7 seeing something on your resume with Senator Isakson.

8 MR. JONES: Yes, sir.

9 MR. RAFFENSPERGER: What capacity were you affiliated
10 with Senator Isakson?

11 MR. JONES: So I was a -- I had the opportunity to be
12 an intern in Senator Isakson's office in 20 -- I believe
13 that was 2012. I was only there for about five months,
14 but I think that's, in intern dog years, that's quite a
15 long time.

16 MR. RAFFENSPERGER: Thank you. Board members, I
17 imagine that many of you have questions. Who wants to go
18 first? Mr. Worley, any questions?

19 MR. WORLEY: I did have one question, Mr. Secretary.
20 Mr. Jones, your comment about poll observers feeling that
21 their badge, you know, essentially gave them a right to do
22 whatever they wanted in the polling place, you observed
23 that happening. Was that more prevalent in one party's
24 observers than another's?

25 MR. JONES: You're going to put me on the spot. Yes,

1 sir. I do believe that it was more of -- more of leaning
2 towards one party. Then it actually became towards the
3 end of January, one party was actually monitoring the
4 other party.

5 MR. WORLEY: And which party was that?

6 MR. JONES: The GOP was sending a lot of folks --
7 even from out of state, which I thought was interesting.
8 I talked to folks from Tennessee and Illinois that had GOP
9 credentials. By the end, the party was just sending
10 blank, like, form -- form letters that people would show
11 up and didn't even have their names completed. Until
12 January 5th, that wouldn't have been accepted, and then on
13 the night of January 5th, starting -- starting around 5, I
14 guess people got out of work and then really after 7 when
15 polls closed, there was a massive amount of -- massive
16 amount of folks that showed up, but there must have been
17 50 monitors from just one party at the World Congress
18 Center on January 5th.

19 MR. WORLEY: Okay. And so you're -- and I appreciate
20 your honesty about this given your background, so your --
21 your comment about the need for more training of poll
22 observers is directed more at the GOP than any other
23 party?

24 MR. JONES: No, sir. I believe it applies to both
25 parties.

1 MR. WORLEY: Right. But your observation was that it
2 was those GOP observers who lacked the training that you
3 think is necessary.

4 MR. JONES: But -- but I think both parties could --
5 could benefit from additional training. I don't
6 necessarily want to point fingers at one party, but I
7 think -- and I had to -- essentially, my scope expanded in
8 January to rumor abatement. A lot of folks wanted to --
9 wanted to come down and talk to somebody about what they
10 had heard on the news or seen on social media, and, you
11 know, I let them come yell at me, so that was -- but yeah.
12 I think both parties and also just Georgia could benefit
13 from additional -- additional training.

14 MR. WORLEY: Thank you.

15 MR. JONES: Yes, sir.

16 MR. RAFFENSPERGER: Ms. Sullivan, do you have any
17 questions you'd like to ask Mr. Carter?

18 MS. SULLIVAN: I don't have any questions at this
19 time. Thank you.

20 MR. RAFFENSPERGER: Ms. Le, do you have any questions
21 you'd like to ask Mr. Carter?

22 MS. LE: Mr. Carter, this is Anh. Thank you for that
23 report. To the extent of your knowledge on the -- to Mr.
24 Worley's question, any disruption that was caused by
25 individual poll watchers, is it your understanding that

1 was coming from an individual capacity? The individuals
2 did not necessarily direct it from the party; is that
3 correct?

4 MR. JONES: That's -- that's a good question. I'm
5 not entirely sure. I know that on -- during the RLA and
6 the recount, there were kind of team huddles where folks
7 would develop kind of a strategy, and I know that some
8 folks were working in teams of two during the RLA where
9 one person would stand in front of a -- in front of a
10 desk, and the other would stand behind a desk while
11 auditors were auditing the -- you know, by hand, the
12 ballots. But I'm not sure. Maybe that was just somebody
13 who had a good idea. So you know, it's hard to say. I,
14 myself, did not get that -- get that close or ask those
15 sort of questions. I was more just answering questions.

16 MS. LE: Thank you.

17 MR. JONES: Yes, ma'am.

18 MR. RAFFENSPERGER: Mr. Mashburn, you actually spent
19 some time down at the Fulton County election offices.
20 Didn't know if you had any questions for Mr. Jones?

21 MR. MASHBURN: Yes. I -- I was down there, and I did
22 see Mr. Jones both at English Avenue diligently performing
23 his work, and I also saw him at State Farm Arena when I
24 was at State Farm Arena for about 10 hours on Wednesday.
25 But what I -- what my question is we know that Fulton

1 County is -- is making changes at the very top with their
2 Elections Director, but what you described is more of a
3 systemic problem that seems to run from top to bottom, and
4 so my question is -- is kind of over -- overall, does
5 Fulton County just need to tear down their entire system
6 and rebuild it from scratch, or is it salvageable, or what
7 are your recommendations of where we -- where we go next
8 at Fulton County?

9 MR. JONES: That's -- that's good question. Thank
10 you. I do think it is salvageable. There are just some
11 big changes that need to -- need to come through. I think
12 some folks are still working with Fulton County being, you
13 know, not the same size county that it is today. They
14 need to tighten processes. They need to look at kind of
15 internal policies, but no. I do not think it is rotten to
16 the core, but I also think that firing Rick is not, you
17 know, a magic shortcut to fixing the problems. There will
18 -- there will need to be some sort of critique. You know,
19 someone -- someone come in and do an audit of the
20 processes and the team, and I think that the new director
21 has a herculean effort if they have no power to replace
22 some of the people that are -- are big problems within the
23 system.

24 I think -- I do not think it is rotten to the core. I
25 think it is salvageable. I think a lot of the things, you

1 know, that ran well were -- had interesting -- interesting
2 innovations. I liked the mobile buses idea. I liked the
3 super centers for polling. I thought that was a good idea
4 too. It's also good press for elections to remind people
5 to go out and vote. You get to go out on the floor at
6 State Farm. That's pretty cool. But back-office stuff, I
7 think that they do need -- they do need to fix, access,
8 and analyze, and it's not, you know, we need to tear it --
9 tear it completely down, but I do think there needs to be
10 some managerial shake up.

11 MR. MASHBURN: Thank you. This is Matt Mashburn
12 again. Do you -- do you have a feeling or is it your
13 impression that Fulton County cooperated and acted in
14 accordance with the terms of the consent order as it -- as
15 it related to your functions?

16 MR. JONES: Yes. They provided me access to wherever
17 I wanted to go. One gripe I had is that I did always kind
18 of find out secondhand about stuff, like they could have
19 been more proactive about telling me when they were going
20 to start, you know, working on things. Like the recount,
21 I found out the day after it happened that they were
22 starting the recount. But I think they complied with
23 giving me the backstage pass and making -- making all
24 their stuff available to -- to me so that I really could
25 see what was going on and learn -- learn from the process,

1 so I -- I think they complied with that. Regarding the
2 rest of the consent order, I would have to look at my
3 executive summary.

4 MR. MASHBURN: Yeah. That -- that's kind of where I
5 wanted to go is whether they -- whether -- thank you in
6 regards to the access because one of the impressions I had
7 was that you were able to go anywhere you wanted to go and
8 see anything you wanted to see, and I appreciate you
9 confirming that. But we do, the Board -- at least me, and
10 I think the rest of the Board wants to be sure or have a
11 look at whether or not they complied with the substantive
12 provisions of the consent order as well, and I understand
13 you just said -- you need to look at that or we need to
14 look at that?

15 MR. JONES: I think that y'all might want to look at
16 it. So my -- my executive summary is structured to match
17 the consent order even down to the number and letter of
18 the items, going through ballot procedures, poll workers,
19 poll training, you know, and so forth, so that, you know,
20 did they comply is a little bit trickier than a yes or no.
21 They did on some things. They did not on others. I
22 mentioned updating Election Net as one that they, you
23 know, failed to fully comply, but they did what seemed to
24 me a good faith effort to follow a lot of the terms of the
25 consent order. Providing an example, poll workers, they

1 almost doubled their target for number of poll workers.
2 Early voting locations, they exceeded -- they had thirty-
3 two -- thirty plus two mobile sites plus seven outreach
4 sites in November. Their target was twenty-four. They
5 had 255 Election Day voting locations. That was, you
6 know, the target. So they, you know, it wasn't a complete
7 -- complete, complete failure by any means, but it also
8 was not a rosy picture given the things that I saw with my
9 access.

10 MR. MASHBURN: Okay. And for those -- those of the
11 public that's listening in who don't have the benefit of
12 your report, go ahead and tell us what were the areas
13 where they fell short. Go ahead and specify those for us.

14 MR. JONES: Yes. Yes, sir. So the absentee -- so
15 I'll just run through this top to bottom. For the
16 absentee process, I was very, very concerned with chain of
17 custody at -- at Pryor Street. I alluded to this in my
18 comments, kind of ad hoc problems, the system held
19 together by tape and chewing gum but managed -- managed to
20 limp across the line at the end, but they -- they fixed it
21 in January. But yeah, ballots moving all around Pryor
22 Street. They were in five -- five different rooms.

23 MR. MASHBURN: And I'm going to interrupt you --
24 interrupt you just for a second for a point of
25 clarification for the people listening in.

1 MR. JONES: Sure.

2 MR. MASHBURN: When you talk about chain of custody
3 issues, the chain of custody issues all dealt with paper
4 ballots, correct?

5 MR. JONES: That is -- with absentee by mail. Yes,
6 sir.

7 MR. MASHBURN: The paper ballots?

8 MR. JONES: Yes, sir.

9 MR. MASHBURN: Hand-marked paper ballots?

10 MR. JONES: Correct.

11 MR. MASHBURN: I'm sorry to interrupt you, but I
12 think it's an important clarification. Thank you. Please
13 continue.

14 MS. LE: Carter, I'm sorry. This is Anh, and along
15 the same questioning, can you give us an example of the
16 chain of custody issue you saw?

17 MR. JONES: Sure. So I have a paragraph here on page
18 2 for the folks that have -- that have it. For example, a
19 room which housed the team that was doing additional voter
20 verification through Rocket file -- it was also a
21 temporary housing location for ballots -- but an E-net
22 processing room was on a separate floor, so the ballots
23 would come into the mail room and then move to this
24 temporary storage, which also had another function, and
25 then would go to the -- the second floor to the E-net

1 verification room, where -- in between in transit, no one
2 was signing out the ballots. They didn't really have a
3 count and the same when they would move back. I witnessed
4 while I was there with the Elections Chief a temp worker
5 taking -- who had not received adequate training, in my
6 opinion -- was taking ballots that had just come in the
7 door and then accidentally later -- inappropriately moving
8 them to this stack that was on the way out to State Farm.
9 So the Elections Chief caught it and said, like, whoa,
10 whoa, whoa, stop what you're doing, but had he not been
11 there, had he not been giving me a tour that day, perhaps
12 those ballots that had not been verified would have ended
13 up at State Farm, but they did go through the whole
14 verification process. So things like that.

15 And then other chain of custody stuff, I saw a good
16 number during the RLA and recount of unsealed ballot bags.
17 I just hate unsealed ballot bags. It's such a headache,
18 and it's such an easy thing to fix, just seal the ballot
19 bags, and again, to Fulton's credit in January, every
20 ballot box that came in was sealed and did have the proper
21 chain of custody form. So they learned from my -- from my
22 feedback in November, but those sort of things are really,
23 really concerning to me, especially when we're hearing
24 chain of custody on the news so much. Would you like me
25 to keep going with the report or do y'all want to ask some

1 questions about that.

2 MS. SULLIVAN: Mr. Secretary, I have a related
3 question, if I can ask it.

4 MR. RAFFENSPERGER: Yes, please do.

5 MS. SULLIVAN: Mr. Jones, with respect to these
6 issues you're just discussing about chain of custody, do
7 you see failures in those areas as primarily a lack of
8 having appropriate procedures in place or training about
9 those procedures or a combination of both?

10 MR. JONES: That -- I think I would say a combination
11 of both because -- but I do think they're very similar.
12 You know, this is one of the things where we talk about,
13 you know, it doesn't need to be -- it's salvageable. And
14 if you -- and Fulton did a good job in January of fixing
15 these silly problems and some kind of self-inflicted
16 wounds from November, and they conducted the entire
17 process transparently and linearly at the World Congress
18 Center. There weren't things bouncing all over a
19 building. They would come into an intake cage, where they
20 controlled the outflow, and then they would, you know,
21 move down the line. Once they were vetted, they would,
22 you know, be opened and then be scanned. That -- that
23 system makes a lot more sense. It is salvageable. It is
24 not, you know, rotten -- rotten to the core top to bottom,
25 but I do think it was a failure of process and perhaps, a

1 lack of foresight to see that they were going to get, you
2 know, 150,000 absentee ballots.

3 MR. RAFFENSPERGER: Mr. Jones, I noticed that one of
4 our citizens asked who is responsible for the training.
5 The county election director is responsible for training
6 everyone in their county. We have 159 counties. County
7 election directors and their management teams in the
8 larger counties such as Fulton, they -- that would bear
9 the responsibility; am I not correct?

10 MR. JONES: I -- I'm sorry. Could you repeat your
11 question?

12 MR. RAFFENSPERGER: That's -- that's a correct
13 statement that I just made. That it's the county election
14 director that's responsible for training --

15 MR. JONES: I'm -- I'm not sure about that, Mr.
16 Secretary, but regardless -- regardless of who does the
17 training, there's a lack of oversight into the process.

18 MR. RAFFENSPERGER: Obviously. If there's no other
19 questions, one -- one of my takeaways from this is -- I
20 think the Board members were alluding to it, but we had
21 the consent agreement to establish accountability. You
22 looked at what happened in June versus where we are today.
23 There has been improvement, but that doesn't mean it's
24 acceptable even today, and I think -- you also -- I
25 believe the consent agreement was violated by Fulton

1 County. They did not fulfill all of the stated objectives
2 that we required, and so therefore, I would submit to the
3 Board that the State Election Board still has an
4 outstanding issue with Fulton County, and I believe that
5 our General Counsel and the Attorney General's Office can
6 circle back with Fulton County so that they have a new
7 county election director that they'll be hiring, looking
8 at a team, but I think that it is in the State's interest
9 that -- that we do have influence and make sure that we
10 are going to have continued improvements in there. We
11 have 159 counties, but Fulton County represents over ten
12 percent of the voting population, and the rest of Georgia
13 wants things improved, so Mr. Carter, I believe -- Mr.
14 Carter.

15 Mr. Carter Jones, I do appreciate everything you've
16 done. You've put eyes into it, 270 hours. You were there
17 until 2 o'clock in the morning, and so I'm very grateful
18 that, you know, the consent degree allowed us to bring you
19 on board, and you were really able to observe things and
20 really help facilitate at some points, lending your
21 expertise, but I do think, Board members, that we have
22 authority, that we can continue to make sure that there's
23 further improvements for the upcoming election cycles. I
24 don't know if Mr. Germany wants to add any comments to
25 that at this time, but I think that's one thing I would

1 like to circle back with all the Board members, perhaps
2 next week.

3 MR. GERMANY: Yes, sir. This is Mr. Germany. This
4 is Ryan Germany. With -- and I think that's a good point
5 that the consent agreement that we entered into, you know,
6 set out basically milestones that Fulton agreed to meet
7 and thought they could meet, and as Carter said, they --
8 they did -- first of all, as Carter said, we did see --
9 and the Secretary said -- we saw a lot of improvement from
10 June, but there were things that they thought they would
11 be able to do that they fell short on. The consent
12 agreement has a \$50,000 civil penalty, you know, if that
13 occurs, that's waived if they basically reach all those
14 milestones. I think from reading Carter's report while
15 there was improvement, and while they did meet many of
16 those milestones, they did not meet all of the milestones.
17 With the permission of the Board, I would like to -- to
18 reach out to their counsel and talk about how to best, I
19 think, deal with that remaining issue. It might be,
20 rather than a civil penalty, to continue the type of
21 monitoring that Carter has done or something like that
22 that can kind of continue the road to improvement that --
23 that we're seeing, and that's something I'd be happy to do
24 if that's the will of the Board.

25 MR. MASHBURN: This -- this is Matt Mashburn. On

1 those -- on those comments, I've been monitoring elections
2 for 30 years, and it's always Fulton. It's always been
3 Fulton. It always goes down to Fulton, and so the Board
4 puts on this monitor and for the first time ever in 30
5 years, we see dramatic and remarkable improvement, so
6 clearly, that was the right thing to do, and clearly, it's
7 the right thing to continue to do going forward, so I
8 don't -- I don't believe they fulfilled all of their
9 obligations to relieve them of the \$50,000 penalty, and I
10 don't think they're ready to be relieved from the Board's
11 oversight either, so I agree with Mr. Germany that the
12 Secretary of State's Office and Fulton County and the AG's
13 Office should figure out how -- how they recommend we
14 proceed in continuing this progress because while, you
15 know, everybody's always said that it was good progress,
16 but it's not enough. But -- but my comment is for the
17 first time in 30 years, there finally was progress when --
18 when we took -- when we took the bull by the horns and
19 installed the monitor, we finally got movement in the
20 right direction. So that's my comment.

21 MR. RAFFENSPERGER: Was that a comment or was that a
22 motion?

23 MR. MASHBURN: I'll make a motion that the -- I'll
24 make a motion that the AG and the Secretary of State's
25 Office and Fulton County come together with a proposal to

1 continue the consent order.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. LE: I'd like to -- this is Anh Le. I'd like to
4 make a friendly addition to that motion in the sense that
5 Fulton County has been in the elections business for a
6 long time. I'm very interested in knowing what their
7 thoughts in terms of how they best proceed as well and
8 take ownership of some of the changes as opposed to
9 relying on the Secretary of State's Office or the AG
10 coming in, expending its resources to tell them what's
11 wrong. I think that they probably also have some
12 suggestions. I'd like to know how they think they can
13 proceed forward and whether it means reaching out to other
14 counties, getting best practices, and taking some
15 ownership of how to proceed forward as well.

16 MR. RAFFENSPERGER: Mr. Mashburn, I don't know if
17 that means amending your motion -- your motion.

18 MR. MASHBURN: Yeah. I'm -- I'm trying to figure
19 out.

20 MR. GERMANY: And Mr. Secretary, counsel for Fulton
21 County is on, if we'd like to hear from them as well.

22 MR. RAFFENSPERGER: Please. Who speaks for Fulton
23 County?

24 MS. RINGER: This is Cheryl Ringer with the office of
25 the Fulton County attorney. I would just like to state

1 that we have not seen Mr. Jones' report and so to have an
2 open session like this where Fulton County is not able to
3 even respond to a report it hasn't seen does not seem to
4 be fair, so I would like the opportunity to obtain the
5 report and then provide Fulton County's comments at a
6 later date.

7 MR. GERMANY: So Ms. Ringer, this is Ryan. The
8 report was approved by the counsel that Fulton County had
9 representing the Board in this case, and also, it was
10 presented to the Fulton County Board of Elections at their
11 meeting.

12 MS. RINGER: It was presented -- it was presented --
13 I'm sorry. It was presented to the Board, but I, as
14 counsel, have not seen it, and the counsel that initially
15 worked with you all is not present at this meeting, so I'm
16 just saying I can't speak because I haven't seen it, and
17 the counsel you're saying has seen it is not present.

18 MR. RAFFENSPERGER: We have a State Election Board
19 meeting next week. Mr. Mashburn, if you'd be agreeable, I
20 would like to put this matter on the agenda for next week,
21 along with the cases that will be presented, and there can
22 be a discussion at that time. In the meantime, the
23 Attorney General's Office and our General Counsel can have
24 discussions with Fulton County's counsel. Does that work?
25 And that will then give everyone an opportunity to ramp

1 up, if that's agreeable to all parties concerned today.

2 MS. RINGER: Thank you, Mr. Secretary.

3 MR. MASHBURN: Yes, Mr. Secretary. I'll withdraw the
4 motion, and we'll -- we'll bring it up for next week's
5 meeting.

6 MR. RAFFENSPERGER: Thank you. I do want to --
7 before we move onto the cases, I do want to -- I do want
8 to make two points. One is Mr. Carter Jones said in his
9 letter at no time did I ever observe any conduct by Fulton
10 County election officials that involved dishonesty, fraud,
11 or intentional malfeasance, nor any other fraudulent
12 conduct that would undermine the validity, fairness,
13 accuracy of the results published and certified by Fulton
14 County. That said, however, there is a high level of
15 distrust because of the other issues that Carter Jones
16 discusses with lack of management competency, and it
17 creates the lack of confidence in results from Fulton
18 County, and that's why it's a critical issue.

19 I understand that perhaps none of this happened, and
20 it didn't affect the outcome of the election, but it
21 created tremendous distrust not just, you know, in Georgia
22 but throughout the entire country because of the national
23 significance of the presidential election. And therefore,
24 it is very important that we continue to make sure that
25 the Fulton County Election Board and the Fulton County

1 election system, you know, gives Georgia, gives residents
2 of Fulton County but all of Georgia, solid elections, that
3 we know that they're honest and fair elections, with the
4 appropriate amount of both accessibility and security that
5 we can trust the results, and that's where we need to move
6 forward. So I look forward to having those discussions in
7 detail next week.

8 MR. WORLEY: Mr. Secretary, this is Mr. Worley.
9 Could I add something?

10 MR. RAFFENSPERGER: Yes, sir.

11 MR. WORLEY: I don't -- I don't dismiss your concerns
12 about the operations of Fulton County's election system,
13 but I think we have to point out that the reason that
14 there is distrust of the results from Fulton County has,
15 for the most part, nothing to do with the items that Mr.
16 Jones has pointed out. The reason there is a distrust of
17 the election system is because one figure in the country
18 spent months and months and months sowing distrust of the
19 election system. That is not going to be solved by
20 tinkering with Fulton County's election process. That's
21 all. Thank you.

22 MR. RAFFENSPERGER: Okay. Our first thing up on the
23 agenda is section 2 -- 3, investigation reports, the
24 consent cases.

25 MS. WATSON: Yes, sir, Mr. Secretary. This is

1 Frances Watson. Do you -- is the will of the Board to
2 vote en bloc or have any of the consent cases pulled out
3 for presentation?

4 MR. RAFFENSPERGER: Members, what is your will? Mine
5 would be to vote en bloc, unless you'd like to have some
6 cases pulled out.

7 MR. MASHBURN: This is Mr. Mashburn. I have no cases
8 to be pulled out.

9 MR. RAFFENSPERGER: Can I -- Can I hear that again?

10 MR. MASHBURN: I have no cases to be pulled out, Matt
11 Mashburn.

12 MR. RAFFENSPERGER: Mr. Worley, did I hear you?

13 MR. WORLEY: Yes. Neither do I, and I would make a
14 motion that we follow the recommendation of the
15 investigative department and dismiss the consent cases en
16 bloc.

17 MR. RAFFENSPERGER: Do we have a second?

18 MS. SULLIVAN: Rebecca Sullivan, I'll second.

19 MR. MASHBURN: Second.

20 MR. RAFFENSPERGER: Okay. Do we have any -- do we
21 have any discussion? Hearing none, all those in favor of
22 accepting the motion as presented, signify by saying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.

25 Okay. The next set are the letter cases.

1 MS. WATSON: Yes, sir. If there is not any to be
2 pulled out, we can vote en bloc on those also.

3 MR. RAFFENSPERGER: What is the will of the Board?

4 MR. WORLEY: Mr. Secretary, this is Mr. Worley. I
5 make a motion that we follow the recommendation of the
6 investigative department and send a letter of instruction
7 in the four cases that are on the letter case agenda.

8 MR. RAFFENSPERGER: Okay. Do we have a second?

9 MS. SULLIVAN: Rebecca Sullivan, I second.

10 MR. RAFFENSPERGER: Do we have any further
11 discussion? Hearing none, all those in favor of accepting
12 the motion as presented, signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Any opposed? Motion carries.
15 Okay. New cases and Ms. Watson, before we get started,
16 probably around 10 o'clock, we'll take our first five-
17 minute break, and then we'll, you know, come back, and
18 then we'll go on and try to take a break every hour. I
19 understand feedback was that we didn't take enough breaks
20 sometimes, so I want to be respectful of all of our Board
21 members. So new cases, SEB case 2016-076, Hancock County.

22 MS. WATSON: Yes, sir. Before we start with those
23 cases, the last meeting on the 10th, the Board -- I
24 presented Gwinnett County, 2020-115, and this was the case
25 where the individual had received two ballots and had

1 posted on NextDoor the ballots for sale. The Board had
2 requested to find out why he received two ballots. I did
3 reach out to Gwinnett County and have a response from
4 them, if this would be the appropriate time for that
5 update.

6 MR. RAFFENSPERGER: Yes, it would be.

7 MS. WATSON: Okay. Gwinnett County says they did
8 enter the request for the absentee ballot into the
9 spreadsheet for the vendor to issue. They do have a
10 situation where if there is a change at the same time that
11 they are issuing the ballot that it will sometimes create
12 an additional line to issue a second ballot. The regular
13 practice is to check that spreadsheet for duplicates and
14 remove any duplicates. In this particular case, that was
15 missed on the part of the County, and it slipped through,
16 and two ballots were issued in error by the County. The
17 recommendation at the time still stands for a letter of
18 instruction for Mr. Wilowski [ph.] in reference to posting
19 the ballots for sale on NextDoor.

20 MR. RAFFENSPERGER: Okay. What is the will of the
21 Committee, the Board?

22 MR. MASHBURN: Yes. This is -- this is Matt
23 Mashburn. Since we -- since we now found out that he
24 really did have two ballots, and he really -- so that he
25 could have done what he said he was going to do, to me

1 that changes -- that changes the -- that changes it. If
2 he didn't have two ballots and said I've got two ballots
3 for sale, that's -- that's a joke, and I get that. A bad
4 joke, like saying you have a bomb like you're going
5 through the airport is a joke, a terrible joke. But here,
6 he actually had two ballots, so I don't agree that a
7 letter of instruction is -- is the proper remedy, so I
8 think -- I think I would recommend -- I would make a
9 motion that we refer this to the District Attorney for
10 illegal possession of a ballot.

11 MR. RAFFENSPERGER: Do we have a second?

12 MR. WORLEY: This is Mr. Worley. I would second
13 that.

14 MR. RAFFENSPERGER: Do we have any comment from any
15 of the Board members?

16 MS. SULLIVAN: That motion is for illegal possession
17 of a ballot, where he did not request -- just to verify,
18 did he request two ballots, or were those sent by the
19 County in error?

20 MS. WATSON: Those were sent -- they were sent by
21 error.

22 MS. SULLIVAN: So he was in possession of two
23 absentee ballots by -- I mean, no fault of his own,
24 correct?

25 MS. WATSON: Correct.

1 MR. MASHBURN: Yeah, but this -- but rather than take
2 the two ballots to the County and say hey, you've issued
3 two ballots to me incorrectly, he put them up for sale.

4 MR. RAFFENSPERGER: Mr. Mashburn's point is well
5 taken. Do we have any other comments?

6 MR. MASHBURN: Yeah, and I think -- go ahead.

7 MS. SULLIVAN: I was just going to say was the
8 Respondent notified that we would be considering this case
9 again today?

10 MS. WATSON: Yes, sir [sic]. He was. I'm sorry.
11 Yes, ma'am. He was notified. I sent him an email.

12 MS. SULLIVAN: And yet he is not here today to speak?

13 MS. WATSON: Is he -- he is not on the line.

14 MS. SULLIVAN: Thank you.

15 MR. RAFFENSPERGER: Any other comments?

16 MS. LE: Yes, this is Anh Le. Mr. Mashburn, your
17 motion is just to the DA and not to the DA and the AG's
18 Office; is that correct? Or do we want to go send it to
19 the --

20 MR. MASHBURN: Correct. Yeah. My motion is to go
21 straight to the DA. I think we get a choice -- we have a
22 choice to do one or the other or both, so I -- I think
23 your -- I think what I'm picking up from your question is
24 that you -- you would like for me to amend the motion to
25 say both the AG and the DA, Anh Le?

1 MS. LE: I'm thinking that because, you know, the
2 District Attorney has their own authority and discretion
3 on what to do with any case that we send over, so I -- I
4 would also like to have us take a look at it -- or the
5 AG's Office take a look at it as well, please.

6 MR. MASHBURN: Okay. So David, David, is that okay
7 with you if we -- if we amend the motion that you seconded
8 to include that?

9 MR. WORLEY: Yes, that's fine.

10 MR. MASHBURN: Okay. With Anh Le's amendment, I
11 restate my motion to send this to the AG and the DA.

12 MR. RAFFENSPERGER: And Mr. Worley has seconded that.
13 Any further comment? Hearing none, all those in favor,
14 signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.
17 Thank you, Ms. Watson, for bringing that before us.

18 MS. WATSON: Yes, the next case is 2016-076, Hancock
19 County. In May 2016, Mr. Henry Lee Robinson [ph.] alleged
20 that coroner candidate Audrey Ingram had filed a false
21 affidavit listing his residence in Hancock County for two
22 years. He based his assumption on property records in his
23 name, voter registration dates. The second allegation
24 came from Marion Warren who reported that Davoris Lamar's
25 [ph.] picture had been circulated in the polling places

1 and poll workers had been instructed not to allow him to
2 assist voters. Complainant Marion Warren also stated he
3 tried to enter the District 3 polling area, the Mayfield
4 Human Development Center, and was told that he couldn't
5 enter. The poll manager, Jocelyn Hough [ph.], prevented
6 him from entering the polling precinct. Allegation 4, the
7 complainant reported that her disabled aunt and uncle were
8 told by Hancock County Registrar's Office that they would
9 not be allowed to receive an absentee ballot to a P.O. box
10 that is not the address where they are registered.

11 The fifth allegation was the complainant reported
12 that during the counting of absentee ballots, the process
13 slowed down, and there seemed to be problems with the
14 ballot reader. The observers during this process were Gen
15 -- Jim Youmans, a BOER board member observing for the
16 Republican party who is now deceased, and Peggy Lewis, an
17 observer for the Democratic party. Each said they
18 witnessed quite a number of ballots that had been
19 fraudulently changed.

20 Investigation revealed in the first allegation, the
21 County held a hearing to determine the qualifications of
22 Mr. Ingram and determined he was qualified, and he could
23 remain on the ballot. As to allegation 2, poll workers
24 denied that any photos were passed around or turning away
25 Mr. Lamar from any precinct. There was [sic] no

1 supporting witnesses located to confirm that complaint.

2 In allegation 3, poll workers did prevent Mr. Warren and
3 Helen Butler from entering precinct 1B, as they believed
4 only voters and authorized poll watchers were allowed to
5 enter. In allegation 4, Tiffany Neal, the Elections
6 Supervisor at the time, states there would be no reason to
7 deny sending an absentee ballot to a P.O. box, and they do
8 so frequently.

9 In allegation 5, there was no evidence to
10 substantiate the claim. However, witnesses did state that
11 there was an unusually higher number of absentee ballots
12 that had more than one candidate marked in a particular
13 race. However, no individuals could advise who may have
14 made the changes. When the investigator went to review
15 the absentee ballots, it was determined that the majority
16 of the marked absentee ballots were missing, and all of
17 the voter certificates were missing. We recommend that
18 Hancock County Board of Elections and Registration,
19 Tiffany Neal, and Jocelyn Hough be referred to the
20 Attorney General's Office for violation of SEB rule 183-1-
21 12-.02(4), when poll manager Jocelyn Hough refused to
22 permit Marion Warren and Helen Butler to observe voting at
23 the Hancock Human Development Center, and also Tiffany
24 Neal and Hancock County Board of Elections and
25 Registration for violation of 21-2-500(a), in failure to

1 retain and secure the absentee ballots and the voter
2 certificates at the Hancock County Superior Court clerk.
3 And there is someone on the line to speak.

4 MR. RAFFENSPERGER: Okay. Who's here to speak from
5 Hancock County?

6 MS. GRANT: Good morning. Good morning. My name is
7 Andrea Grant. I am the attorney for the Board of
8 Elections and Registration, and I can't really speak to
9 Jocelyn Hough, Tiffany Medlock, aka Neal, situation about
10 refusing to allow Marion Warren and Helen Butler observe
11 because Tiffany Medlock/Neal resigned on July 5th, 2016,
12 and her last day on the job was August 9th, 2016.

13 However, it's the Board's opinion that if they refused
14 access that was outside the scope of their authority, and
15 the Board shouldn't -- they should have known, and the
16 Board should not be held responsible for their actions.

17 The next -- the next violation is a little more
18 complex. As many of you know, the courthouse in Hancock
19 County burned in 2014. The Clerk of Court was located at
20 a nearby technical college in a very small room. Some of
21 their records were stored in that small room. Some of the
22 records were stored in -- they had a makeshift courtroom,
23 and then they had another locked room where some of the
24 records were stored, so when the election happened -- this
25 allegation is May 24th, 2016 -- the voter certificates and

1 absentee ballots were not in the Clerk of Court's office.
2 The Clerk -- Clerk of Court was in the technical college,
3 and their records were kept in various places. It wasn't
4 until August 11th, 2016 after the election and after
5 everything had been submitted to the Clerk of Court that
6 they moved to their current location at the courthouse
7 after it was rebuilt.

8 According to the investigative report, a court order
9 around April 7th, 2018 was presumably served on the clerk.
10 However, to our knowledge, nobody on the BOER, the Board,
11 was notified about the service on the clerk or had an
12 opportunity to work with any investigator or the Clerk of
13 Court to locate any missing records, or -- I don't -- I
14 don't know what the missing records were. The Chairman --
15 but the Board did try to take action once we received this
16 -- this notification for this case, Chairman Ingram was
17 tasked with meeting with the Clerk of Court to seek more
18 information. However, he died, unfortunately, of COVID on
19 February -- just very recently, February 9th, 2021, prior
20 to reporting back to me or to the Board on his
21 conversations with the Clerk of Court.

22 Because I represent the County as a whole and not
23 just the -- I mean, I do not represent the County as a
24 whole. I only represent the Board of Elections and
25 Registration. So ethically, I've -- I feel like I cannot

1 directly contact the clerk of court, and due to the
2 passing of Mr. Ingram -- did not have an opportunity to
3 have a full conversation with the attorneys for the Board
4 of Elections and Registration.

5 Now, the Board of Elections and Registration is not
6 trying to blame the clerk of court for the missing items,
7 rest assured, but the items could have been stored in
8 several locations at the temporary facility. The Board of
9 Elections and Registration was not the entity that
10 actually moved the records, and it's highly possible that
11 these items were misplaced, misidentified, mismarked in
12 transit. In other words, basically, the chain of custody
13 cannot be ascertained to any certainty. So in light of
14 these unusual circumstances, the BOER requests -- and no
15 actual evidence of malfeasance of the BOER, the BOER
16 requests a letter of reprimand in this matter for the
17 second count.

18 MR. RAFFENSPERGER: Thank you, ma'am. Members, any
19 questions for -- any of the Board members?

20 MS. WATSON: Also, Mr. Secretary, a Marion Warren is
21 on the line as well as Nancy Stephens.

22 MR. RAFFENSPERGER: Yes. Ms. Warren [sic], do you
23 have anything you'd like to add?

24 MS. THOMAS: You can unmute yourself. I'm sorry. Go
25 ahead. Unmute yourself again.

1 MR. WARREN: It's Mr. Warren, Secretary.

2 MR. RAFFENSPERGER: Oh, I'm sorry. I guessed -- the
3 first name. Okay.

4 MR. WARREN: It happened in the military too, so I'll
5 let you get away with that one.

6 MR. RAFFENSPERGER: I'm sorry. I see it. Got it.
7 Marion Campbell was a great football coach though, so
8 anyway, go ahead, Mr. Warren.

9 MR. WARREN: Yeah. Yes. The 2016 election, in my
10 opinion, probably has a lot of different fingers attached
11 to it because I called it -- watching it, I called it the
12 worst debacle I've ever seen in my whole life. There were
13 things being done that were absolutely -- and I understand
14 the fact that the two individuals, particularly Ms. Hough,
15 I understand that at this particular point -- this is a
16 four-year old case, and I do understand that, but there
17 was no reason for her to prevent -- the law has been in
18 effect for quite a long time giving observers the right to
19 enter into a poll place. It just didn't get written in
20 2016, so I can't very well just walk away from that and
21 say so it's okay. Maybe it was a mistake. I don't think
22 that it was. I think that, you know, I think that at some
23 particular point some redress should be done or something,
24 probably a letter of reprimand either/or pass it on
25 because that's not -- when it comes down to the public

1 opinion and paying attention to the voting process, I
2 think that should be welcomed rather than rejected. I'm
3 finished.

4 MR. RAFFENSPERGER: Thank you, sir. Members, do you
5 have any questions for anyone? What is the will of the
6 Board?

7 MS. LE: Just -- this is Anh, Anh Le. With respect
8 to the -- Ms. Eveler's [sic] first comment about the Board
9 not being responsible for the individual actions of their
10 poll workers, on that note, on that first item, I
11 recommend -- or I make a motion to have a consent order
12 with the County to ask all -- to provide evidence of
13 proper training going forward of their poll managers to
14 prevent this from happening again. I think that this is
15 from a 2016 case, so to send this to the Attorney
16 General's Office in my opinion may not accomplish what we
17 would want which is a change in practice and to ensure
18 that it doesn't happen again, so I feel that a consent
19 order with the County ensuring training in this manner
20 would be more effective.

21 On the second issue, the ballot -- yeah, the absentee
22 ballots being moved, because of the fire and the difficult
23 that that presented, I would make a motion for a letter of
24 instruction. But I will comment that to Ms. Eveler's
25 [sic] point that she could not reach out to the Clerk of

1 Court, you know, even if you don't have jurisdiction over
2 that office or a formal relationship, there's always an
3 opportunity to pick up the phone in cases where it affects
4 your everyday business as well. So -- but I still would
5 make a motion to issue a letter of instruction on the
6 second item.

7 MR. RAFFENSPERGER: Do we have a second?

8 MR. MASHBURN: Second, Matt Mashburn.

9 MR. RAFFENSPERGER: Do we have any further comments?
10 Hearing none, all those in favor of the motion as
11 presented, signify by saying aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed?

14 MR. GERMANY: Mr. Secretary? Mr. Secretary, hang on.
15 This is Ryan.

16 MS. WATSON: Nancy -- Nancy Stephens is also on the
17 line in reference to this case. I believe she wishes to
18 speak.

19 MR. RAFFENSPERGER: Okay.

20 MS. LE: Oh, my apologies.

21 MS. STEPHENS: Can you hear me okay?

22 MR. RAFFENSPERGER: Yes.

23 MS. STEPHENS: Okay. I would like to hold my
24 comments for case number 2020-018, if I may, please?

25 MS. WATSON: Okay. Thank you.

1 MR. RAFFENSPERGER: Okay. Okay, fair enough. All
2 those in favor -- I think we voted, did we not? And there
3 were no opposed? Motion carries. Okay. Do we want to
4 take a break now? It's after 10, and come back at 10:15.
5 Does that give everyone enough time for a short break?

6 MS. LE: Yes. Mr. Secretary, this is Anh Le. I just
7 wanted for the record -- I'll be stepping off this meeting
8 for a scheduling conflict that I have, and I'll come back.
9 When I do approximately in an hour, I'll announce it for
10 the record.

11 MR. RAFFENSPERGER: Thank you so much.

12 (Meeting break)

13 (Meeting resumes)

14 MR. RAFFENSPERGER: Okay. Next case.

15 MS. WATSON: Okay. Case 2016-090, Peach County,
16 absentee ballots. Several complaints were received
17 regarding Peach County elections concerning the May 24th,
18 2016 general primary election. The first allegation was
19 not getting out absentee ballots sufficiently in that the
20 elections supervisor was campaigning for certain
21 candidates and previously in 2015, that she did not
22 certify the election in a timely manner, and she would
23 call registered voters while working and encourage them to
24 come and vote. The second allegation: during a poll
25 monitoring conducted during early voting, it was reported

1 that four out of 19 absentee ballots did not have the date
2 signed. They were received, recorded, and were not signed
3 and approved by the Peach County election supervisor. It
4 was also reported that DRE machines were not locked with a
5 cable or another locking device. The third allegation was
6 a probate court judge candidate reported that two people
7 reported her name was not on their ballots when they went
8 to vote.

9 The fourth allegation was Peach County Sheriff Terry
10 Deese reported that during the May 24th, 2016 election and
11 absentee ballot processing, after the election, it was
12 reported that the door to the room where the election
13 documents including absentee ballots were located was not
14 considered secured as several courthouse employees have a
15 key to it. He estimated approximately one hundred, plus
16 or minus, keys to that room had been distributed.

17 Investigation revealed as to the first allegation,
18 the complaint was anonymous, and no evidence was located
19 to substantiate the complaint. In the second allegation,
20 poll workers provided conflicting information regarding
21 the DRE machines being secured with a locking device. Due
22 to the conflicting information, the allegation was not
23 substantiated. A review of the absentee ballots confirmed
24 that they were all marked with the date/time received as
25 signed by the election supervisor. Martha Gossier stated

1 that she completed the information on the absentee ballots
2 after it was brought to her attention during the poll
3 inspection.

4 The review of the election documents revealed 48
5 advance voting applications were accepted and processed.
6 When the applications were incomplete, 8 absentee ballot
7 envelopes were processed when they did not complete all
8 the necessary information. 58 voter certificates were
9 processed improperly, and 54 had no names, initials, or
10 signature of the poll officer receiving the voter
11 certificate. 21 had no type of identification of the
12 elector provided. 3 had no current address of the
13 elector. One had no elector's date of birth, and one, no
14 signature of the elector.

15 In allegation three, there was no evidence located to
16 substantiate the violation. As to allegation four,
17 investigation indicated the door to the room containing
18 election documents, which included voted absentee ballots,
19 was found unlocked with election documents unattended on
20 multiple occasions between the 24th and 26th of May, and
21 also, that the -- there were approximately 100 keys to the
22 room that had been distributed, making it an unsecure
23 location.

24 We're recommending Peach County Board of Elections
25 and Registration, Marcia -- Marcia Gossier, former interim

1 Peach County Elections Supervisor be bound over to the
2 AG's Office for Board rule -- SEB rule 183-1-14-.02(10),
3 when after absentee ballot applications were submitted,
4 the registrar failed to note the voter's registration
5 number on the application, 35 counts, and 21-381(a)(1)(c),
6 when she accepted and process an absentee ballot
7 application for Maria White Hill [ph.] that did not have
8 the relation of the relative requesting the ballot written
9 on it, and 21-2-500(a), after the absentee ballots were
10 tabulated, they were not placed into a locked ballot box
11 or transferred to locked ballot box bags. The room where
12 the ballots were kept was found unsecured and unattended
13 within the courthouse on May 25th and 26th. And Peach
14 County Board of Elections and Registration, Marcia
15 Gossier, Bonnie Bartley [ph.], and Sylvia Malone [ph.] in
16 reference to 21-2-451, execution of voter certificates,
17 when the poll worker failed to sign his or her name or
18 initials on voter certificates filled out by the electors
19 on the May 24th, 2016 general primary election, 54 counts.

20 MR. RAFFENSPERGER: Thank you.

21 MS. WATSON: There is no one on the line to speak.

22 MR. RAFFENSPERGER: Okay. Do we have any questions
23 from any of our Board members? Hearing none, what is the
24 will of the Board?

25 MR. WORLEY: Mr. Secretary, this is David Worley. I

1 make a motion that we bind this case over to the Attorney
2 General.

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

4 MR. MASHBURN: Second, Matt Mashburn.

5 MR. RAFFENSPERGER: Do we have any comment? Hearing
6 none, all those in favor binding this over to the Attorney
7 General, please do so by signifying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.
10 Next case?

11 MS. WATSON: Next case is 2016-110, Long County, and
12 I was contacted by an attorney for Harriet Smith who is
13 one of the Respondents in this case and requested that her
14 portion be continued to a later date, as she had a death
15 in her family, and that request was granted, but we will
16 proceed with the other Respondents.

17 MR. RAFFENSPERGER: Okay.

18 MS. WATSON: In July 2016, the following allegations
19 were reported. In allegation one, the complainant who was
20 a candidate in Long County heard from numerous sources
21 that the opposition was paying individuals to vote, \$10
22 for absentee ballots. There were no witnesses or
23 corroborations found in that allegation. The second
24 allegation, the complainant reported that 18 ballots were
25 being mailed to P.O. Box 736, which was not regist -- a

1 registered address for the individuals. The P.O. Box
2 belonged to Harriet Smith, the complainant's opponent's
3 mother, and Robert Harrison Smith.

4 The third allegation, the complainant reported that
5 Bobby Smith and Judy Brooks went to the Sandalwood
6 Community in Ludowici, Georgia, giving away pizzas and
7 getting residents to apply for absentee ballots. The
8 fourth allegation, the complainant reported that one
9 voter, Ronnie Johnson, stated Leonard Pool [ph.] built the
10 steps on his residence and Bobby Smith paid for them. He
11 also reported that Bobby was bringing him an absentee
12 ballot. The fifth allegation, the complainant stated that
13 County Commissioner Clifton Deloach, who is Bobby Smith's
14 uncle, voted on July 5th, 2016 in a runoff. He was at the
15 Long County courthouse and the registrar's office many
16 times during early voting after he had already voted.

17 During the investigation, it was discovered that
18 Yarissa Andrea Velazquez Gomez [ph.] and her sister Brenda
19 Velazquez Gomez [ph.] had lived at the Harriet Smith group
20 home in Ludowici, Georgia. According to Election Net, the
21 sisters registered to vote and voted in the 2014 and 2016
22 elections in Long County, which included the July 26, 2016
23 general primary runoff election. Both Yarissa and Brenda
24 were born in Mexico, were permanent residents, but were
25 not U.S. citizens.

1 Investigation revealed allegations one, three, four,
2 and five could not be substantiated. In allegation two,
3 it was revealed that Harriet Smith, the mother of the
4 candidate, did list her post office box in the space for
5 out of county address on the listed absentee ballot
6 applications so that she could make sure they received
7 ballots. During the investigation, it was also verified
8 that two individuals that were not U.S. citizens were
9 registered to vote and voted. Both individuals had stayed
10 at Harriet Smith's group home in Ludowici. Harriet Smith
11 advised that she believed when the girls received their
12 green cards and became permanent residents that they could
13 register to vote. Both individuals, Yarissa and Brenda
14 Velazquez Gomez, denied that they registered or voted in
15 the election.

16 We're recommending Yarissa Andrea Velazquez Gomez and
17 Brenda Velazquez Gomez be bound over to the AG's Office
18 for 21-2-216(a) and 21-2-216(g). Also recommending Long
19 County Board of Elections and Registration, Sierra
20 Hamilton, the former Elections Supervisor be bound over to
21 the AG's Office for 21-2-226(a) and also SEB rule 183-1-
22 06.

23 MR. RAFFENSPERGER: Okay. Do we have any of the
24 Respondents here to speak on their behalf?

25 MS. WATSON: I believe Teresa Odom is on the line to

1 speak to this case.

2 MR. RAFFENSPERGER: Okay. Ms. Odom?

3 MS. THOMAS: You may unmute yourself. Ms. Odom, you
4 may unmute yourself.

5 MS. SULLIVAN: I believe Ms. Odom commented that she
6 did not wish to speak.

7 MR. RAFFENSPERGER: Okay. Board members, do you have
8 any questions or comments? Hearing none, what is the will
9 of the Board?

10 MR. WORLEY: This is Mr. Worley. I'd make a motion
11 that we bind the case over to the Attorney General.

12 MR. RAFFENSPERGER: Okay. Do we have a second?

13 MR. MASHBURN: Second, Matt Mashburn.

14 MR. RAFFENSPERGER: Okay. Any comment? Hearing
15 none, all those in favor of binding case 2016-110 over to
16 the Attorney General's Office, do so by signifying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.
19 It's bound over. Next case?

20 MS. WATSON: Next case is 20 -- 2017-002, Fulton
21 County. On January 4th, 2017, we opened an investigation
22 into the complaints of three electors that alleged they
23 had not received their requested absentee ballots for the
24 November 8th, 2016 general election. Elector Eileen Gray
25 [ph.] alleged that she applied in late August or early

1 September for an absentee ballot for the November 8th,
2 2016 general election. The application submitted directed
3 the ballot be mailed to Ms. Gray at college in Belmont
4 University, Nashville, Tennessee. The ballot received,
5 after making original applications, was in the name of
6 another person. Numerous follow-up contacts with Fulton
7 County Elections Office by Ms. Gray and her father, Robert
8 Gray, resulted in a second replacement ballot being
9 mailed, which was never received. A third ballot was sent
10 via overnight, with that ballot arriving late, and
11 remained questionable if it arrived back to Fulton County
12 Elections Office in time to be counted.

13 Elector Ava Simone Sinneburger [ph.] alleged that she
14 applied for an absentee ballot for the November 8th, 2016
15 general election, and the ballot was never received.
16 Elector Sasha Mitteraga [ph.] alleged that she requested a
17 ballot for the November 8th, 2016 general election, and
18 the ballot was never received.

19 Investigations showed as to Eileen Gray, the first
20 ballot was returned as undeliverable as no room number was
21 listed. The second ballot was mailed on 11/4 with the
22 room number, but so close to the election, it would be
23 difficult for the elector to receive the ballot. There is
24 no record the elector was able to cast the ballot during
25 the election. Fulton County was unable to provide the

1 absentee ballot application and affidavit of Ms. Gray, in
2 violation of 21-2-73. As to Ava Simone Sinneburger, in
3 interviewing Ms. Sinneburger further, she advised that she
4 could not be positive that she completed the absentee
5 ballot application online, and Fulton County has no
6 records of the application. As to Sasha Mitteraga, it was
7 confirmed that she submitted an application for absentee
8 ballot on 10/7/2016, and records indicate that Fulton
9 County did process the application and mailed it on
10 10/28/2016.

11 Our recommendation is for Fulton County Board of
12 Elections and Registration and Chief Registrar Ralph Jones
13 be issued a letter of instruction for a violation of 21-2-
14 73, as they failed to preserve records for 24 months for
15 Eileen Patricia Gray's original absentee ballot
16 application and affidavit that was required when she
17 reported that she had not received her requested absentee
18 ballot.

19 MR. RAFFENSPERGER: Okay. Thank you. Is anyone here
20 to speak?

21 MS. WATSON: Yes. Yes, sir.

22 MR. LOWMAN: Yes. This is David Lowman from the
23 office of the Fulton County attorney, and we would accept
24 the letter of instruction in the one allegation regarding
25 the failure to preserve the absentee ballot application.

1 However, with respect to the other two because of the
2 issues with the US Postal Service and the inability to
3 substantiate those allegations, we ask that they would be
4 dismissed as to Fulton County.

5 MR. RAFFENSPERGER: Board members, do you have any
6 questions for Ms. Watson or the attorney? What is the
7 will of the Board?

8 MR. MASHBURN: Just to make -- this is Matt Mashburn.
9 Just to make clear, so Fulton County is agreeing to
10 Frances' recommendation?

11 MR. LOWMAN: Yes, sir.

12 MR. MASHBURN: Correct? Okay. So Matt Mashburn, I
13 make a motion that we adopt Frances' recommendations and
14 issue a letter of instruction and dismiss the other two
15 cases.

16 MS. SULLIVAN: Second.

17 MR. RAFFENSPERGER: Okay. Any further comments? All
18 those in favor, signify by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Any opposed? Motion carries.
21 Next case?

22 MS. WATSON: Next case is 2017-015. On March 6th,
23 2017, Fulton County Deputy Elections Chief Sharon Benjamin
24 reported that a mayoral candidate for the City of South
25 Fulton, Robert Dalton the III, had been engaging voters in

1 conversation and handing out campaign literature within a
2 hundred and fifty feet of the poll and at one point had
3 entered the poll with a voter. Investigation revealed Mr.
4 Dawson was observed by the poll manager at the Wolf Creek
5 polling location engaging in conversation and passing out
6 campaign pamphlets in the parking lot of the polls within
7 a hundred and fifty feet of the polls. It was observed
8 that Mr. Dawson handed a voter a pamphlet and walked the
9 voter to the doorway of the voting room. Mr. Dawson had
10 been contacted and instructed regarding the no campaigning
11 restrictions earlier in the day by Dwight Brower with
12 Fulton County elections. We recommend Robert Lee Dawson
13 the III be referred to the Attorney General's Office for a
14 violation of 21-2-414(a)(1). I believe Mr. Dawson is on
15 the line.

16 MR. RAFFENSPERGER: Okay. Mr. Dawson?

17 MR. DAWSON: Hi, greetings. Can you all hear me?

18 MR. RAFFENSPERGER: Yes, we can, loud and clear.

19 MR. DAWSON: Okay, great. Thanks for your time, and
20 apologies in advance for this matter. This was a first
21 election for a new municipality. I was a vigorous
22 campaigner, and it should be noted that I was campaigning
23 against a former Fulton County Commissioner who ended up
24 being the mayor of the city, so everything I did was under
25 total scrutiny. The -- the dispute here is the fact that

1 originally the parking lot was fair game, and then we
2 showed up one day, and they had changed the border of the
3 parking lot, so, you know, if we'd been campaigning for a
4 week in one area, and then the next day, you tell us we
5 can't campaign in that area, we respected that as much as
6 possible.

7 Finally, I'd like to say that I'm a member of the
8 community, active. I'm on the zoning board of appeals,
9 appointed and confirmed by the mayor and all city council
10 members unanimously, and I would hate for this to taint my
11 otherwise clean record. I apologize if I have violated
12 anything, but again, there was mass confusion, and there
13 were so many candidates. There were 11 candidates. I'm
14 not even sure if they've identified the right candidate
15 who -- who supposedly walked to the door because I would
16 never do that disrespectfully, so I'm begging that you
17 guys will dismiss this case or at the max give me a letter
18 of instruction, but you have my word that nothing like
19 this would happen again, that it didn't happen
20 intentionally, and again, it was a new city, very hotly
21 contested race, and every little thing I did was under
22 scrutiny. When we had all kinds of serious violations, I
23 can't believe I'm on the mound for this one four years
24 later.

25 MR. RAFFENSPERGER: Board members, do you have any

1 questions for Mr. Dawson or for Ms. Watson? Okay.

2 Hearing none, what is the will of the Committee?

3 MR. MASHBURN: This is -- this is Matt Mashburn, and
4 the hundred and fifty foot protective bubble is -- is one
5 of my hot buttons, and so I understood -- I understand
6 that this, the Respondent here, was told not to interact
7 with voters within the hundred and fifty foot bubble and
8 continued, so we've just got to -- got to -- we've just
9 got to do whatever we can to restore the protective area
10 that's intended to protect voters from intimidation within
11 this hundred and fifty foot area, so I'm not of the mind
12 that a letter of instruction or a dismissal is warranted
13 here. Frances, did I understand correctly that your
14 recommendation was to bind this over to the AG? So I make
15 a motion to bind this over to the AG.

16 MR. RAFFENSPERGER: Do we have a second?

17 MS. SULLIVAN: This is Rebecca Sullivan. I will
18 second the motion.

19 MR. RAFFENSPERGER: Okay. Do we have any on the
20 motion now? It's before the Board. Hearing none, all
21 those in favor of binding this over to the Attorney
22 General, case number 2017-015, do so by signifying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Those opposed? Motion carries.
25 Next case.

1 MS. WATSON: Next case is 2017-023, Cobb County. On
2 April 17th, 2017, Cobb County reported that four express
3 poll units were stolen from the vehicle of a poll manager.
4 Poll Manager Greg Rogers parked his car in the parking lot
5 at 3595 Canton Road in Marietta, Georgia. Mr. Rogers went
6 into a Kroger store and was not sure if he locked the
7 vehicle. When he returned, the express polls were gone.
8 The police were notified. The suspects were identified
9 through fingerprints, and charges were filed for the theft
10 of the equipment. Interviews with the suspects determined
11 the express polls were thrown into a dumpster. The waste
12 management company advised that the machines would have
13 been compacted several times and transferred to the
14 landfill in Hogansville, Georgia and buried under several
15 tons of track. It was the opinion of the individual that
16 the units would be unsalvageable. We're recommend that
17 Cobb County Board of Elections and Registration, Elections
18 Supervisor Janine Eveler, and poll manager Greg Joe Rogers
19 be bound over to the AG's Office for a violation of 21-2-
20 379.9(a) and Board rule 183-1-12.02(2)(f), for failure to
21 secure the voting equipment. And I believe we also have
22 Janine Eveler on the line.

23 MR. RAFFENSPERGER: Okay. Ms. Eveler, would you like
24 to speak about this?

25 MS. EVELER: Yes, Secretary. The -- the Board of

1 Elections and myself as named as violations, we were not
2 at fault in this incident. The poll manager had signed
3 his chain of custody form when he took possession of this
4 equipment, and our poll -- poll manual says specifically
5 that he will complete the form and accept custody of the
6 equipment, and the poll manual also goes on to say under
7 the poll manager's responsibilities that they will store
8 all the equipment safely and securely at their home, and
9 then it goes on further to say do not leave in your car
10 the express polls. So, you know, we had procedures in
11 place at that time, and we have, in fact, increased our
12 awareness of letting the poll managers know that it is
13 their responsibility. We have to have the poll managers
14 pick up the equipment on Sunday or Monday prior to the
15 election so that they can get it there to the poll on
16 Tuesday morning, and so they are taking responsibility of
17 -- of the equipment.

18 Unfortunately, I -- you know, I know that everything
19 is our responsibility in the end. The buck stops with the
20 -- the Board and myself, but in this case, this event was
21 precipitated by the actions of the poll manager that were
22 against our policy, and unfortunately, there were
23 criminals that took advantage of that. Thank you.

24 MR. RAFFENSPERGER: Does Mr. Rogers still work as a
25 poll manager in Cobb County?

1 MS. EVELER: Not as a poll manager. No.

2 MR. RAFFENSPERGER: Well, thank you, Ms. Eveler
3 because I know that Cobb County has a record of running
4 very efficient and well-run elections.

5 MS. EVELER: Thank you, sir.

6 MR. RAFFENSPERGER: Any questions from any of the
7 Board members? If not, -- yes, Mr. --

8 MR. MASHBURN: This -- this is Matt Mashburn. Yeah.
9 I am satisfied with the explanation from Cobb County that
10 they had express instructions not to leave it in the car,
11 and so, had this been a different case where the person
12 didn't sign something that said I know I'm not supposed to
13 leave it in the car, I would have said well, maybe they
14 need to train better, like to a similar case that we had
15 earlier, so I'm satisfied with Cobb County's explanation
16 on this and move that the worker be bound over to the AG's
17 Office but that Cobb County be dismissed.

18 MR. RAFFENSPERGER: Do we have a second? Do we have
19 a second? Motion dies for lack of a second. This case is
20 before the Board again.

21 MR. WORLEY: Mr. Secretary, this is Mr. Worley. I
22 would make a motion that Cobb County be dismissed but that
23 a letter of instruction be sent to the former poll
24 manager.

25 MR. RAFFENSPERGER: Okay. Do we have a second on

1 that motion? I know Ms. Le has stepped out --

2 MS. SULLIVAN: This is Rebecca Sullivan. I --
3 because I believe in the past that we have -- in these
4 similar cases, we have generally held the Board and the
5 supervisor responsible in cases where, you know, it is due
6 to a poll manager's actions, I would make a motion that we
7 refer this case over to the AG's Office.

8 MR. RAFFENSPERGER: Okay. So you're not seconding
9 Mr. Worley's -- Mr. Worley's motion then?

10 MS. SULLIVAN: I am not.

11 MR. RAFFENSPERGER: Okay. And so Mr. Worley, your
12 motion has died for lack of a second.

13 MR. WORLEY: I'll second Ms. Sullivan's motion.

14 MR. RAFFENSPERGER: Ms. Sullivan, can you restate
15 your motion again?

16 MS. SULLIVAN: My motion would be to bind all three
17 of the Respondents over to the AG's Office.

18 MR. MASHBURN: And David seconded, and Matt Mashburn
19 agrees with it.

20 MR. RAFFENSPERGER: Okay. All those in favor,
21 signify by saying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. RAFFENSPERGER: Any opposed? Motion carries.
24 Next case?

25 MS. WATSON: Next case is 2017-025, Fulton County.

1 In April of 2017, a case was opened to determine if Fulton
2 County Board of Elections and Registration and the Fulton
3 County Registrar had completed voter registrations in
4 accordance with election code for the April 18th, 2017
5 federal special election. Investigation shows after
6 receiving questions from voters in Fulton County that
7 advised they had registered prior to the deadline and were
8 having problems voting in Fulton County, a case was opened
9 to review the process. It was found that there was a
10 large amount of voter registrations that were completed
11 online that were submitted prior to or on the day of the
12 registration deadline for the April 18th, 2017 election.
13 These voter registrations had not been processed by Fulton
14 County.

15 On April 19th, 2017, two voters advised they were
16 turned away. The first was a Mr. Blockter [ph.] who was
17 turned away due to a voter registration issue. He was not
18 listed but believed he was registered through DDS. It was
19 found that Mr. Blockter had submitted multiple
20 registrations and since they were not processed in the
21 order they were received, it resulted in his registration
22 remaining at a previous address on Roswell Road and not
23 the current address of Mitchell Road. The second was
24 Elizabeth Bleakley [ph.] who was turned away from the
25 polls. It was found that her voter registration was

1 submitted on March the 4th, 2017 and processed on April
2 the 17th, 2017, the day before the election. A call was
3 made to the Elections Office, and she was found to be an
4 eligible voter. Instead of allowing her to vote on the
5 DRE, she was provided a provisional ballot and while
6 trying to complete the ballot was told that she had to go
7 to the Elections Office to complete the provisional
8 ballot. She did not have time to go to the Elections
9 Office and did not complete the voting process.

10 Of the pending voter registrations submitted online
11 that were pending on the Fulton County dashboard, it was
12 found that a hundred and forty-five were submitted timely
13 by the March 20th, 2017 voter registration deadline for
14 the April 18th, 2017 special federal election. 91 of the
15 145 were unprocessed as of April 18th, 2017. 49 were
16 processed as of or shortly after the applicant elector
17 voted in that April 18th, 2017 election. 3 were pending
18 due to a street issue, and one was pending citizenship
19 verification. In the DDS registration applications for
20 Fulton County, it was found that there were 86 that were
21 submitted prior to the deadline of March 20th, 2017 and
22 would have been eligible for the April 18th, 2017
23 election. 47 of the 86 remained as unprocessed. 18 were
24 processed as of or shortly after the applicant voted in
25 the April 18th, 2017 election, and 21 remained pending

1 address issues.

2 Ralph Jones explained that due to several elections
3 being conducted at the same time that they were not able
4 to process the voter registrations due to a static
5 election file. Mr. Jones cited limitations due to 21-2-
6 234(i), and it should be noted that this code deals with
7 removing electors from the list, not adding them. And Mr.
8 Jones advised they made a printout of the voter
9 registration from the dashboard and provided them to the
10 poll workers at the poll and advised them to call to
11 verify the voter's eligibility if they showed up to vote.

12 Our recommendation is for Fulton County Board of
13 Elections and Registration and Chief Registrar Ralph Jones
14 be bound over to the AG's Office for 21-2-226(a) and 21-2-
15 418(a) and Board rule 183-12-.06(4). And I believe we
16 have Ralph Jones on the line.

17 MR. RAFFENSPERGER: Mr. Jones?

18 MR. JONES: Yes. Good morning, Secretary and Board.
19 This is Ralph Jones. Ms. Watson described the situation
20 very well. We had a March election. As we finished up
21 the March election which was held on March 21st, we began
22 to enter for the April election. Before we started to
23 enter, we were just on hold for a little while to make
24 sure that all of the credit for voting had been given to
25 the -- for the previous election, so once we discovered

1 that there were people who had not been processed, we
2 distributed that list over to our poll workers to try to
3 at least intervene from any problems that they might have
4 had on Election Day, but we eventually entered all the
5 applications as -- as soon as we began to find out that
6 there was a problem at that time. But we had to hold our
7 data entry, you know, for about up until the first week of
8 April to make sure that the credit for voting was given
9 from the March election, so that's how we tried to resolve
10 it by sending out a list to the actual polling places
11 because we knew that we wouldn't get it in in time. So if
12 there's any questions for me at this time, I'd be glad to
13 answer.

14 MR. RAFFENSPERGER: Board members, do you have any
15 questions for Mr. Jones or for Ms. Watson? What is the
16 will of the Board?

17 MR. MASHBURN: Well, this is Matt Mashburn. Anh Le
18 is still out of the meeting, correct?

19 MR. RAFFENSPERGER: Correct.

20 MR. MASHBURN: So I -- David and Rebecca can speak
21 for themselves on this, but while Anh is out, I'll go
22 ahead and channel Anh and say that a lawful voter being
23 turned away is the worst thing -- in the category of the
24 worst thing that can happen. And so I -- I move that we
25 bind this over to the AG as recommended by the -- by the

1 report of the investigator.

2 MR. RAFFENSPERGER: Do we have a second?

3 MS. SULLIVAN: Second.

4 MR. WORLEY: I --

5 MR. RAFFENSPERGER: We have a second. Any further
6 comments from any Board member? Hearing none, all those
7 in favor of binding over case number 2017-025 to the
8 Attorney General's Office, do so by signifying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.
11 Next case?

12 MS. WATSON: Next case is 2017-043, Hancock County.
13 During the November 7th, 2017 City of Sparta general and
14 special election, we received the following complaints.
15 Harold Lawson reported when Richard Allen Haywood and
16 James Clark attempted to qualify for the November
17 election, the city elections superintendent at the time,
18 Aretha Hill, advised they would have to pass a background
19 check. Harold Lawson reported a candidate named Paul
20 McGee [ph.] signed a notice of candidacy and affidavit
21 saying he was not in default of any taxes, but Paul McGee
22 had unpaid taxes. Richard Allen Haywood reported Bonnie
23 Andrews [ph.] gave permission for one of his campaign
24 signs to be placed in his yard. He advised a day later a
25 city employee went to Mr. Andrews' residence and told him

1 the sign needed to be removed if he wanted to keep his
2 water and natural gas on.

3 Marion Warren reported that during the November 3rd,
4 2015 City of Sparta election for mayor that candidate
5 Richard Allen Haywood signed the notice of candidacy and
6 affidavit saying he had not been convicted of any
7 felonies. He advised Mr. Haywood was found to be lying,
8 and he defended his lie for six months. Mr. Warren stated
9 the City of Sparta had to conduct a second election, and
10 he believe Mr. Haywood should not have been allowed to
11 participate in any election process until the matter was
12 addressed.

13 Investigation revealed Aretha Hill did add a
14 requirement that a criminal history background check be
15 provided by those wishing to qualify as a candidate.
16 Aretha Hill states that she did not require the background
17 but asked the candidates to kindly provide them. This was
18 contrary to Mr. Haywood and Mr. Clark's statements that
19 they were told they could not qualify without the
20 background check being completed. Code 21-2-132 lists the
21 requirements for filing notice of candidacy. Nowhere in
22 the code is providing a background check listed as a
23 requirement. The city charter of Sparta does not list
24 background checks as a requirement to be eligible.

25 In regards to candidate Paul McGee, it was found that

1 at the time of his signing the affidavit that he was not
2 in default on any taxes, that he -- but he did, in fact,
3 owe taxes for the City of Sparta and Hancock County. A
4 challenge hearing was held on September 19th, 2017 and
5 September 22nd, 2017. Mr. McGee had paid his city taxes
6 prior to the challenge hearing and made a plan to pay the
7 county taxes. Aretha Hill then notified Mr. McGee that he
8 was qualified to run for office.

9 As to allegation three, there was no supporting
10 documentation to identify any individual that removed the
11 campaign sign. As to allegation number four, there was no
12 violation of election law, and Mr. Haywood was running for
13 office after having his rights restored through a pardon.
14 The recommendation is for City of Sparta, Aretha Hill be
15 bound over to the Attorney General's Office for a
16 violation of 21-2-132, filing a notice of candidacy, and
17 Paul McGee, elector, be bound over for violation of 21-2-
18 565, making false statements in connection with filing
19 notice of candidacy or qualifying as a candidate for party
20 nominations. And we have Marion Warren and Andrea Grant,
21 the county attorney, on the line.

22 MR. RAFFENSPERGER: Okay. If the county attorney
23 would like to speak about this case, now is a good time.

24 MS. GRANT: I -- I believe that she clarified the --
25 my concern at the very end where they were doing

1 allegations. I just want to make it clear -- and you all
2 probably know that this is solely against the City of
3 Sparta. Just because it's located in Hancock County --
4 they held their own elections, and actually, the County is
5 not involved in this one whatsoever. That's all I want to
6 make clear, but I think she did so in her recommendations.
7 Thank you.

8 MR. RAFFENSPERGER: Okay. Thank you. Board members,
9 do we have any questions? What is the will of the Board?

10 MS. THOMAS: Mr. -- Mr. Secretary, Mr. Warren is on
11 the line as well to speak in this case.

12 MR. RAFFENSPERGER: Okay. Mr. Warren?

13 MR. WARREN: Concerning Mr. Haywood's eli --
14 eligibility to run for mayor, there is a history of Mr.
15 Haywood's signing affidavits and stating that he was not a
16 felon. In 2015, that case never got to the Election
17 Board, and I don't understand really why. He was
18 disqualified from that position by a judge after he
19 carried on for six months explaining or yelling that he
20 had a partner, which he didn't. His partner didn't come
21 into effect until 2016, August. So my thing is is it --
22 is it criminal to sign an affidavit stating that you are
23 not a felon while being a felon and attempting to run for
24 office, a political office, in the State of Georgia?

25 MR. RAFFENSPERGER: Thank you. Board members, do you

1 have any questions for anyone in this case? What is the
2 will of the Board?

3 MR. MASHBURN: This is Matt Mashburn. I make a motion
4 that we refer the City of Sparta and Aretha Hill to the AG
5 and that we refer Paul McGee to the AG and the DA?

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. SULLIVAN: Second.

8 MR. WORLEY: This is Mr. Worley. I'll second also.
9 Sorry.

10 MR. RAFFENSPERGER: Okay. Any further comment?
11 Hearing none, all those in favor of the motion as
12 presented, signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: All opposed? Motion carries.
15 Okay. Next case?

16 MS. WATSON: Next case is 2017-044, City of Bartow.
17 On August 31st, 2017, Susan Scarborough [ph.] reported
18 Bartow City Hall was not open during the times posted for
19 qualifying for the upcoming election. Susan Scarborough
20 also reported she qualified to run for mayor of the town
21 of Bartow on Friday, August 25th, 2017. She advised she
22 filled out the required paperwork and paid the fee to
23 qualify to run for the position. However, when she
24 received a local newspaper on Thursday, August 31st, 2017,
25 she learned there would not be municipal elections in

1 Avera, Bartow, and Louisville, as only incumbents
2 qualified in those cities.

3 Investigation revealed it was confirmed that City
4 Hall was closed for approximately 40 minutes on Friday,
5 August 25th, 2017. The complainant was able to return and
6 submit the notice of candidacy and affidavit prior to the
7 deadline of 5:30PM. It was verified that the complainant
8 filed a notice of candidacy and signed the affidavit that
9 she was not in default of her federal, state, county,
10 municipal, or school system tax. However, it was verified
11 that the complainant was sent a notice in January of 2017
12 of past due property taxes for the years of 2014, 2015,
13 and 2016. A tax lien was issued on March 31st, 2017, and
14 a FIFA filed for the years 2014, 2015, and 2016 and
15 recorded in the Jefferson County court on April 3rd, 2017.
16 On 20 -- September the 12th, 2017, a candidate challenge
17 was held for the complainant challenging her qualification
18 due to the unpaid taxes. The decision was that she was
19 not qualified as a candidate. She did not appeal the
20 decision. The candidate was interviewed and acknowledged
21 that she knew the taxes were outstanding at the time she
22 filed the affidavits.

23 We're recommending the City of Bartow, Brittany
24 Kurtz, the City Election Superintendent, be issued a
25 letter of instruction for 21-2-132(d)(3) and Susan

1 Scarborough be referred to the AG's Office for 21-2-565.

2 MR. RAFFENSPERGER: Okay. Is Ms. Scarborough here?

3 MS. WATSON: No, she is not.

4 MR. RAFFENSPERGER: Okay. Board members, do you have
5 any questions?

6 MR. MASHBURN: I don't have any questions, but this
7 is Matt Mashburn. I move that the letter of instruction
8 be issued to the City of Bartow and that Susan Scarborough
9 be referred to the Attorney General and the DA.

10 MR. RAFFENSPERGER: Do we have a second?

11 MS. SULLIVAN: Second.

12 MR. RAFFENSPERGER: Do we have any further comment on
13 the motion? Hearing none, all those in favor of the
14 motion as presented, signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Any opposed? Motion carries.
17 Next one?

18 MS. WATSON: Next case is 2017-045, City of Mansfield
19 in Newton County. In September 2017, we opened an
20 investigation to determine if the City of Mansfield city
21 clerk Jeana Hyde violated 21-2-70.1 as she served as
22 municipal elections superintendent in an election when her
23 daughter was the candidate. Investigation revealed the
24 City of Mansfield conducts their own elections. Jeana
25 Hyde is the City Clerk Elections Superintendent for the

1 City of Mansfield. Elsie Row, the City of Newborn clerk,
2 is the alternate Elections Superintendent, as she has
3 recently been appointed to serve in that capacity in case
4 any future conf -- conflicts should arise. The candidates
5 -- qualifying candidates submit notice of candidacy
6 affidavits to the City of Mansfield. All candidacy
7 affidavits are sent to the Newton County elections office
8 for review. If there are no problems, the candidates are
9 qualified. No intergovernmental agreements regarding
10 elections exists between the City of Mansfield and Newton
11 County Board of Election and Registration.

12 Ashley Troutman, the daughter of Jeana Hyde, was a
13 candidate for City Council Post 3 in the November 7th,
14 2017 municipal election. Blair Northern opposed Ashley
15 Troutman for Post 3 City Council. Blair Northern was
16 disqualified, as he was not a registered voter. After the
17 disqualification of Mr. Northern, all municipal candidates
18 ran unopposed, so the election was cancelled.

19 Notification of the cancellation of the election was
20 posted in the legal organ on September 10th, 2017 and on
21 October the 15th, 2017. The City of Mansfield contends
22 that the election was cancelled as all candidates ran
23 unopposed. Therefore, no election had been conducted by
24 the City of Mansfield on November 7th, 2017. The City of
25 Mansfield delegated election superintendent duties to the

1 City of Newborn Election Superintendent and requested the
2 posting of the notice of election cancellation to ensure
3 the proper election notification.

4 We recommend a letter of instruction be issued to the
5 City of Mansfield and the City Clerk, Jeana Hyde,
6 regarding 21-2-670.1, as there was no election held and
7 the City contracted an election superintendent to post the
8 election cancellation notice. We also recommend the
9 violation listed for candidate Blair Northern be
10 dismissed, as he stated he did not know that he was not
11 registered at his current address in Mansfield as he did
12 not realize the voter registration had to be updated and
13 that he was not a qualified voter within the City. His
14 qualification application was properly denied. And we
15 also have Blair Northern and Scott Cole from the City on
16 the line.

17 MR. RAFFENSPERGER: Okay. Would they like to speak
18 to this case?

19 MR. COLE: Hey, Mr. Secretary. This is Scott Cole,
20 representing Jeana Hyde and the City of Mansfield. We
21 agree with the listing of the actions that were taken.
22 Given that the election was unopposed, we contend Ms.
23 Hyde's submittal of the publication, the notice of
24 cancellation to the legal organ -- there was no election
25 that she was supervising because it was unopposed. Had

1 there been -- and then upon receipt of a complaint, we
2 retained the elections superintendent from Newborn to
3 republish the notice. Also, on behalf of the -- Mr.
4 Northern, who can speak for him -- in the end, what we
5 would request is that the complaint against the City of
6 Mansfield and Ms. Hyde be dismissed without a letter of
7 instruction, and we also concur in any request by Mr.
8 Northern -- you know, we request on his behalf that his be
9 dismissed as well. He qualified for the same post at the
10 next election and is now serving and has been serving as a
11 member of the City Council for a number of years.

12 MR. RAFFENSPERGER: Thank you, sir. Anyone else
13 who'd like to speak to that case? Okay.

14 MS. THOMAS: Mr. Northern, if you would like to
15 speak, you can unmute yourself.

16 MR. RAFFENSPERGER: Okay. Board members, do you have
17 any questions for anyone on either side? Hearing none,
18 what is the will of the Board?

19 MS. SULLIVAN: Ms. Watson, the recommendation in this
20 case is to send a letter of instruction to the City of
21 Mansfield and Ms. Hyde and dismiss Mr. Northern; is that
22 correct?

23 MS. WATSON: Yes. That is correct.

24 MS. SULLIVAN: I would make that motion.

25 MR. RAFFENSPERGER: Do we have a second?

1 MR. WORLEY: I would second that. Mr. Worley.

2 MR. RAFFENSPERGER: Any further comment from the
3 Board? Hearing none, all those in favor of the motion as
4 presented, signify by saying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.

7 MR. WORLEY: Mr. Secretary?

8 MR. RAFFENSPERGER: Yes, sir.

9 MR. WORLEY: Mr. Worley here. I had a little trouble
10 unmuting my microphone --

11 MR. RAFFENSPERGER: Okay.

12 MR. WORLEY: -- on the vote in the last case, and so
13 I would like the minutes to reflect that in SEB case
14 number 2017-044, City of Bartow, I would vote aye. I
15 would have voted aye on that motion.

16 MR. RAFFENSPERGER: Okay. I thought I had you down
17 there. Okay. Thank you for clarifying. If we can take
18 another short break and come back at 11:15, that'd be
19 great.

20 (Meeting break)

21 (Meeting resumes)

22 MR. RAFFENSPERGER: Ms. Watson, you ready?

23 MS. LE: Mr. Chairman, this is Anh. I just wanted to
24 let you know I'm back on record.

25 MR. RAFFENSPERGER: Oh, great. Great.

1 MS. LE: Thank you.

2 MR. RAFFENSPERGER: I think that puts us back at full
3 strength again. Okay. Next case.

4 MS. WATSON: Next case is 2017-047, City of LaGrange.
5 In September 2017, we received an allegation of a
6 candidate having falsified a notice of candidacy and
7 affidavit when qualifying for the City of LaGrange,
8 District 2A City Council seat. Investigation revealed the
9 election involved City of LaGrange District 2A City
10 Council seat in Troup County. The candidate was Chadwick
11 Owens Cooper. Allegation is that Mr. Cooper submitted a
12 false candidacy affidavit. The complainant also filed a
13 challenge that was heard by Troup County Board of
14 Elections and Registration on September the 12th, 2017,
15 and Mr. Cooper was disqualified as a candidate.

16 The investigation found that Mr. Cooper had been
17 registered in Alabama and had last voted in Alabama on
18 November the 8th of 2016. He was removed from the Alabama
19 voter rolls on September the 15th, 2017 at the voter's
20 request from Alabama. Mr. Cooper was interviewed and
21 could not provide an explanation as to why he signed the
22 notice of candidacy that he had been a resident of
23 LaGrange, Troup County, for five consecutive years when he
24 had been a resident for less than one year at the time he
25 submitted the notice of candidacy. Mr. Cooper advised

1 that he had disclosed at the time he qualified that he had
2 voted in Alabama in 2016. He was led to believe that he
3 was qu -- he was qualified by other elected officials.
4 The recommendation is for Mr. Cooper to be referred to the
5 Attorney General's Office for the listed violation of 21-
6 2-565(a). There is no one on the line to speak.

7 MR. RAFFENSPERGER: Okay. Do any of the Board
8 members have questions about this case? If not, what is
9 the will of the Board?

10 MR. WORLEY: Mr. Secretary, I would make a motion to
11 --

12 MR. RAFFENSPERGER: I see Mr. Cooper on chat. I
13 don't know if he wants to say something but look in the
14 chat box there if you could, Ms. Watson or Breanna.

15 MS. THOMAS: Yes, we can -- we can unmute him, just
16 give me one second.

17 MR. RAFFENSPERGER: Okay.

18 MR. COOPER: Good morning, everyone. I am Chad
19 Cooper. I did explain to the candidate when the time
20 period -- because I actually moved up to help take care of
21 my parents during that time period because I was attending
22 school and planning on returning back. Over the course of
23 several years, you know, once my mother had died, I
24 decided to run for office. I had been working up here and
25 everything, and I had talked to several people up here,

1 the mayor, other city officials, to ensure that it was
2 okay because I did not hide the fact that I had voted in
3 Alabama, and I was -- I was told that as long as I can
4 show that -- could prove that I was actually living up
5 here in the district, that was fine, and that was told to
6 me several, several times even before I actually was
7 qualified to run.

8 Eventually, when I went in there, they did not have
9 my regis -- they did not have my voter registration that I
10 -- that I completed, so I -- we had to go find it. They
11 said it was stuck in limbo in between -- in between the
12 two states. So that was -- I think that was on August
13 21st, the same day as the solar eclipse, and so once that
14 was cleared up, I mean, they -- they knew. I mean, like,
15 hey, I explained to them. I said, you know, I voted in
16 Alabama last year, and they still qualified me. I mean, I
17 did not -- I did not hide this because I was staying up
18 here in the area, and they said as long as you bring it up
19 and, you know, prove that you were staying up in the area,
20 you know, that was -- that was okay.

21 And even the election -- the Board election person,
22 you know, he -- he knew. I mean, because the first day I
23 tried to qualify, I could not qualify, and once we got it
24 straightened out, I came back. There was all the
25 information, and I still was qualified because I did not

1 know. And even in the packet that they gave us, the first
2 -- it didn't say -- it didn't even state in there -- it
3 said as long as you could prove that you were living in
4 that area. It didn't say about voting. We didn't find
5 out about the voting part until the -- until the
6 challenge, and that's -- that's why. That's why. If it
7 were known before then, I never -- I never would have done
8 it. I just -- I just wouldn't have done it.

9 MR. RAFFENSPERGER: Thank you, sir. Members, do you
10 have any questions for Mr. Cooper?

11 MR. MASHBURN: I have a question.

12 MR. RAFFENSPERGER: Yes, sir. Mr. Mashburn?

13 MR. MASHBURN: I have a question. This is Matt
14 Mashburn. I have a question for Mr. Cooper. Now, Mr.
15 Cooper, I understand, and I'm sympathetic to your
16 explanation about people telling you about registration
17 and whatnot, but didn't -- doesn't the notice of candidacy
18 also contain a statement that you've been a re -- resident
19 of LaGrange, Troup County for five years? But you hadn't,
20 right?

21 MR. COOPER: Well, no. That's what I'm saying. I
22 was actually living up here during that time period. That
23 -- that's what I'm saying. I was staying up here to help
24 take care of my parents until they died, and so that's --
25 that's why they were saying -- I mean, because I -- I

1 didn't know. I mean, I was up here during that time
2 period taking care of my parents.

3 MR. MASHBURN: And -- and for how long was that? I'm
4 sorry about your parents.

5 MR. COOPER: Oh, thank you.

6 MR. MASHBURN: A lot of us are caring for elderly
7 parents, so I'm very sympathetic. I know what it's -- I
8 know what it's like. How long -- how long was that going
9 on?

10 MR. COOPER: I think -- I think if I'm not mistaken,
11 I came in 2011 or 2012, during that time period.

12 MS. LE: This is Anh Le. I have a question as well,
13 Mr. Cooper.

14 MR. COOPER: Yes, ma'am.

15 MS. LE: Along the lines of Mr. Mashburn's question,
16 when you voted in Alabama, and I don't have Alabama law in
17 front of me, but I would imagine that you would also have
18 to attest to something to the effect that you are a
19 resident of Alabama, so how can you be both a resident of
20 Georgia and a resident of Alabama, being that you voted in
21 Alabama at the same time?

22 MR. COOPER: Yes. What had happened -- and I will
23 say because I was attending school down there. I was
24 going to Auburn University, going after my PhD at the
25 time, and that's why I was already a resident of Alabama

1 at the time period. Excuse me. And so once I moved up
2 here, it never -- it never crossed my mind up until in
3 2017 for me to run for office because I was always
4 intending on going back and trying to complete my PhD. So
5 it never -- it never crossed my mind -- hey, I'm going to
6 run for office -- up until that point. It came up right
7 in 2017, you know, after my mother had died. My father
8 was still alive. And so that's when I started asking. I
9 was like hey, look, this is -- this is the situation. You
10 know, I voted there. They said as long as you could prove
11 that you were physically living here, that would be okay.
12 And that's why -- it wasn't a -- it wasn't a situation
13 where I was trying to do anything underhanded. That's
14 just not what I do. Like I said, I never would have done
15 it. I thought I went through every step to ensure that I
16 was, you know, going to be able to qualify. That's how
17 that happened, ma'am.

18 MR. MASHBURN: This is Matt Mashburn. I'm going to
19 move that we accept the investigator's -- inspector's
20 recommendation and refer this to the AG.

21 MR. RAFFENSPERGER: Do we have a second?

22 MS. LE: This is Anh Le. I'll second that.

23 MR. WORLEY: Mr. Secretary, this is David Worley.
24 Could I ask Mr. Cooper another question?

25 MR. RAFFENSPERGER: Yes.

1 MR. WORLEY: Mr. Cooper, when was the last time you
2 voted in Alabama?

3 MS. THOMAS: Mr. Cooper, you can unmute yourself.

4 MR. COOPER: I'm sorry. Yeah, it was 2016 that I had
5 voted in Alabama, prior -- prior to me, you know, thinking
6 about running for office. And that -- that was -- that
7 was the one thing. I tried to make sure that that was
8 okay by speaking to city officials and the Election -- the
9 Election Board -- not the Board but the -- the office
10 prior, and I was always given the same answer. As long as
11 you can prove that you were physically living up here, you
12 know, that was okay. I just -- I just went down to
13 exercise my right to vote. I mean, that -- that was --
14 that was it. There was no malice at all. If I would have
15 --

16 MR. WORLEY: Okay. Thank you.

17 MR. COOPER: -- known I was disqualified -- I'm
18 sorry. Go ahead.

19 MR. WORLEY: Thank you.

20 MR. RAFFENSPERGER: Okay. Thank you. So we have a
21 motion. We have a second. Do we have any additional
22 comments or questions? Therefore, all those in favor of
23 the motion as presented, please do so by signifying aye.

24 THE BOARD MEMBERS (except Mr. Worley): Aye.

25 MR. RAFFENSPERGER: Those opposed?

1 MR. WORLEY: No. It's Mr. Worley.

2 MR. RAFFENSPERGER: Okay. Motion carries. Next
3 case?

4 MS. WATSON: Next case is 2017-048, City of Temple in
5 Carroll County. On October 11th, 2017, a complaint
6 concerning a notice of candidacy affidavit filed by a
7 candidate to run in the November 7th, 2017 municipal
8 election in the City of Temple was received. The
9 allegation in the complaint was that candidate for council
10 Board 1, Demario Healthen [ph.] had made a false statement
11 on a notice of candidacy affidavit when he qualified to
12 run for City Council Post 1. The election for mayor and
13 council was scheduled for November 7th, 2017 in the City
14 of Temple. Mr. Demario Healthen submitted a qualification
15 paperwork and a notice of candidacy affidavit for the City
16 Council Post 1. He swore on the affidavit that he had not
17 been convicted of a crime. A complaint was filed with our
18 office as well as a challenge to his candidacy. Mr.
19 Healthen withdrew his candidacy prior to the hearing. It
20 was confirmed that Mr. Healthen had pled guilty to a
21 felony in Douglas County, Georgia in 20 -- 2005 and had
22 not received a pardon or had his rights restored at the
23 time of the notice of candidacy. We're recommend Alvonte
24 Demario Healthen be bound over to the AG's Office for 21-
25 2-565.

1 MR. RAFFENSPERGER: Is Mr. Healthen here to speak on
2 his behalf?

3 MS. WATSON: No, sir.

4 MR. RAFFENSPERGER: Okay. Do the -- does the Board
5 have any questions? If not, now would be the appropriate
6 time for a motion.

7 MR. MASHBURN: This is Matt Mashburn. I move that
8 the matter be referred to both the AG and the DA.

9 MR. RAFFENSPERGER: Do we have a second? Motion dies
10 for lack of a second. Okay. The matter is before the --
11 the Board again. What is your will?

12 MR. MASHBURN: This is Matt Mashburn. I make a
13 motion that we refer the matter to the AG.

14 MR. RAFFENSPERGER: Do we have a second?

15 MS. SULLIVAN: Second.

16 MR. RAFFENSPERGER: Okay. Any additional comments
17 that any member would like to make? Or questions?
18 Hearing none, all those in favor of referring this case to
19 the Attorney General's Office, case number 2017-048,
20 signify by saying aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Any opposed?
23 Motion carries. Next case?

24 MS. WATSON: Next case is 2017-049, City of Temple,
25 notice of candidacy. In 2017, we opened an investigation

1 after receiving a court complaint concerning a notice of
2 candidacy and affidavit filed by a candidate to run in the
3 November 7th, 2017 municipal election in Temple, Georgia.
4 The complaint alleged that candidate for mayor, Gerald Lee
5 Powell, had made a false statement on a notice of
6 candidacy and affidavit regarding a felony conviction.
7 Investigation revealed Gerald Lee Powell, candidate for
8 Temple City Mayor, submitted a false notice of candidacy
9 and affidavit to the City of Temple on August 24, 2017.
10 On the affidavit, Mr. Powell knowingly attested that he
11 had not been convicted of a -- of a crime and said his
12 rights had been restored. The statement Mr. Powell
13 attested to is false, as he had been convicted of a crime
14 in 1992, and his rights had not been restored for the
15 pardon and fill out an application for the restoration of
16 rights process.

17 A challenge hearing was held, and Mr. Powell was
18 found not qualified as a candidate. We recommend Gerald
19 Lee Powell be bound over to the AG's Office for 21-2-565.
20 I believe Mr. Powell may be on the line.

21 MR. RAFFENSPERGER: Mr. Powell?

22 MR. POWELL: Yes, I'm here. My name is Gerald Lee
23 Powell, and I wanted to say that I did not know that I was
24 violating any law nor did I willingly violate any law nor
25 did I willingly attempt to make any false statements.

1 What I'd like to say is back in 1994, I went to a 90-day
2 bootcamp. During that bootcamp process, your last two
3 weeks of bootcamp is when you fill out all of your
4 paperwork restoring all of your rights except for gun
5 rights, and I have that letter if there's a way that we
6 can fax it to you or whatever, but that letter stated 12 -
7 - 12/15/1994 verifying the facts that I took the classes
8 of the last two weeks while I was in the bootcamp, and I
9 completed all the paperwork for restoration of rights,
10 which was part of the process. If you're familiar with
11 the bootcamp process, they make sure when you leave there,
12 that you are registered to vote, and that you -- all your
13 paperwork is right so you can get your rights back.

14 Since that time, -- since that time, I received a
15 notification from the State Board of Pardons and Paroles
16 that my rights had been restored, and I had -- I had been
17 issued a passport back in 2000 to travel in and out of the
18 country. I've traveled all over South and Central
19 America, and I have voted since 1994. I -- once I was
20 home from the bootcamp, I called to make sure that my
21 voting rights was restored, and they were, and I have
22 voted every year since then, and then I was called for
23 jury duty. So I took my paperwork down to Mr. Kenneth
24 Skinner [ph.] which was the Clerk of Court back at that
25 time in 1998, and I asked him. I said can I serve on jury

1 duty, and I gave him my paperwork. He looked at it, and
2 he said you sure can. He said I'll make a note of this,
3 which is -- he is no longer with Carroll County anymore,
4 but from that time, I served on jury duty from -- like
5 every year, sometimes twice, three times a year, and, you
6 know, I've been an outstanding citizen. I served on the
7 planning board 2014 to 2015 for the City of Temple. No
8 problems. I even ran for city councilman in 2015 with no
9 problems.

10 The documents which I received from -- from the State
11 Board of Pardons and Paroles, I had a fire in 2000, and
12 most of my stuff got destroyed, but I did -- I was able to
13 receive a couple of papers that I was able to find in the
14 fire, but the documents which I received from the State
15 Board of Pardons and Paroles, most of them was destroyed.
16 But I have gone back to the Floyd Building on several
17 occasions to the Pardons Board, and I want to say the name
18 was Ms. Clark, so they was helping me trying to find those
19 papers that were lost in archive, and we tried for several
20 weeks looking through the archives to get those papers
21 because I know that I had them. In all my documents, they
22 was telling me that no longer existed and could not be
23 found, during -- in the archive. They said Mr. Powell,
24 from -- from 1992 to now, they said there's no way that,
25 you know, we would still have those records. So I wasn't

1 even at fault.

2 My parole board was in Newnan, Georgia, so I reached
3 out to that office, which was on Temple Avenue in Newnan,
4 and my parole guy was Mr. David Armstrong [ph.], which was
5 a very nice guy. He -- he helped me with most of my
6 paperwork when I got out. I mean, he walked me through a
7 lot of things, and I wasn't expecting that from a parole
8 officer, but, you know, he was the kind of guy that was
9 willing to help. He made sure that I had all of my
10 paperwork.

11 So I applied for the decision to qualify for running
12 for mayor because, you know, I had been an outstanding
13 citizen. I did everything right. I voted. I served on
14 jury duty with no problems. Why didn't some of that stuff
15 come up then? Because I knew I had my paperwork. And as
16 a result of all of that, I even took it as far as the
17 superior court because I felt I was right. I just
18 couldn't prove I had the correct paperwork, so I was
19 hoping that someone during my process would pull that
20 paperwork up because they was trying to keep me from
21 running, but it never happened. It -- they said it
22 couldn't be found. So I appealed that decision to the
23 Georgia Supreme Court, and I -- and I therefore applied
24 for the restoration of my civil rights again since all
25 that had happened, and I was granted -- I was granted all

1 my rights. I was even granted my gun rights, and I was
2 just -- you know, whether or not the rights had been
3 restored back then, which I know they were restored, so I
4 just went ahead and applied for everything again, and I
5 got it with, you know, no problem. You know, I did that
6 through the Governor's office.

7 So there's no question that I am legally qualified to
8 run for any public office which I desire to seek, and --
9 and at the time that I signed the application for Mayor
10 for the City of Temple, I knew and I believed that all my
11 legal qualifying rights to run was there, and that, you
12 know, I wouldn't have a problem getting them up if I
13 needed them. So, you know, as an outstanding citizen, I
14 serve all around Temple. I -- I mean, I'm sure y'all are
15 going to look back at my records, and I do have one of the
16 papers from the State Board of Pardons and Paroles that
17 was dated 12/15/94, Gerald Lee Powell, 162 Enterprise
18 Drive, and it's saying please find enclosed the original
19 order of communications. Please retain this order for
20 your future reference. Please find enclosed an
21 application and restoration for rights of pardon and
22 parole for your current eligibility to vote. However, you
23 may apply for your civil and political rights: any rights
24 to serve as a jury, rights to run for a political office.
25 Within five years, you may apply for a pardon. All

1 qualification instructions are listed on this application.
2 So Mr. Armstrong and I sent the application in, and I
3 received my paperwork from the State, and I had it. I
4 even gave it to Kenneth Skinner at the -- when was the --
5 he was the clerk, the Superior Court Clerk.

6 MR. RAFFENSPERGER: Mr. -- Mr. Powell, I have a
7 question for you.

8 MR. POWELL: Yes.

9 MR. RAFFENSPERGER: Do you have a copy of that 1994
10 piece of paper on you?

11 MR. POWELL: I do. Yes, sir.

12 MR. RAFFENSPERGER: So it wasn't destroyed in the
13 fire? Ms. Watson, have we reviewed -- is that in your
14 file? Do you have a copy of that?

15 MS. WATSON: No, sir. They did not provide any
16 information to us at that particular time. We did reach
17 out to Mr. Powell.

18 MR. RAFFENSPERGER: Can we send this case back to
19 your office and get a copy of that and then bring that
20 before us because it sounds to me like Mr. Powell has been
21 an exemplary citizen. He went through bootcamp, and he's
22 been a productive, tax-paying Georgia, and that's what we
23 want for every person that ever serves time, and if he has
24 his piece of paper, and other people don't have those
25 records, I just think that -- I don't want to get ahead of

1 the Board, but I'll say I've made my point, and I'll throw
2 this out to the Board then. What is their will on this
3 matter?

4 MR. WORLEY: Mr. Secretary, this is David Worley. I
5 agree with everything you've said and with Mr. Powell's
6 efforts to, you know, correctly bring this matter to our
7 attention, and I would move that we send this case back to
8 Ms. Watson's division for more investigation.

9 MR. RAFFENSPERGER: Okay. Do --

10 MS. SULLIVAN: Second.

11 MR. MASHBURN: With David's -- with David's
12 permission -- this is Matt Mashburn. I actually would
13 like to move that we dismiss the condition upon receiving
14 a copy of that letter, if that's okay?

15 MR. WORLEY: I would accept that amendment. Sure,
16 and I would second -- well, I'm assuming you're seconding
17 it so...

18 MR. RAFFENSPERGER: Yes. I understand the motion,
19 and I think the court reporter does as well. All those in
20 favor of accepting the motion as amended, please do so by
21 signifying aye.

22 THE BOARD MEMBERS: Aye.

23 MR. POWELL: So -- where do I send it?

24 MR. RAFFENSPERGER: We'll get that to you, sir.

25 MR. POWELL: Thank you very much.

1 MR. RAFFENSPERGER: Okay.

2 MS. WATSON: Next case is 2017-050, City of
3 Dahlonaga, Lumpkin County. On October 16, 2017, we opened
4 an investigation into two complaints received during the
5 November 7th, 2017 City of Dahlonaga municipal election.
6 The first complaint alleged that University of North
7 Georgia fraternity Pi Kappa Phi had refused a person voter
8 registration during a campus voter registration drive. A
9 second complaint alleged that Dahlonaga Rent, LLC, owned
10 by Roberta Green Garret had circulated a letter to
11 students and tenants threatening to increase rent if they,
12 the student tenants, did not vote for a particular
13 candidate, Rajpal Sagoo.

14 Investigation revealed candidate Sagoo and UNG
15 fraternity Pi Kappa Phi conducted a voter registration
16 drive -- drive at the HOHG student center. The
17 complainant requested a voter registration to make an
18 address change and stated on three requests he was denied
19 a voter registration form and told we know you are already
20 registered. There is also evidence to suggest that during
21 the voter registration drive, individuals were not
22 informed of the option to submit the voter registration
23 forms themselves. It was also found during the
24 investigation that Rajpal Sagoo did not timely submit the
25 voter registration applications. 89 were submitted late,

1 with 3 not being within the 10 days of receiving the
2 application and 86 not being transmitted within 72 hours,
3 as they were received 14 or fewer days prior to the
4 October 10th, 2017 voter registration deadline. It was
5 also found that Wesley Barron [ph.] submitted 24 voter
6 registration applications late and not within the 10 days
7 of receiving. Charlie Barrett [ph.] submitted 43 voter
8 registrations that were late and not within 10 days of
9 receiving.

10 As to the letter reported as a threat to increase
11 rent if the tenants did not vote for a particular
12 candidate, it was found that the letter referred to a
13 proposed tax, and the letter recommended to vote for
14 candidates that opposed the tax. There was no election
15 violation substantiated.

16 We recommend Mr. Sagoo be bound over to the AG's
17 Office for 21-2-224, registration deadlines, when an
18 individual or organization failed to transmit 3 voter
19 registration applications within 10 days of receiving the
20 application and 86 voter registration applications within
21 72 hours of the date of execution, as the applications
22 were received 14 or fewer days before the October 10th
23 voter registration deadline, and Pi Kappa Phi fraternity
24 president Andrew Gomez be bound over for violation of
25 Election Board rule 183-1-6-.02(6), when as a private

1 entity, the Pi Kappa Phi fraternity failed to advise each
2 applicant that such applicant has the option to return his
3 or her voter registration application personally to the
4 appropriate board of registrars or to the Secretary of
5 State or to permit the private entity to return it on the
6 applicant's behalf, and Board rule 183-1-6-.02(7)(c), when
7 as a private entity, they failed to accept and transmit a
8 properly completed and contemporaneously dated voter
9 registration application from any qualified individual,
10 and Wesley Barron be bound over for 21-2-224(c)(1), when
11 as an individual failed to transmit 24 voter registration
12 applications within 10 days after receiving such
13 applications, and Charlie Barrett be bound over for
14 violation of 21-2-224(c)(1), when as an individual or
15 organization failed to transmit 43 voter registration
16 applications within the 10 days after receiving such
17 applications or via close of registration.

18 MS. THOMAS: And Steven Leibel is here to speak on
19 behalf of the fraternity.

20 MS. WATSON: And I believe we have a gentle -- a
21 gentleman to speak on behalf of the fraternity.

22 MR. RAFFENSPERGER: Okay.

23 MR. LEIBEL: Well, let me -- thank you so much for
24 allowing us to speak today. The fact surrounding this
25 matter was that it was a nonpartisan election for the

1 Mayor of the City of Dahlonge, and the complainant was
2 the campaign manager for the now current Mayor of the City
3 of Dahlonge, Ms. Emerick [ph.]. Ms. Emerick -- I would
4 like to address the first allegation about the being
5 turned away for a voter -- for an address change,
6 basically, and actually, the evidence does show that Ms.
7 Emerick never changed her address, was a sophisticated
8 individual, knew how to change her address, never did, so
9 we don't believe that that is well-founded.

10 But what's really more important is that this is a
11 bunch of kids who go to the Board of Elections in
12 Dahlonge and say that they want to do a voter
13 registration drive. No training, all they received are
14 the forms, not even any forms that tell them how to do
15 these things, and they receive a special bag which stops
16 them from tampering with the registrations. There were no
17 allegations of fraud in this -- this matter, but what you
18 have is a campus voter registration drive with
19 unsophisticated individuals with no training. And no one
20 from the fraternity who was involved in the voter turnout
21 in this university town -- and by the way, this is the
22 first voter registration drive that the university was
23 ever a part of, and these are kids who come to school in
24 Dahlonge, and there was a mayoral race, and there was --
25 there was a big issue, and that was that at the time -- it

1 was to talk about having a bed tax in order to raise
2 revenue for the City of Dahlonega. That's what this is
3 all about.

4 But what's more, really, concerning to me is who is
5 the person who brought this in the first place and
6 utilizing this as a political tool against people who are
7 opposing them. I think that here there is no fraud.
8 Everyone who registered to vote was able to register to
9 vote, and I think that to make an example out of a
10 fraternity that's trying to include people in the voter
11 registration process and then send them to the Attorney
12 General's Office for further processing is a terrible
13 shame and a terrible way to set an example for people who
14 want to go ahead and do the right thing and have people
15 register to vote, especially young people.

16 Now, my understanding is that the fraternity -- this
17 is from four years ago, and no one has been engaged in any
18 further activity at all, so why would we want to send this
19 to -- for a technical violation -- and I know it's
20 important -- to the Attorney General's Office? I think,
21 really, the solution to this is to send a letter of
22 instruction to the fraternity saying this is how it's
23 done. Get the training from the Board of Elections and do
24 it the right way and do not set an example that to be
25 heavy-handed on a bunch of college kids, one, who for

1 example, Mr. Gomez, is now serving his country at Fort
2 Gordon. The other people are taxpayers, involved in their
3 communities, and doing the right things. You know, I --
4 I've listened to a number of the cases during this
5 morning. This case is different. This case is a bunch of
6 people who have not committed any fraud, have not been --
7 done any misrepresentation, and really did the right thing
8 by going out and getting kids to vote.

9 MR. RAFFENSPERGER: Thank you, sir. Board, do you
10 have any questions for the Respondents or for Ms. Watson?
11 What is the will of the Board?

12 MR. MASHBURN: This is -- this is Matt Mashburn. I
13 appreciate counsel's excellent argument, and I appreciate
14 his passion for his clients. I do want to take exception
15 to one -- one thing that he said in that nobody is making
16 an example out of these kids. In my view, it's up to the
17 Board to treat these kids the same as any other kids. So
18 this Board has had issues with regard to voter
19 registration drives before and has referred them to the AG
20 before, so I just want to make sure that you understand
21 that no one is making an example of your kids, but rather,
22 my motion is to treat them the same as others, and so I
23 move that this be referred to the Attorney General as
24 recommended.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. LE: This is Anh. I also want to add that when
2 we say kids, I'm assuming these are 18 and over adults who
3 are in college, and I commend them for wanting to do
4 registration drives and get active. However, the laws and
5 the rules are there to make sure -- not just from the
6 activists' perspective but also from the applicants, the
7 voter applicants' perspective as well, that these
8 timelines are in place specifically to ensure that their
9 rights are also protected, and the counties have
10 sufficient time to process their applications. So these
11 things were contemplated carefully and put into law, these
12 timelines are not just -- got you, you know, for purposes,
13 but specifically, to help the counties do their job and
14 also ensure that the voters get registered timely. So in
15 terms of the fraud, some of these are rules that were
16 violated, and there's no specific intent of fraud
17 required. They are in place, again, for the purposes of
18 ensuring rights of the voters and to help the counties do
19 their job. For that reason, I second this motion.

20 MR. RAFFENSPERGER: Okay.

21 MR. WORLEY: Secretary?

22 MR. RAFFENSPERGER: Yes, sir?

23 MR. WORLEY: It's David Worley. I just wanted to
24 make a comment before we vote. We have here, I mean, some
25 facts which are undisputed -- undisputed, but other facts

1 that are in dispute. Ms. Emerick says one thing. Mr.
2 Leibel says another thing on behalf of his clients. When
3 -- our standard is very simple. When there is a dispute
4 of facts like that, we generally refer it over to the
5 Attorney General's Office for further action. The
6 Respondents can resolve it with the Attorney General's
7 Office, or they can have a hearing and have an
8 administrative law judge determine which person is telling
9 the truth. So I think, given our practices on the Board,
10 and in cases like this, I don't think we really have any
11 other choice but then to refer it over to the Attorney
12 General's Office, and I'll vote to do that.

13 MR. RAFFENSPERGER: Any other comments? Hearing
14 none, all those in favor of the motion before us to send
15 this to the Attorney General's Office, case number 2017-
16 050, please do so by signifying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Any opposed? Motion carries.
19 Next case?

20 MS. WATSON: Next case is 2017-051, City of
21 Fitzgerald in Ben Hill County. On October 16th, 2017, the
22 Elections Office in Ben Hill County suspended early voting
23 in the City of Fitzgerald due to a ballot error. They
24 self-reported the ballot error to the elections division.
25 During the investigation, it was learned the Elections

1 Office had logic and accuracy testing of the voting
2 equipment on October 11th, 2017, but they failed to
3 publish a notice in the legal organ for five days prior to
4 the commencement of such preparation and testing.

5 Investigation showed that it was confirmed that the
6 race for alderman, eastern district at large was printed
7 on the ballot when it should not have been. An elector on
8 the first day of early advance voting noticed the error on
9 October 16th, 2017, and voting was suspended until a new
10 database was obtained, and voting resumed on October 17th,
11 2017. On October 26th, 2017, a court order was signed,
12 approving an additional day for voting during early
13 advance voting. The additional day was Saturday, November
14 the 4th, 2017.

15 During the investigation, it was learned that L&A
16 testing was not published for five days in advance of the
17 testing for the election. We're recommending Ben Hill
18 County Board of Elections and Registration and Kiefer
19 Lewis [ph.], the Elections Supervisor, be referred to the
20 AG's Office for State Election Board rule 183-1-12.02(3),
21 when an election supervisor failed to accurately proofread
22 the western district ballot that she received from KSU to
23 proof for errors, and State Election rule 183-1-
24 12.02(b)(1), when an election supervisor failed to have
25 published announcement in a legal organ for five days

1 prior to the preparation and testing for the DRE units.

2 MS. THOMAS: There are five different people that
3 want to speak on this.

4 MR. RAFFENSPERGER: We have anyone here?

5 MS. WATSON: Yes. There are apparently five people
6 that wish to -- wish to speak.

7 MR. RAFFENSPERGER: Okay. Who's the first one?

8 MS. THOMAS: We'll start with Mr. -- Mr. Danny Young?

9 MR. RAFFENSPERGER: Mr. Young, go ahead.

10 MS. THOMAS: You all can unmute yourselves. I
11 believe you're under Ms. Dunlap's account. Well, next,
12 we'll go to Nicholas Kinsley.

13 MR. KINSLEY: Thank you. Can you hear me?

14 MS. THOMAS: Yes.

15 MR. KINSLEY: Well, I represent Ben Hill County, and
16 Ms. Dunlap and Dr. Green. They're available to answer any
17 questions you have. But essentially, as you proved
18 reading here, everything was done at that time that could
19 be done. They paused the early voting. They stopped it
20 until it was corrected, and at that time, they immediately
21 went to the judge, the local superior court, and filed a
22 petition for an extra day of early voting, which he
23 granted, and so that Saturday, they had early voting.

24 Immediately, the county manager, who was there a very
25 short time -- so this was a kind of a transition of

1 management time -- we hired somebody else to take over the
2 election, a consultant, who was then later hired as the
3 superintendent -- or the supervisor, excuse me, Cindy
4 Dunlap. So she ran the rest of the election smoothly.
5 You know, it's her rule of practice to proofread all
6 ballots. It's hard to do a checks and balances on that
7 issue, but I've spoken with her, and in my research, you
8 know, and she says that she does, in fact, proofread each
9 ballot.

10 So I think that, you know, the easier one to speak on
11 is the -- the publication issue. And again, that was the
12 former Elections Supervisor, who was eventually terminated
13 for -- at least partly because of this issue. Cindy
14 Dunlap is, again, the current Elections Supervisor and has
15 taken over this responsibility. So speaking with her, I
16 think, you know, one of the problems that we had in 2017
17 was a communication error. Well, that has been solved
18 because the new Elections Supervisor is in charge of all
19 communication to the legal organ, so any notices that have
20 to be published, she does that. Somebody in the office
21 with a lot of experience, Katherine Sherpsy [ph.], she
22 told me that she -- any radio announcements, she's in
23 charge of because she actually works in the radio industry
24 on the weekends.

25 So again, action is taken at the time in 2017.

1 Action is taken now to continue to prevent these problems
2 that have come to light. I think that we -- we have done
3 a great job. There is no systemic problem and no
4 intentional misconduct at that time, and the efforts that
5 they have in the recent election and the runoff, I think,
6 shows, you know, that this problem has been corrected, so
7 for that reason, we request that just a letter be issued.

8 MS. THOMAS: And I believe Mr. Young and Ms. Cindy
9 are available now.

10 MS. DUNLAP: Yes.

11 MS. THOMAS: We can hear you.

12 MS. DUNLAP: Can you still hear me?

13 MS. THOMAS: Yes.

14 MS. DUNLAP: Okay.

15 MS. THOMAS: You can go ahead.

16 MS. DUNLAP: Oh, you want to ask me a question?

17 MR. RAFFENSPERGER: Do you have anything you'd like
18 to add?

19 MS. DUNLAP: No. I don't want to add. No. That was
20 a -- I don't want to add anything. Thank you.

21 MR. RAFFENSPERGER: Okay. Anyone else?

22 MS. THOMAS: And we also -- we also have Ms. Keysa
23 Ashford on the phone. You may speak now.

24 MS. ASHFORD: Yes. I -- can you hear me?

25 MS. THOMAS: Yes.

1 MR. RAFFENSPERGER: Yes.

2 MS. ASHFORD: I feel like the mistakes were done, and
3 I think that I was put in a position under one county
4 manager that the first election was ran fine, and then
5 when the new county manager came in, my Board was against
6 me having the position, and everyone just started working
7 against me. My Board was against me, the employees in the
8 office was against me, so I was kind of put against the
9 wall of not knowing everything because I had not been
10 there long, and everything started going bad when they
11 wouldn't work with me, so I was put up against a wall with
12 making the mistakes, and I take the blame for them because
13 of my position at that time. I'm no longer with the
14 County anymore, and I was fired from that position, but in
15 defense of mine, when I was turned over, I tried to get
16 unemployment, and I beat my case of unemployment of them -
17 - the county manager not having enough information to say
18 that I was not doing my job because I was working it. I
19 just didn't know anything at the time because I was new.

20 MR. RAFFENSPERGER: Is there anyone else that wants
21 to speak?

22 MS. THOMAS: Is Ms. Thelma Graham available?

23 MS. GRAHAM: Yes.

24 MS. THOMAS: Would she like to speak?

25 MS. GRAHAM: No. I agree with the -- the attorney.

1 MR. RAFFENSPERGER: Thank you.

2 MS. THOMAS: Well, that's everyone.

3 MR. MASHBURN: This is -- this is Matt Mashburn.
4 Going back to the attorney, what -- at the very end, you
5 cut out a little bit from where I was listening, and I
6 didn't hear you. You said that you -- you would agree to
7 accept a letter of instruction? Or I thought I heard a
8 letter of remediation, so I would just ask you to restate.

9 MR. KINSLEY: Can you hear me?

10 MR. MASHBURN: Yes, sir.

11 MR. KINSLEY: We would request a letter of
12 instruction, and I'm speaking on behalf of Ben Hill
13 County.

14 MR. MASHBURN: On both -- on both counts?

15 MR. KINSLEY: Yes, sir.

16 MR. RAFFENSPERGER: Okay. Any other Board members?

17 MR. MASHBURN: Yes. This is -- this is Matt
18 Mashburn. I just -- I just don't see any benefit in
19 sending it over to the Attorney General to tell somebody
20 not to make the typo. Every -- you know, everybody has
21 got to be as careful as they can, but human error and
22 typos happen, so I'm inclined to -- to issue a letter of
23 instruction pursuant to the attorney's request.

24 MR. RAFFENSPERGER: Do we have a second?

25 MR. WORLEY: This is Mr. Worley. I'll second that.

1 MR. RAFFENSPERGER: Thank you. Any additional
2 comments? Hearing none, all those in favor of sending a
3 letter of instruction for case number 2017-051, please do
4 so by signifying aye.

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Motion carries.
7 Next case?

8 MS. WATSON: Next case is 2017-055, Newton County,
9 voter registration. In October of 2017, Newton County
10 Elections Supervisor Angela Mantle submitted 10 voter
11 registration applications that appeared to have
12 irregularities. She advised some of the applicants that
13 were already registered maintained their previous
14 residence address which is a county address as their
15 mailing address, and they listed a new city residence
16 address as their residence. Angela Mantle received four
17 applicants that used 8133 Puckett Street as their
18 residential address. She also received two applications
19 that used 7174 Puckett Street as their residential
20 address.

21 Investigators contacted the listed individuals
22 associated with the changes to the voter registrations.
23 We found 8 electors that had their voter registration
24 cards changed to show a new residential address in
25 Municipal Ward 3, Covington. Two electors, Lassiter and

1 Holmes, stated they were told by Anthony Henderson they
2 could use a former address to register so they could vote
3 for candidates running in the municipal election Post 3
4 voting combo 408 in the November 7th, 2017 election. Two
5 electors, Jaquory Saxton and Larry Saxon, stated they were
6 instructed by a candidate named Anthony Henderson which
7 resi -- which residence to list on their voter
8 registration cards so they could vote in the municipal
9 election. One elector, Jamonte Smith, advised they were
10 not aware their voter registration was changed. Three
11 electors, Darty, Huff, and David, advised that candidate
12 Henderson assisted them with registering to vote, but they
13 did not know the residential address was going to be
14 changed to a false address.

15 Six of the electors voted in the municipal election
16 even though they knew that they did not reside in the
17 city. Mr. Henderson ori -- originally advised he would
18 meet with the investigator at his attorney's office but
19 would not return calls from the investigator. Jaquory --
20 we're recommending Jaquory Saxton, an elector, Larry
21 Saxton, Casetra Marks, Arthur Holmes, and Kabrea Lassiter
22 be bound over to the AG's Office for 21-2-562 and 21-2-
23 571, Anthony Henderson be bound over for 21-2-562, false
24 entries, 2 counts, and 21-2-604. I don't show anyone on
25 the line to speak to the case.

1 MR. RAFFENSPERGER: Okay. Board members, do you have
2 any questions? Hearing none, what is the will of the
3 Committee?

4 MR. MASHBURN: This is Matt Mashburn. I make a
5 motion that we refer it to the AG as recommended.

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. SULLIVAN: Second, Rebecca Sullivan.

8 MR. RAFFENSPERGER: Any additional comments? Hearing
9 none, all those in favor of the motion as presented,
10 please signify by saying aye.

11 THE BOARD MEMBERS: Aye.

12 MR. RAFFENSPERGER: Any opposed? Motion carries.

13 MS. WATSON: Next case is 2017-056, City of Peachtree
14 Corners, districting. On October the 25th, 2017, the
15 Peachtree Corners City Clerk/Elections Superintendent
16 self-reported that they discovered advance, absentee, in
17 person, and absentee by mail electors had voted the wrong
18 ballot. Investigation found evidence to suggest the
19 Peachtree Corners City Clerk, Elections Superintendent Kym
20 Chereck, entered the wrong combo number in error when
21 setting up the EasyVote software for early voting in the
22 November 7th, 2017 municipal election. The error resulted
23 in 45 absentee electors having the option to vote in
24 District 2, where they did not live. We recommend City of
25 Peachtree Corners and Peachtree Corners Election

1 Superintendent Kym Chereck be referred to the AG's Office
2 for Board rule 183-1-12-.02(4)(b) and 21-2-381(b). And I
3 believe Mr. Riley is on the phone in reference to this
4 case.

5 MR. RAFFENSPERGER: Okay. Mr. Riley?

6 MR. RILEY: Thank you, Mr. Secretary and Vice Chair
7 Sullivan, Board member Worley, Board member Mashburn,
8 Board member Le. Thank you for allowing me to speak here
9 today. I want to thank you all for the thankless work you
10 do. I -- I know it is, having been on a local election
11 board before. Nobody -- nobody likes you, and it's hard
12 work, but I would like to say that I am glad that you have
13 the group that you have, Mr. Secretary, because you have
14 all stars. In reviewing the people -- the Board members
15 that you have here today, they are -- they are the legal
16 minds in this area, and I am glad of that because I am
17 hopeful that they will take a look at some of the -- the
18 issues that I propose.

19 As an older prosecutor and as a retired judge, when I
20 look at these potential violations, I start by breaking
21 down the statutes and the rules and seeing if every
22 element is met by the facts. In this case, does -- does
23 an event unrelated to the protocol of the procedures of
24 the voting sequence directives under election rule 183-1-
25 12-.02(4)(b) rise to the violations? When all the

1 procedures are properly followed, can you bootstrap up an
2 unrelated event to make that a violation? You know, I'll
3 be speaking on this further today. Let me first
4 absolutely acknowledge that during the input -- during the
5 combo input, our clerk fat-fingered a 9 when trying to
6 input an 8. I'll speak to this later in the terms of
7 intent if I may. And finally, I'd like to put a proposed
8 question about uncontested elections, and it may be an
9 unanswerable question. Is an uncontested election
10 actually a nullity if it's -- if it's on the ballot? That
11 may be a Gordian knot. After I finish that, I'd like to
12 give you some proposed resolutions, if you'll allow that
13 also.

14 If I can start with the OCGA violation, the OCGA
15 violation carries a willful contempt. Now, that is a --
16 that is a high standard, but that is a standard that is an
17 element of that violation, and you can find that under 21-
18 2-596. Now, you either have to willfully neglect or
19 willfully -- willfully refuse to perform a duty, okay?
20 You have to find intent of willfulness in doing it in
21 order to find there's a violation to refer. Okay. In our
22 instance, we -- we did determine the eligibility,
23 correctly determined according to the rules that were put
24 out under 20 -- of how we determine eligibility. We did
25 do that. And -- and the question is can you bootstrap up

1 an idea of something that happened weeks, months before or
2 weeks before, to show that that wasn't done correctly?
3 And that's a real question for that. I don't think you
4 can get there because you can't ever get past the willful
5 intent in an OCGA case. And secondly, it's a misdemeanor,
6 which is outside the statute of limitations, but I don't
7 think you reach that either because you can't meet the
8 intent.

9 So I'm just going to leave that if I may, and I want
10 to go to 183-1-12-.02(4)(b). The only potential violation
11 that I can see in that -- in that section of the rules is
12 the question of the appropriate voter access card -- card.
13 That is -- that's the only question about that, and in --
14 they used EasyVote machine to appropriately enter the
15 ballot request, and that EasyVote machine generated the
16 ballot style that was to be input, okay? There was --
17 183-1-12.02 contemplates the entire voting process. It is
18 what you do on that day and how you do it, and if there is
19 no allegation -- and we have researched this, and we can
20 find no instance where we did not act appropriately on
21 that day. We absolutely did it to the -- to the -- all
22 the knowledge of the people that were doing it and to
23 anybody's that would look otherwise, they -- they followed
24 every rule on the day that they were doing the activity.
25 So I don't know that that's really a violation, but that's

1 where we get to intent.

2 And that's what I really wanted to speak to you, and
3 I know that Board member Le used to be the Deputy Chamber
4 Counsel. I know Mr. Worley's many -- great understanding
5 of this, and -- and Ms. Sullivan's great understanding
6 too, and I certainly respect Mr. Mashburn's great career.
7 But fat-fingering doesn't infer intent to something that
8 happened weeks or months later. So here's the question.
9 Should the clerk anticipate that she would fat-finger a 9
10 instead of an 8? That's the question, okay?

11 MR. MASHBURN: Counselor, this is Matt Mashburn. If
12 I could -- I don't mean to -- I'm sorry to interrupt you,
13 but let me just ask a question that's on my mind.

14 MR. RILEY: Yes, sir.

15 MR. MASHBURN: No voter actually cast a vote in the
16 wrong district, correct? They were reported -- by this
17 mistake, they were afforded the opportunity, but nobody
18 actually voted in the wrong district, right?

19 MR. RILEY: I do not know -- we don't know that votes
20 were actually cast. We can't say that.

21 MR. MASHBURN: It was an unopposed -- it was an
22 unopposed race, so no -- no election outcome was affected?

23 MR. RILEY: Yes. That is exactly right, Mr.
24 Mashburn. That is exactly right.

25 MR. MASHBURN: You said -- you said you had a

1 recommendation for the Board?

2 MR. RILEY: Yes, sir. I do. I would recommend --
3 this is what I -- here's what we -- the problem I see for
4 the Board, and I used to be a judge, and I am a
5 prosecutor, and we see activities that we say we need to
6 do something about, okay? And I don't think that you --
7 me, if I don't have all the elements, I can't do them. I
8 just can't. You know, I don't think you all have that
9 strictness in there, but I'll leave that to you. My first
10 request would be find that this was simply, you know, this
11 was a brain-motor -- this was a brain-motor skill issue.
12 Every one of us fat-fingers every day, at least I do. I
13 would think everybody else does.

14 And nobody -- and I have reviewed everything in the
15 whole process, and we did everything right, and I could
16 find nothing in the process, neither in the training
17 manual for EasyVote nor in any training modules that there
18 had ever been that -- that had a failsafe for fat-
19 fingering a number. And once you fat-finger the number,
20 there's nothing that goes out afterwards that can realize
21 anything else, except we think that there might be some
22 software in the EasySafe program that could have some kind
23 of failsafe built into it when they were downloading --
24 downloading voter rolls. So I think that that would be a
25 possibility for something as a fix, a greater fix in the

1 future. It would be a great thing to ask them to look at.

2 In my case, I'd ask you to dismiss it because there's
3 no intent when you have a brain-motor skill malfunction,
4 and you certainly intended to hit the 8, and your finger
5 hits the 9, and there's no way for you to know it until
6 somebody has come and said how come that name was on my --
7 on my -- on my ballot? I'm not in his district. And that
8 was weeks and months later. So I would ask you to dismiss
9 it, first of all. And I'd ask you as part of the
10 dismissal, that you would allow us to provide the failsafe
11 that my clerk and superintendent has now ended up putting
12 into place for all of our EasyVotes and has made it right
13 for the last three years. And -- and we would -- and we
14 would be -- we would be glad to give it to any training
15 folks.

16 We're -- actually, good has come out of this that
17 you've done for us today because not only do we have this,
18 that we've had in place for over three years, but now, my
19 clerk is working for a second -- working on a potential
20 second failsafe after it comes back from the -- from the
21 logic program. The one we have now is pretty decent for
22 logic and accuracy. So I would ask you to dismiss and
23 allow us to provide that information for training. If you
24 feel that you have to do more because, you know, it was
25 fat-fingered, I'd ask you to give us a letter of

1 instruction and instruct us to do the very same thing that
2 we have volunteered to do anyway, and that is to give the
3 -- give our failsafe over to the trainers for their
4 review, and if they feel it's appropriate, to -- to
5 distribute that to all the superintendents who might be
6 using these programs.

7 MR. MASHBURN: And this is Matt Mashburn again. And
8 this was self- -- this was self-reported, correct?

9 MR. RILEY: The day we found out about it, and it was
10 corrected.

11 MR. MASHBURN: Okay. Well, I don't mean to interrupt
12 your -- your argument, Counselor, but I'm willing -- I'm
13 willing to go ahead and make a motion. Again, I agree
14 with your comment that it did happen, and voters did get
15 the wrong ballot. I agree that there was no effect of it
16 on the election, but I don't agree that it's no harm, no
17 foul, so I believe a letter of instruction is proper. I
18 don't believe that sending it to the Attorney General to
19 tell you not to hit 8 when you mean 9 or 9 when you mean 8
20 is going to -- is going to do any -- do any good, so I
21 agree that a letter of instruction is proper, and I move -
22 - I make that motion.

23 MR. RAFFENSPERGER: Do we have a second?

24 MR. WORLEY: David Worley, I'll second that.

25 MR. RAFFENSPERGER: Okay. Do we have any other

1 comments from the Board?

2 MS. LE: Yes. This is Anh. I would -- would agree
3 with the motion and the second. I just wanted to make a
4 comment for the record that, you know, with clerical
5 errors, I always struggle with those because you look at
6 the outcome, and you understand clerical errors can
7 happen. It happens to everyone, and I believe that the
8 best way to combat that -- and the counselor had mentioned
9 it -- is to improve training, so it's, you know, with
10 clerical errors because we know that it could happen, you
11 know, the thing to do is -- it's not a no harm, no foul
12 situation, as Mr. Mashburn said, so I always look for what
13 has been done, what can be done to avoid it, and usually,
14 it's training, and maybe redundancy or backup, manual,
15 double check systems, that kind of thing. And it looks
16 like they've put that in place, so I don't believe that
17 clerical errors are always no harm, no foul, as Mr.
18 Mashburn said, but in this case, I think that's
19 appropriate specifically because they've already put those
20 balances and checks in place to help minimize the errors.

21 In terms of intent, I think counselor referred to 21-
22 2-596, which deals with misdemeanor, intent as it applies
23 to misdemeanor. I don't think that's what we're looking
24 at with this particular code section, so I would still
25 second the motion, but I also disagree with that argument.

1 Thank you.

2 MR. RAFFENSPERGER: Well, we have a motion. We have
3 a second. Any other comments? Hearing none, all those in
4 favor of the motion?

5 THE BOARD MEMBERS: Aye.

6 MR. RAFFENSPERGER: Any opposed? Okay. Motion
7 carries. Next case?

8 MS. WATSON: Next case is 2017-058, City of Blakely.
9 In October 2017, it was reported that a Travis Wimbush, a
10 candidate for city council in the City of Blakely, Georgia
11 election had posted on his Facebook page an offer for
12 voters in District 2 Post 1 to be entered into a drawing
13 for a \$25 gift card. The election was the November 7th,
14 2017 municipal election. Investigation revealed the
15 Facebook post was confirmed. Travis Wimbush was contacted
16 and had already taken the post off his Facebook page. He
17 stated it was the first time he had ran as a candidate and
18 did not know it was a violation. We recommend Mr. Wimbush
19 be bound over to the AG's Office for 21-2-570. No one is
20 on the line.

21 MR. RAFFENSPERGER: No one is on the line. Do we
22 have any questions from any Board members? What is the
23 will of the Board?

24 MR. MASHBURN: This is Matt Mashburn. I move that
25 this be bound over to the Attorney General as recommended.

1 MR. RAFFENSPERGER: Okay. Do we have a second?

2 MR. WORLEY: David Worley, I'll second.

3 MR. RAFFENSPERGER: Okay. Any other comments? All
4 those in favor of referring this case 2017-058 to the
5 Attorney General's Office, please do so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.
8 Next case?

9 MS. WATSON: Next case is 2017-059, Sumter County.
10 During the November 7, 2017 City of Americus general
11 election, we received the following complaints. Election
12 Supervisor at the time Robert Brady reported his office
13 received an application for an official absentee ballot
14 for Cassandra Watson Marberry [ph.], but she was not
15 eligible to vote because she was a convicted felon.
16 Reverend Mathis Wright reported when an elector named
17 Josephine Cooper [ph.] reviewed her vote selection, she
18 discovered one of the selections was incorrect. He states
19 Ms. Cooper attempted to correct her vote, but the voting
20 machine would not accept the correction. Mr. Wright
21 states Mrs. Cooper had to be issued a new voter access
22 card to correct the problem.

23 Reverend Mathis Wright reported an elector Antonio
24 Willis [ph.] when summarizing his vote selection, he
25 discovered he was voting in the wrong district. He states

1 Mr. Willis lived in District 5, but the District 5
2 candidates were not on the ballot. Mr. Wright states Mr.
3 Willis informed a poll worker about his problem, but they
4 were not able to assist him. He states Mr. Willis cast
5 his ballot in the wrong district. Dr. Shirley Reese
6 reported some Election Board members informed her the
7 voting machines had not been checked properly since former
8 Elections Supervisor Sharon Radcliffe [ph.] left office.

9 It was also reported when the voting machines were
10 tested for the November election, they were not tested
11 where members of the public could observe. It was
12 reported during early voting, she was -- the complainant
13 was informed the voting machines were not sealed at the
14 end of each day. It was also reported during the November
15 2017 election a candidate went to the elections office to
16 pick up some applications for official absentee ballot.
17 She advised Elections Supervisor at the time Robert Brady
18 gave her the same nasty attitude he had given her in the
19 past, and he only gave her six applications.

20 Dr. Shirley Reese reported council member Juanita
21 Wilson, County Commissioner Thomas Jordan, and council
22 member Daryl Dowdell were going out in the neighborhoods
23 trying to influence people to vote for her opponent Kelvin
24 Pless. She advised they did not have the right to tell
25 people how to vote. Dr. Shirley Reese reported she

1 believed Juanita Wilson assisted more than ten people to
2 vote during the November 2017 election. She reported
3 during the November election, there was a power outage at
4 the courthouse. She advised they only used two voting
5 machines when the power went down. She stated she had a
6 concern about who filled out Kelvin Pless' family members'
7 election documents when they voted in the election.

8 She reported she had a question about the 75 absentee
9 ballots that were mailed out all in one day on October
10 16th, 2017. Dr. Reese stated that she had a question
11 about the absentee ballots, that she would like to know
12 how many were accepted and how many were rejected. It
13 came to her attention that several absentee ballots were
14 dropped off at the post office without postage. She
15 reported the Elections Office would pick the absentee
16 ballots up, and there was no check and balance system in
17 place. She also reported that she heard City Clerk Paula
18 Martin had not attended the yearly required qualifying
19 certification class sponsored by the Secretary of State's
20 Office in 2017.

21 The investigation revealed after an extensive
22 investigation, there was only one allegation that was
23 substantiated. In allegation number six, it was verified
24 that the Elections Supervisor at the time, Robert Brady,
25 failed to secure the DRE units with a seal at the close of

1 business during early voting. Mr. Brady advised he
2 documented the counter on the daily recap sheets but did
3 not see a need to seal the DRE units as they were housed
4 in a secure suite in the courthouse. We recommend that
5 Sumter County Board of Elections and Registration and
6 former Elections Supervisor Robert Brady be referred to
7 the AG's Office for a violation of SEB rule 183-1-14-
8 .02(8). And I believe we have Mr. Brady on the line.

9 MR. RAFFENSPERGER: Okay. Mr. Brady?

10 MR. BRADY: Good afternoon now. Yes, sir. At that
11 time, the early voting was conducted in the elections
12 suite in the Sumter County courthouse, and that is the
13 most secure facility in the county. That's more secure
14 than the jail, in fact. With only three keys being issued
15 in and out of the building, even the fire department can't
16 get in there. When I looked at this knowing that I'm the
17 one that opens early voting and opens and checks the
18 machines and know that I closed them in the evening, I was
19 functioning under the intent at the time of believing that
20 -- that there was no more secure place, and what was
21 necessary was securing the machines and confirming that
22 they'd not been tampered with.

23 Since that time, circumstances have changed because
24 all of this happened a considerable time ago, and that's
25 no longer the way that I do this. I am also no longer in

1 Sumter County, and Sumter County has moved their early
2 voting to a less secure place requiring that everything be
3 sealed. While it is true that I did not seal the
4 machines, I did secure them, and that's, again, a set of
5 circumstances that existed in 2017. This is no longer the
6 case. For the infractions, I apologize. There was never
7 an intent to commit any kind of -- any kind of crime. It
8 just looked like to me that we were doing what was
9 necessary, and since circumstances have changed and
10 training and demands have changed, the policy has changed
11 also. Thank you.

12 MR. RAFFENSPERGER: Any Board members or anyone else
13 want to speak on this case? What is the will of the
14 Board?

15 MR. MASHBURN: This is -- this is Matt Mashburn. I
16 under -- I understand the reasoning that you had, but we
17 have rules, and -- and I think Anh Le was really right on
18 target when she made comments earlier that the General
19 Assembly and the previous Boards have come up with these
20 rules and regulations not just for their practical effect
21 but also that people trust -- trust the results, so we
22 just have to have a uniform system where everybody follows
23 the same rules rather than individuals deciding what rules
24 they're going to apply and which ones they're not, so I
25 would move that this be forwarded to the Attorney

1 General's Office for processing as recommended, and that
2 the other counts, other than six, be dismissed.

3 MR. RAFFENSPERGER: Do we have a second?

4 MR. WORLEY: I will second that.

5 MR. RAFFENSPERGER: Do we have any additional
6 comment? Hearing none, all those in favor of the motion
7 as presented, please do so by signifying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: Any opposed? Motion carries.
10 Members, if you don't object, it's 12:30, if we could take
11 a lunch break. I guess we have some debates here of 30
12 minutes or 45. Let's do 45 and be back at 1:15, if that
13 works for everyone. Is that fair enough?

14 MS. SULLIVAN: That's fine. Mr. Secretary, I have an
15 obligation at 1 o'clock. I expect it to last about an
16 hour. I will try to plan on rejoining by two o'clock.

17 MR. RAFFENSPERGER: Okay. Well, we'll have plenty on
18 our plates still then, so thank you, Ms. Sullivan.

19 (Meeting break)

20 (Meeting resumes)

21 MR. RAFFENSPERGER: Okay. Well, let's go ahead and
22 call the next case then.

23 MS. WATSON: Okay. 2017-060, City of Warm Springs,
24 vote buying: we did receive two complaints in this, one
25 from a Charles Lee and one from a Sheila Conley. When the

1 notices went out, both of the complainants contacted me
2 and requested that they would like to withdraw the
3 complaints. The complaints were that on Sunday, October
4 22nd, mayoral candidate Charles Lee complained incumbent
5 Mayor Robert "Bob" Prater mailed out gifts which were
6 personalized calendars to voters. We also received a
7 complaint from Sheila Conley, alleging the same --
8 complaint that he sent out tokens of appreciation in the
9 form of engraved personalized calendars. The enclosure
10 included read enclosed is a small token of my appreciation
11 for the opportunity of serving as Mayor for the last four
12 years and the anticipation of serving you in the next four
13 years.

14 The investigation revealed that the accusations were
15 verified as accurate. Incumbent Mayor George Robert
16 Prater advised he did sent out the calendars to express
17 his appreciation to serve not to coerce or influence the
18 voters. Our recommendation is to refer George Robert
19 Prater, former Mayor of Warm Springs, to the Attorney
20 General's Office for a violation of 21-2-570.

21 MR. RAFFENSPERGER: Okay. Is Mr. Prater on the phone
22 call?

23 MS. THOMAS: No.

24 MS. WATSON: No, sir. He is not. My understanding
25 is that he is spending a significant amount of time out of

1 the country.

2 MR. RAFFENSPERGER: Okay. Be that as it may, what is
3 the will of the Committee?

4 MR. WORLEY: Mr. Secretary, this is David Worley. I
5 had one question for Ms. Watson first. Ms. Watson, when
6 you say -- when you describe them as personalized
7 calendars, does that mean that they have the Mayor's name
8 on them?

9 MS. WATSON: I believe they were personalized to --
10 to the voter's name.

11 MR. WORLEY: Okay. All right. Well, be that as it
12 may, I just do not think that this is really a violation
13 to send someone what is essentially a piece of campaign
14 literature. You know, it's not different from putting
15 your name on a -- as people used to do -- on a nail file
16 or a comb or something like that and sending it to voters
17 or handing it out to voters. I just -- I just don't see
18 this as a violation, so that's basically my view. That's
19 all. Thank you, Mr. Secretary.

20 MR. RAFFENSPERGER: Thank you for your input. Any
21 members have any other questions or input?

22 MR. MASHBURN: Yeah, I -- this is Matt Mashburn. I
23 agree in that I don't see -- I don't see the receipt of
24 the calendar conditioned on anything. You get this if you
25 voted for me, or I'll give you this, please vote for me,

1 so I agree with David, and move that it be dismissed.

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

3 MR. WORLEY: I'll second that.

4 MR. RAFFENSPERGER: Any other comment? All those in
5 favor of the motion as presented, please do so by
6 signifying aye.

7 THE BOARD MEMBERS: Aye.

8 MR. RAFFENSPERGER: Any opposed? Motion carries.
9 Next?

10 MS. WATSON: Next case is 2018-005, Coweta County.

11 It was reported that four electronic delivery ballots were
12 transmitted after the deadline for the May 22nd, 2018
13 election. Investigation revealed that Coweta County
14 Registrar Diane Prescott was interviewed and was very
15 apologetic and acknowledged the ballots had not been sent
16 before the deadline of April 6th. The ballots were
17 subsequently transmitted, and the County made contact with
18 three of the voters and advised them of the delivery of
19 the ballot. No contact could be made with the fourth.

20 Two of the voters returned the ballots for the election.

21 We recommend that Coweta County Board of Elections and
22 Registration and Diane Prescott, the Coweta County
23 Registrar, be referred to the AG's Office for a violation
24 of 21-2-384(a)(2), four counts, and to dismiss the case
25 against Jane Scoggins, the Election Supervisor. No one is

1 on the call to speak.

2 MR. RAFFENSPERGER: Okay. Members, do you have any
3 questions or need additional information?

4 MR. WORLEY: Mr. Secretary, I don't have any
5 additional questions, but I did just have a statement. I
6 -- in reading over the investigative report, it makes
7 clear that Coweta County made numerous follow-up efforts
8 to make sure that these various voters, all of whom were
9 outside the country, were gotten the information that they
10 needed, had the opportunity to vote if they chose to do
11 so, not every one of them did. I -- I just don't see what
12 more can be gained by sending them anything other than a
13 letter of instruction. They -- they did training after
14 this to -- to make sure that they handled it correctly in
15 the future, and I think they've done what they needed to
16 do to rectify this situation, so I would make a motion
17 that we send them a letter of instruction.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Matt Mashburn, second.

20 MR. RAFFENSPERGER: Any further comment? Hearing
21 none, all those in favor of sending a letter of
22 instruction for the motion for 2018-005, signify by saying
23 aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Next case?

2 MS. WATSON: The next case was listed as 2018-009,
3 DeKalb County. The attorney for Respondent Niles called
4 and requested this to be moved to the calendar and agenda
5 for the 24th meeting, and that request was granted.

6 MR. RAFFENSPERGER: Okay. Thank you.

7 MS. WATSON: Next case is 2018-010, Fulton County.
8 On May 16th, 2018, we opened an investigation into an
9 elector having been improperly turned away from voting in
10 the May 22nd, 2018 primary election. The allegation
11 submitted by the elector alleged the poll officer at the
12 OC polling place had not allowed the elector to vote
13 because the elector was wearing a Reagan/Bush 1984 t-
14 shirt. Investigation revealed on May 15th, 2018, Mr.
15 Timothy Kent [ph.] went to the OC polling location in
16 Fulton County to vote. The poll worker Mr. Reinhold [ph.]
17 advised him that he needed to turn his t-shirt that had
18 1984 Reagan/Bush on it inside out. Mr. Kent refused, and
19 Mr. Reinhold told the voter that he could not vote until
20 he removed the t-shirt. The voter left the polling
21 location without voting.

22 Mr. Kent was not able to return to vote, as he had to
23 leave town and did not return until after the polls
24 closed. The poll manager, Margaret Williams, and
25 assistant manager, Richard Reinhold, believed the t-shirt

1 was a violation of campaign material and thought the
2 candidates listed -- even though the candidates listed
3 were not on the current ballot. We recommend Fulton
4 County Board of Elections and Registration, poll manager
5 Margaret Williams, and assistant poll manager Richard
6 Reinhold be referred to the AG's Office for a violation of
7 21-2-596.

8 MR. RAFFENSPERGER: Okay. Are either one of the
9 Respondents here to speak for themselves?

10 MS. WATSON: I believe that there's several people on
11 the phone to speak. I believe Margaret Williams is on the
12 line.

13 MS. WILLIAMS: Yes, I am. Can you hear me?

14 MR. RAFFENSPERGER: Yes. We can, ma'am.

15 MS. WILLIAMS: Thank you. All of a sudden, the
16 volume is low, just one moment. Yes. Good afternoon, Mr.
17 Secretary. As stated, I am Margaret Williams, and I was
18 assigned to the OC Library, my first assignment as poll
19 manager, and I just want to say that as a poll manager, we
20 strive to adhere to the training that's provided, and in
21 executing our duties, we make sure that no eligible voter
22 is ever willfully denied an opportunity to vote. In this
23 case, the voter chose not to vote. He was not actually
24 turned away, but he chose not to vote because we were
25 under the understanding that any party affiliation was

1 also a form of campaigning. So we were wrong in thinking
2 that at that time, but the voter chose not to vote.

3 MR. RAFFENSPERGER: Okay.

4 MS. WATSON: I believe we also have Ralph Jones and
5 Fulton attorney David Lowman on the line.

6 MR. LOWMAN: Yes, Mr. Secretary, this is David Lowman
7 with the Fulton County attorney's office.

8 MR. RAFFENSPERGER: Okay.

9 MR. LOWMAN: I would like to point out that the poll
10 manager and assistant poll manager were attempting to
11 correctly enforce the rules against campaigning in this
12 case. I know that they've been charged with violating
13 OCGA 21-2-2(3.1)(a), which talks about a candidate whose
14 name appears on the ballot but if you go down two more
15 sections to (c), it says a political party or body which
16 has a nominee or nominees on the ballot in a primary
17 election, and although this not necessarily says, you
18 know, Republicans 199 -- 1984, it did reference the names
19 of Reagan and Bush, and I think everybody here has heard
20 the Republican party at times referred to as the party of
21 Reagan or Reaganomics, and I think that because the poll
22 manager and the assistant poll manager were attempting to
23 enforce the spirit and the letter of this rule and of this
24 law that binding them over would not serve the same
25 purpose as just administering a letter of instruction.

1 They did attempt to adhere to the training and the
2 law as it was given to them and as they understood it, and
3 as the poll manager pointed out, nobody was turned away
4 from voting other than asked to either cover or turn the
5 shirt inside out. So because we think that the -- the
6 people involved and Fulton County attempted to enforce the
7 letter of the rule and of the law to the best of their
8 ability during this election and allowed the voter the
9 opportunity to vote, we would ask that either the count be
10 dismissed or a letter of instruction be granted. Thank
11 you.

12 MR. RAFFENSPERGER: Okay. Members, do you have any
13 questions for anyone? What is the will of the Board?

14 MR. MASHBURN: This is Matt Mashburn. I'm -- as I
15 stated before, I'm very protective of the hundred and
16 fifty foot protective bubble, and so for me, this is a
17 close one, but I don't think it was a candidate on -- on
18 the ballot, so I don't think it was campaign paraphernalia
19 for that election, so I think just the poll manager was
20 wrong here, so I don't see that sending her to the
21 Attorney General is going to benefit anything, but I do
22 think a letter of instruction clarifying what's permitted
23 and what's not permitted is -- would be helpful, so I'll
24 make a motion that we issue a letter of instruction.

25 MR. RAFFENSPERGER: Do we have a second?

1 MS. LE: This is Anh. I'll second that.

2 MR. RAFFENSPERGER: Any further discussion? Hearing
3 none, all those in favor of sending a letter of
4 instruction to Fulton County on case number 2018-010,
5 please do so by signifying aye.

6 THE BOARD MEMBERS: Aye.

7 MR. RAFFENSPERGER: Any opposed? Motion carries.
8 Next case?

9 MS. WATSON: Next case is 2018-012, Sumter County.
10 On May 16th, 2018 during early advance absentee voting,
11 monitoring inspection at the Sumter County courthouse
12 polling and precinct Sumter County Election Supervisor at
13 the time Robert Brady stated that he has not been sealing
14 the machines on a daily basis. Investigation revealed
15 former Sumter County Elections Supervisor Robert Brady
16 told Investigator Monroe that he did not seal the voting
17 machines during early advance absentee voting during the
18 May 22nd, 2018 general primary election. His reasoning
19 was that he believed the voting machines were already
20 secured inside the elections office, which was secured
21 inside the courthouse and did not need to be sealed.
22 Inspection supervisor Pam Jones documented in her May
23 16th, 2018 polling place inspection report when she was
24 there that Mr. Brady told her he was not sealing the
25 voting machines simply because it was a waste of money to

1 purchase fifty seals. He also stated the polling location
2 and building was secure and has surveillance coverage. He
3 was the last one to leave the room daily and make sure the
4 room was secured.

5 There was a previous investigation in which he was
6 not sealing the voting machines during early advance
7 voting, which was 2017-059 that we presented earlier this
8 date. Our recommendation was to send Mr. -- former
9 Elections Supervisor Robert Brady and Sumter County Board
10 of Election and Registration to the AG's Office for
11 violation of Board rule 183-1-14-.02(8). And he is also
12 on the call.

13 MR. RAFFENSPERGER: Okay. Sir, would you like to
14 speak?

15 MR. BRADY: No, sir. Thank you.

16 MR. RAFFENSPERGER: Okay. Members of the Board, do
17 you have any questions for anyone or need additional
18 information?

19 MR. MASHBURN: Yeah, this is Matt Mashburn. If it
20 would be appropriate, I would just move to merge this in
21 with the other case that we -- that we handled previously,
22 and the two be handled together. That would be my motion.

23 MR. WORLEY: I'll second that.

24 MR. RAFFENSPERGER: Okay. Any further comments? All
25 those in favor of the motion, please do so by signifying

1 aye.

2 THE BOARD MEMBERS: Aye.

3 MR. RAFFENSPERGER: Any opposed? Hearing none,
4 motion carries. Next one?

5 MS. WATSON: Next case is 2018-091, Fulton County.
6 On November 6th, 2018, it was reported that the poll
7 manager at Liberty Baptist Church at 395 Chamberlain
8 Street, Atlanta had been refusing to accept as proper
9 identification student IDs from Georgia Tech and Georgia
10 State University. Investigation revealed on November 6th,
11 2018, it was reported that a poll worker at Liberty Street
12 Baptist Church was not accepting student IDs from Georgia
13 Tech and Georgia State University as proper
14 identification. Investigator Bagwell [ph.] responded to
15 the location and made contact with the poll manager, a Ms.
16 Franklin. Ms. Franklin was asked if she was accepting
17 student IDs, and she responded absolutely not and why do
18 people keep asking me that? Ms. Franklin referred to the
19 voter certificate and stated the student IDs would not be
20 acceptable for voting. Dwight Brower was contacted, and
21 he stated that Ms. Franklin advised him that she had not
22 denied any student from voting that had presented student
23 identification, which appeared to be contrary to the
24 complaints and statements made to the investigator. We
25 recommend Fulton County Board of Registration and

1 Elections, Fulton County Elections Supervisor Richard
2 Barron, Fulton County poll manager Ms. Franklin be issued
3 a letter of instruction, as there was no voter that came
4 forward and reported they were turned away. This was
5 reported third party through a news agency with no voter
6 contact information.

7 MR. RAFFENSPERGER: Okay. Does anyone want to speak
8 from Fulton County?

9 MR. LOWMAN: Yes. This David Lowman.

10 MR. RAFFENSPERGER: Yes, sir.

11 MR. LOWMAN: We will accept Ms. Watson's
12 recommendation for a letter of instruction in this case.

13 MR. RAFFENSPERGER: Okay. Board members, anyone have
14 any questions or require additional information? Hearing
15 none, what is the will of the Board?

16 MS. LE: I move to issue a letter of instruction
17 because there are no witnesses who came forward.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Second, Matt Mashburn.

20 MR. RAFFENSPERGER: Any further discussion? Hearing
21 none, all those in favor of the motion as presented,
22 signify by saying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.
25 Okay. Next case?

1 MS. WATSON: The next case -- the next case is 2018-
2 093, DeKalb County. The Respondent in this particular
3 case has requested a continuance to the February 24th,
4 2021 meeting which was granted.

5 MR. RAFFENSPERGER: Okay. Next case?

6 MS. WATSON: Next case is 2018-096, Fayette County.
7 On November 26, 2018, it was reported that Dexter Mitchell
8 [ph.] voted in both the State of Georgia and the State of
9 South Carolina during the general election of November
10 6th, 2018. Investigation revealed that the allegation was
11 verified, and Mr. Mitchell admits to the allegation but
12 maintains that he was told this was acceptable as he
13 maintains both residences. Mr. Mitchell advised that
14 Conway, South Carolina is his primary address, and his
15 family resides there as well. Absentee ballots confirm
16 that he voted in both states during the November 6th, 2018
17 general election. We recommend that Dexter Bernard
18 Mitchell be referred to the Attorney General's Office for
19 violation of 21-2-572. He is not on the line.

20 MR. RAFFENSPERGER: Okay. And Ms. Frances, has he
21 been charged in South Carolina?

22 MS. WATSON: Not to my knowledge. He has not.

23 MR. RAFFENSPERGER: And we have not sent -- have we
24 sent South Carolina inf -- any information about this
25 case?

1 MS. WATSON: We -- we did have contact with South
2 Carolina.

3 MR. RAFFENSPERGER: Okay. Does anyone have any
4 questions? Okay. Hearing none, what is the will of the
5 Board?

6 MR. WORLEY: I would -- David Worley. I would make a
7 motion that we refer this to the Attorney General.

8 MR. RAFFENSPERGER: Okay. Do we have a second?

9 MS. LE: This is Anh Le. I second.

10 MR. RAFFENSPERGER: Okay. Any further discussion?
11 All those in favor of referring this to the Attorney
12 General's Office, please signify by saying aye.

13 THE BOARD MEMBERS: Aye.

14 MR. RAFFENSPERGER: Any opposed? Motion carries.
15 And Ms. Watson, can we also let the State of South
16 Carolina -- let them know what our position is on this, so
17 they're aware? If they aren't aware now, I think they
18 should be. Thank you.

19 MS. WATSON: Yes, sir, Mr. Secretary. The next case
20 is 2018-103, Bartow County. On December 4th, 2018, it was
21 reported that a person shoved or pushed a poll worker
22 during the December election at the Atco Baptist Church
23 polling location. Bartow County Elections Supervisor
24 Joseph Kirk reported that Glenda Fay Massey [ph.] and her
25 husband were discussing voting while at the voting

1 machines. The poll manager, Phoebe Martin [ph.],
2 requested that the voters not talk while voting. Both
3 refused after several requests and were asked to leave.
4 It was reported that Phoebe Martin [sic] pushed the poll
5 manager on two occasions before exiting the poll. Both
6 had completed their voting before being asked to leave.
7 The Cartersville Police Department responded and completed
8 a police report of the incident. The Cartersville police
9 made a charge against Mrs. Massey for 21-2-566. The case
10 was resolved through a plea of nolo and pretrial diversion
11 program. We recommend that the case be closed with no
12 further action as the Respondent has been charged and
13 prosecuted for the violation of 21-2-566.

14 MR. RAFFENSPERGER: Members, what is your will?

15 MR. MASHBURN: This is Matt Mashburn. I move that
16 the case -- that our case be dismissed, as it has already
17 been handled up in Bartow County.

18 MR. RAFFENSPERGER: Do we have a second?

19 MS. LE: Anh Le, second.

20 MR. RAFFENSPERGER: All those in favor?

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Motion carries.

23 Next?

24 MS. WATSON: Next case is 2018-107, Carroll County.
25 This was a self-reported incident. Carroll County

1 Executive Director of Elections and Registration Carolyn
2 Williams reports an elector named Ronald Larry Green [ph.]
3 voted in person on November 26, 2018, and Mr. Green also
4 voted December the 4th, 2018 on Election Day during the
5 runoff election. Ms. Williams states she believes due to
6 Mr. Green's age and health condition, it might have been
7 done by error and not intentionally done.

8 Investigation revealed that Mr. Green did vote during
9 early advance voting and then on Election Day. Mr. Green
10 did not realize that he was voting in the same election.
11 He was asked if he had voted absentee by mail, and he knew
12 -- he knew he had not done so. When the poll worker
13 called to verify, they checked absentee by mail but failed
14 to check in person voting during early advance voting.
15 Mr. Green was allowed to vote again. We recommend that
16 Carolyn Williams and Carroll County Elections and
17 Registration be referred to the AG's Office for a
18 violation of 21-2-431 and Ronald Green be referred to the
19 AG's Office for 21-2-572. And Carolyn Williams is on the
20 line.

21 MR. RAFFENSPERGER: Okay. Ms. Williams, would you
22 like to speak to the Board?

23 MS. THOMAS: Ms. Williams, you can unmute yourself if
24 you would like to speak.

25 MR. RAFFENSPERGER: Okay. Ms. Williams? Okay.

1 Members, do we have any questions about this case. No?
2 What is your will?

3 MS. THOMAS: She's trying to unmute, Mr. Secretary.
4 She's trying to unmute herself. She's trying to find the
5 speaker, she says in the chat. The option to unmute
6 yourself will be on your toolbar, Ms. Williams.

7 MS. WATSON: Hold on. I'm going to put you on
8 speaker phone. Okay. I have Ms. Williams on speaker
9 phone.

10 MR. RAFFENSPERGER: Great.

11 MS. WILLIAMS: Okay. Good morning. This is Carolyn
12 Williams, and I'm sorry I was unable to get on the
13 speaker. They couldn't hear me on the Zoom, but what I
14 wanted to say was this: I don't know how this happened. It
15 is because I know the rules for the voting here, and it
16 states that the poll manager call me [sic] and says that
17 he had a voter there that had voted absentee and usually,
18 when a voter votes absentee, we go into the system and it
19 -- my clerk be here and both of us be answering the phone
20 on Election Day, and if they call and say that it's marked
21 in the express polls that a voter had voted, I have been
22 training the poll workers that AB is absentee ballot and
23 AV is for advance voting, and it says that a manager said
24 he asked for an absentee ballot, and I went to the
25 absentee box because we only have just a few voters that

1 had voted. It was only 13 of them, and it was -- I got up
2 and went and looked, and there wasn't no ballot there
3 because if they voted absentee by mail, and the ballot had
4 returned, it would have been there with the absentee
5 ballots, and the clerk reviewed the -- the sheet and no,
6 his name wasn't on there.

7 And so that's why we was looking for a paper ballot
8 because he said absentee ballot, but normally, we go into
9 E-net, and it would tell us whether he voted absentee by
10 mail or absentee in person, and so the -- the voter -- we
11 told the poll manager to go ahead and let him sign the
12 absentee ballot affidavit because no paper ballot had
13 returned and allow him to vote on the touch screen. Then,
14 I was still mixed -- confused about that because it
15 wouldn't have been logged if the voter checked not voted
16 by absentee ballot or in person, and so I went to pull it
17 up on the screen, and by the time I pulled it up, I called
18 and asked the precinct and said wait. He did not vote
19 absentee ballot by mail. He voted in person. Do not let
20 him vote on the machine, and the manager told me well,
21 he's already cast his ballot, and I was disturbed by that
22 because I didn't know what -- what I could do but report
23 it because I try to do what I can to run clean elections,
24 and so we looked, and we found, and I called and reported
25 myself that this guy had voted twice.

1 And I talked with the manager, and I'm looking at the
2 books. It wasn't AB that was checked. It was AV, as in
3 vote, and that's absentee. But he was telling by absentee
4 ballot by mail, and Mr. Green actually did not vote
5 absentee by mail, and he has -- he seemed to be having
6 some type of health issues the last time I saw him, and I
7 honestly believe -- he is one of our regular voters, and I
8 believe he has gotten to the age where he just voted in
9 November, and when the December Election Day came around,
10 he thought it was time for him to vote again. And he -- I
11 just don't think he intentionally did that, and I tried to
12 correct this. It had happened, but I still reported it,
13 and I'm asking the Board members to -- if they would, to
14 take into consideration that both accounts be dismissed
15 and give us a letter of instruction and do not submit this
16 to the Attorney General because we tried both -- at all
17 times to make sure that we abide by all the rules and
18 regulations from the State.

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

20 MS. WILLIAMS: Mmm-hmm.

21 MR. RAFFENSPERGER: Anyone else who would like to
22 speak or any Board members who have any questions?

23 MR. MASHBURN: This is Matt Mashburn. Ms. Williams,
24 can you hear me?

25 MS. WILLIAMS: Thank you.

1 MR. MASHBURN: Ms. Williams, -- she's gone. Okay.

2 MR. RAFFENSPERGER: Okay.

3 MS. WATSON: She's still online, though.

4 MR. MASHBURN: I was just going to ask what -- what
5 procedures or processes she thinks -- or have they
6 instituted to make sure that it doesn't happen again.

7 MR. RAFFENSPERGER: Okay.

8 MS. WATSON: I can get her back on the line. Yes,
9 hello. A Board member has a question for you.

10 MR. MASHBURN: Hey, Ms. Williams. This is Matt
11 Mashburn.

12 MS. WILLIAMS: Yes, sir.

13 MR. MASHBURN: I appreciate -- I appreciate you self-
14 reporting this, and I appreciate you calling the Board and
15 giving us your explanation. What I was wondering is what
16 procedures or what ideas do you have or have you had to
17 put in place to make sure this doesn't happen again?

18 MS. WILLIAMS: I actually asked those voters -- those
19 managers to call me on every voter that comes in, and I
20 extended training. Our trainings are broken down into
21 smaller -- we're from a small county here, and my training
22 -- where I have been calling in, like, two precincts at a
23 time. I called in one precinct, and I work with one
24 precinct at least two hours a day per day for four times,
25 and that's what we did for that 2020 election, and it did

1 not happen.

2 MR. MASHBURN: Thank you, Ms. Williams. I appreciate
3 it.

4 MS. WILLIAMS: Yes, sir.

5 MR. RAFFENSPERGER: Okay. Any other members have
6 questions? What is the will of the Board?

7 MR. MASHBURN: This is -- this is -- go ahead. This
8 is Matt Mashburn. As far as Ms. Williams, I'm inclined to
9 agree with her recommendation of a letter of instruction.

10 MR. RAFFENSPERGER: Do we have a second?

11 MR. MASHBURN: For Mr. -- for Mr. Green, I'm
12 persuaded by his advanced age that sending him to the
13 Attorney General is not going to be a good use of the
14 State's resources, but I don't know -- I don't know
15 exactly what to do about that one, so I'll just make a
16 motion right now that Ms. Williams be issued a letter of
17 instruction and wait for the other Board members.

18 MR. RAFFENSPERGER: Do we have a second on the first
19 motion?

20 MS. LE: This is Anh. I'll second that.

21 MR. RAFFENSPERGER: Do we have any further
22 discussion? All those in favor of a letter of instruction
23 for the Carroll Elections and Registration, do so by
24 signifying aye.

25 THE BOARD MEMBERS: Aye.

1 MR. RAFFENSPERGER: Any opposed? Motion carries.

2 Now to Mr. Green, what is the will of the Board?

3 MS. LE: This is Anh. Mr. Green is not on the -- Ms.
4 Williams seems to attest that she knows him as a repeat --
5 a regular voter in her area and also that he -- it's my
6 understanding, if I'm not mistaken, that she said he's not
7 done this before, but because of his advanced age, he's at
8 the point where this -- it sounds like the first time he
9 was doing this. Is that -- I don't know if she's still
10 on.

11 MR. RAFFENSPERGER: Yes. That's my understanding
12 also.

13 MS. LE: Right. I don't know if sending this to the
14 AG's Office will resolve the issue that we're trying to
15 do, which is to make sure that he doesn't do this again.
16 I suppose he could, if it's his advanced age and that's
17 something going to back to the first motion that the
18 training -- Ms. Williams will have to incorporate, not
19 just for Mr. Green's circumstance but similar
20 circumstances, so my motion would be to issue him a letter
21 of instruction.

22 MR. RAFFENSPERGER: Do we have a second?

23 MR. WORLEY: I'll second that.

24 MR. MASHBURN: Second.

25 MR. RAFFENSPERGER: Okay. Any further discussion?

1 Hearing none, all those in favor of sending Mr. Green a
2 letter of instruction, please signify by saying aye.

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Any opposed? Motion carries.

5 Next case?

6 MS. WATSON: Next case is 2018-109, Fulton County.

7 On November 6th, 2018, Nan Harmon [ph.] advised that while
8 voting at the Hopewell Baptist Church, she filled out the
9 initial form and her information was entered into the
10 computer. She was asked if she had also requested an
11 absentee ballot. She stated that she had not requested
12 one. The investigation revealed that Nan Harmon voted
13 advance in person at the Milton Library on October 15th,
14 2018. She then was allowed to vote again at the Hopewell
15 Baptist Church on November 6th, 2018 in the same election.
16 Nan Harmon advised that she did not remember voting the
17 first time. We recommend that Nan Caroline Harmon be
18 referred to the Attorney General's Office for a violation
19 of 21-2-572 and Fulton County Board of Elections and
20 Registration and Elections Superintendent Rick Barron,
21 Kenneth Sanford be referred to the Attorney General's
22 Office for violation of SEB rule 183-1-14.09(1)(a)(2),
23 when an absentee ballot which has been voted shall be
24 returned to and received by the Board, it shall be dete --
25 deemed to have been voted then and there and no other

1 ballot shall be issued to the same elector, and 21-2-590,
2 poll officer permitted unregistered or unqualified person
3 to vote.

4 MR. RAFFENSPERGER: Okay.

5 MS. THOMAS: And Mr. Sanford is on the phone.

6 MS. WATSON: I believe Mr. Sanford is on the line to
7 speak.

8 MR. RAFFENSPERGER: Okay. Mr. Sanford?

9 MS. THOMAS: Mr. Sanford, you're unmuted. You can
10 speak now.

11 MS. WATSON: I believe also David Lowman is on the --
12 on the call from Fulton County.

13 MR. RAFFENSPERGER: Okay. Mr. Lowman?

14 MR. LOWMAN: Yes. I would just ask for the sake of
15 consistency because this case is very similar to the case
16 right before this one, I would ask for a letter of
17 instruction in this case as well, and further for the sake
18 of consistency, I point the Board to a case -- I don't
19 know the exact number, but it was last week, and there was
20 a gentleman in Cobb County that voted twice on Election
21 Day. I think he said that his parents had been sick, and
22 he was traveling back and forth between here and Ohio and
23 cast two votes in the same election, and I believe that in
24 that case, Cobb County was not even named. So I would ask
25 for the same fair and equal treatment for Fulton County,

1 and at the most, I would ask that the County receive a
2 letter of instruction in this case. Thanks.

3 MR. RAFFENSPERGER: What is the will of the Board?

4 MR. MASHBURN: I read this -- did I read this
5 correctly? She reported herself but didn't remember
6 receiving or voting the original ballot. She said that
7 somebody voted her ballot for her, but it turned out that
8 she ultimately admitted that it was her, right?

9 MS. WATSON: That is correct.

10 MR. RAFFENSPERGER: What would the Board like to do?

11 MR. MASHBURN: Ms. Watson, did you -- have you spoke
12 to her? Your investigators spoke to her, and they -- they
13 didn't notice any cognitive -- advanced age, cognitive
14 disabilities, anything like that? Like in the -- like in
15 the first case that we had?

16 MR. RAFFENSPERGER: What would the Board like to do
17 with this one?

18 MS. WATSON: Mr. Secretary, if we could check one
19 more time with Mr. Sanford to see if he has -- is able to
20 speak now?

21 MR. RAFFENSPERGER: Okay.

22 MS. WATSON: Mr. Sanford?

23 MS. THOMAS: Mr. Sanford, you're unmuted. You can go
24 ahead and speak.

25 MS. WATSON: No.

1 MR. RAFFENSPERGER: Okay. Members, what is your
2 will?

3 MR. MASHBURN: I -- this is Matt Mashburn. I'm just
4 still really puzzled by this case and have been ever since
5 I first read it, so I'm going to make a motion to table,
6 and we'll bring it up again.

7 MR. RAFFENSPERGER: Okay. Motion to table.

8 MR. WORLEY: I'll second that.

9 MR. RAFFENSPERGER: Okay. We have to vote on that.
10 It's a motion to table, but I don't have my Robert's rules
11 here, but all those in favor of tabling this?

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Motion carries. Next case?

14 MS. WATSON: 2019-014, City of Atlanta, District 3
15 runoff. On April the 9th, 2019, the complainant reported
16 that notice had been posted in the Friendship Tower Senior
17 Center offering cash rewards and prizes to individuals who
18 voted. Investigation revealed Karen Ashley, the resident
19 services coordinator of Friendship Homes on Northside
20 Drive, posted fliers in the facility that offered rewards
21 for residents that voted in the runoff. Residents who
22 could show that they voted would have their names entered
23 into a drawing that yielded three separate prizes: \$150
24 prize to be paid towards the winner's rent for the month
25 of May, second prize of a \$25 Walmart card, and a third

1 prize of \$10 cash.

2 Karen advised she did post the flier to try and get
3 the residents to participate in the voting process. Once
4 she was notified, she removed the flier, and no prizes
5 were given out. We recommend Karen Ashley be referred to
6 the Attorney General's Office for a violation of 21-2-570.
7 And I believe that she is on the phone to speak.

8 MR. RAFFENSPERGER: Okay.

9 MS. ASHLEY: Yes. Good afternoon.

10 MR. RAFFENSPERGER: Good afternoon.

11 MS. ASHLEY: Are you -- okay. Hi, I'm Karen Ashley,
12 and I thank you for an opportunity to speak to the Board
13 regarding my case. Let me give you some background
14 information. I do not live in District 3. I don't have
15 the ability to vote. I did not know any of the candidates
16 that were running. I actually work as a resident services
17 coordinator in a senior community. It's a community for
18 independent living, and what I do is that I connect them
19 to resources and services to help them age in place
20 longer.

21 One of the things -- voting is not one of the things
22 that is a part of my job description. It's just a passion
23 of mine because I believe that voting is important, and
24 the demographics of the people that I serve are mostly
25 impoverished seniors ranging in age from 62 to 97. Many

1 have been formerly homeless or had some type of vice in
2 their younger years, and they don't have, really, a family
3 support system, and so I work from a place of empowering
4 them, and voting is one of those things that I think is an
5 equalizer for being -- teaching self-empowerment, so
6 whether or not it is voting or getting a vaccine for COVID
7 or getting tested for COVID, many of my residents have a
8 background in their life experiences -- they -- they don't
9 trust the system, or they don't believe themselves to be
10 trustworthy or anything of that nature, or that the system
11 doesn't matter. It's against them.

12 And what I seek to do with the voting is to say yes,
13 you do matter, and this is an opportunity for you to show
14 that the system works, and in this particular setting, as
15 again, I don't invite anyone into the building. If their
16 campaigns reach out to me, I will allow them to come in to
17 speak with the residents so that they themselves can be
18 educated voters. I -- in this particular incident, it was
19 a special election, and I think it was about nine
20 candidates that were running. Seven reached out over the
21 peri -- over the course of the election and asked if they
22 could come in and speak with the residents, which I
23 allowed all that called to do. They were able to come in,
24 and after the actual election, I noticed that out of
25 26,000 people who were eligible to vote in this district,

1 less than six percent did, only about a thousand. And so
2 I chose to use that as a teachable moment to my residents
3 to say your vote matters. It makes a difference and to go
4 back out to do the runoff, many of them -- and you would
5 be surprised. People don't understand the process. They
6 -- many -- I have seniors who are 65 and 70 who have never
7 voted, and so I was saying go back. There's a runoff --
8 trying to explain the process, and many of them were --
9 well, why should we go back? And I had the thought, and
10 it had nothing to do politically. It was just -- I just
11 believe that you are your brother's keeper.

12 And it was just -- I had the thought to -- okay,
13 well, that's an incentive if you go. I got with the
14 property manager because this is subsidized housing. None
15 of them would have gotten -- I wasn't giving out a hundred
16 and fifty dollars, but I did seek -- it was so important
17 to me that they participate in the process because it
18 didn't benefit me one way or the other if they voted or
19 not. Again, I don't know -- know any of the candidates,
20 and -- but when it was brought to my attention that this
21 is not something that you do, I in no way would jeopardize
22 myself or any of my residents because I understand what a
23 privilege it is to vote, and when it was brought to my
24 attention, I immediately took down the sign. It is not
25 open to the public. This is just a private senior

1 community of about a hundred people, and it was not
2 mandatory that they participate. It was voluntary --
3 voluntarily. When it was brought to my attention, I took
4 it down. We did not have the drawing. They were no
5 prizes, and this was not for any particular candidate, and
6 I was not aware that this was considering [sic] buying
7 votes, or I would have never thought to do anything like
8 this, never. I had never before, and I haven't since
9 then. I was just advocating for a group of people who
10 would otherwise not participate in the process, and I just
11 wanted them to -- to participate. And that -- that was my
12 --

13 MR. MASHBURN: Ms. Ashley?

14 MS. ASHLEY: Yes, sir.

15 MR. MASHBURN: Ms. Ash -- Ms. Ashley, this is Matt
16 Mashburn of the Board. I appreciate your enthusiasm, and
17 I apologize to interrupt you, but you raised a question in
18 my mind, and that is where -- where did the money come
19 from that was going to be the prize? Who provided that
20 money?

21 MS. ASHLEY: No one provided it. It was my own
22 personal -- that was going to be on me.

23 MR. MASHBURN: Okay. So no campaign or candidate or
24 cause offered to give you that money?

25 MS. ASHLEY: Oh, absolutely not. In fact, once it

1 was brought to my attention by the County as well as the
2 State, I not only took down what I had posted in the
3 general area, in our common area, I put up notices sharing
4 with them what I had learned when I was educated, and then
5 I had say hey, after I -- you know, if anyone comes in and
6 does it, don't do it. I even shared it with them because
7 I did not -- I didn't know. I didn't look at that as --
8 as buying votes because it was not for any particular
9 candidate, and I thank God that I was educated because
10 nothing happened. That did not happen.

11 MR. MASHBURN: Okay. Thank you. I thank you for
12 your answer, Ms. Ashley. Unfort -- well, not
13 unfortunately, but we -- the law is very clear on this
14 that you just can't offer anything of value for people's
15 votes, for people to vote, so I'm going to make a motion
16 that this be referred to the Attorney General.

17 MR. RAFFENSPERGER: Do we have a second?

18 MS. LE: This is Anh Le. I second.

19 MR. RAFFENSPERGER: Okay. Do we have any further
20 comments? Hearing none, all those in favor of referring
21 this to the Attorney General's Office, case number 2019-
22 014, please do so by signifying aye.

23 THE BOARD MEMBERS: Aye.

24 MR. RAFFENSPERGER: Any opposed? Motion carries.
25 Next case?

1 MS. SULLIVAN: Mr. Secretary, for the record, this is
2 Rebecca Sullivan, and I have rejoined the call.

3 MR. RAFFENSPERGER: Okay. Great. Thanks. Are we
4 ready for the next --

5 MS. WATSON: Next case is -- next case is 2019-015,
6 Fulton County. Fulton County self-reported that they
7 failed to publish notice for L&A testing for the March
8 runoff election and for the March 19th election. The
9 investigation revealed that the allegation was -- or the
10 self-report was verified. We're recommending that Fulton
11 County Board of Election and Registration and former
12 Superintendent Richard Barron be issued a letter of
13 instruction for SEB 183-1-12.02-3(b)(1) and also SEB rule
14 183-1-12.02-3(b).

15 MR. WORLEY: This is David Worley. I make a motion
16 that we accept the recommendation and send a letter of
17 instruction.

18 MR. RAFFENSPERGER: Okay. Do we have a second?

19 MR. MASHBURN: Second, Matt Mashburn.

20 MR. RAFFENSPERGER: Okay. Any further conversation?
21 Hearing none, all those in favor of sending a letter of
22 instruction for case number 2019-015, please do so by
23 signifying aye.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Hearing none,

1 motion carries. Next?

2 MS. WATSON: Next case is 2019-016, City of Nahunta.
3 In May 2019, it was reported that the City of Nahunta
4 failed to publish the qualifying fees by the February 1st
5 deadline. The qualifying fees pertained to the November
6 2019 election. It was determined that the City of Nahunta
7 had the city clerk Brenda Lartz and a new mayor took
8 office. It is believed with the changes that the
9 publishing of the qualifying fees was overlooked. The new
10 clerk was made aware of the missed deadline and advised
11 that the previous clerk Brenda Lartz would have still been
12 in the position when this deadline for publishing the
13 qualifying fees occurred on February 1, 2019, as she
14 resigned without notice February 14, 2019. The notices
15 were published in a legal organ on May 1, 2019. Brenda
16 Lartz advised that she did not know the qualifying fees
17 had to be published in a legal organ and states she had no
18 real training. We're recommending the City of Nahunta and
19 former City Clerk Brenda Lartz be referred to the AG's
20 Office for 21-2-131(a)(1)(a), on the publishing of
21 qualifying fees. And we also have someone on the line
22 from the City to speak.

23 MR. KINSLEY: Thank you.

24 MR. RAFFENSPERGER: Go ahead.

25 MR. KINSLEY: So I'm speaking on behalf of the City

1 of Nahunta. This case is quite simple. I agree pretty
2 much with all the findings in the -- in the report. There
3 was some confusion as to whether Ms. Lartz said she was
4 trained or not, but I think it's clear that she was
5 trained, and in the investigator's findings, it states
6 that, you know, eventually, she admitted that she did
7 participate in online training. Since this time, the City
8 has had two clerks, so Ms. Monroe, who -- who did take
9 action as soon as she found out. She published the
10 qualifying fees, albeit late. But since then, they've had
11 another clerk, who has -- has taken that position, and
12 she, you know, will be trained on elections. The
13 management, you know, is -- is urging new -- better
14 organization throughout the entire City, not just the
15 Elections Department, but essentially, you know, that's --
16 that's kind of the best practice, I guess, to prevent this
17 from happening in the future.

18 Overall, you know, it was a simple miss in the
19 deadline. I don't think there's any intent, no ill will.
20 It was just an accident. It was corrected at the time,
21 and it -- and it's -- going forward, they're trying to
22 correct it and prevent it from happening as well. I spoke
23 with the current clerk, the mayor, and the city manager
24 about this issue, and they believe that it -- it is
25 resolved, and it will be resolved in the future. You

1 know, based on this and the former case, we request a
2 letter of instruction be given to -- to the City of
3 Nahunta.

4 MR. RAFFENSPERGER: And, sir, for the record, can I
5 get your name and your position?

6 MR. KINSLEY: Yes. I'm Nicholas Kinsley, and I'm an
7 attorney speaking on behalf of Nahunta.

8 MR. RAFFENSPEGER: Thank you. Members of the Board,
9 do you have any questions or any additional information?
10 What is your will?

11 MS. SULLIVAN: This is Rebecca Sullivan. I'll make a
12 motion that a letter of instruction be issued in this
13 case.

14 MR. RAFFENSPERGER: Do we have a second?

15 MR. WORLEY: David Worley, I'll second.

16 MR. RAFFENSPERGER: Any further comments? Hearing
17 none, all those in favor of sending a letter of
18 instruction for SEB 2019-016, signify by saying aye.

19 THE BOARD MEMBERS: Aye.

20 MR. RAFFENSPERGER: Any opposed? Motion carries.
21 Next one, Wilkes County.

22 MS. WATSON: Next case is 2019-018. On June 25th,
23 2019, the complainant reported that the Wilkes County
24 Voter Registration Office had been closed during regular
25 business hours at different times over the previous few

1 months. In late 2018, the part-time clerk at the Wilkes
2 County Registrar's Office resigned. This left Registrar
3 Debbie Anderson alone to handle vote registration. Ms.
4 Anderson suffered health issues that required being absent
5 from the office frequently between January and April of
6 2019. Records indicate the Registrar's Office was closed
7 to the public 16 times during this period for a total
8 absent time of approximately 77 hours. In a Wilkes County
9 Board of Registrar's meeting on July 11th, 2019, the Board
10 appointed a clerk to assist in the duties in the
11 Registrar's Office and have since taken actions to correct
12 this issue, and is there anyone -- I believe there is
13 someone here to speak to the issue. Due to the actions
14 that they have -- have taken to correct the issue, I would
15 recommend a letter of instruction for violation of 21-2-
16 215(c).

17 MR. RAFFENSPERGER: Okay.

18 MS. WATSON: I believe that there's Thomas Charping
19 on the line to speak.

20 MR. CHARPING: Yes. Thank you. Good afternoon, Mr.
21 Secretary and Board members.

22 MR. RAFFENSPERGER: Yes, sir.

23 MR. CHARPING: I am the probate judge here in Wilkes
24 County, and one of my duties is being the Elections
25 Superintendent also. I took office on January the 1st of

1 2009. I was certified in election, I think, somewhere the
2 16th of 2009. I have had many problems with Ms. Debbie
3 Anderson, when she was appointed as the Chief Registrar
4 for Wilkes County in 2015. It mentioned in your findings
5 that the part-time clerk resigned, and Mrs. Anderson was
6 left alone, but that's not the case, and the Wilkes County
7 administrator has a file on Ms. Anderson that says
8 different. She told, at that time, the clerk, Ms. Tina
9 Jenkins [ph.], that she did not need her anymore. When
10 Ms. Jenkins resigned, it was during a major election.
11 Mrs. Anderson has caused many Board members to resign and
12 left her without help.

13 If you will please read the county attorney's
14 petition to the Chief Superior Court Judge to remove Mrs.
15 Anderson that I sent to Ms. Frances Watson on February the
16 16th of this year, it would give you some insight into
17 what we, Wilkes County, was dealing with. I would be glad
18 to furnish the Board with pictures of the office in
19 disarray and voter registration forms that were not
20 entered into E-net and just laying exposed with personal
21 information and also over 900 DDS applications that were
22 from August 13th of 2018 through July the 17th of 2019
23 that were never processed because she was the only one
24 that was allowed into E-net. At that time, we had
25 approximately 5800 voters. None of the Board members had

1 privileges to enter into E-net. She also removed me out
2 of E-net twice, and Mr. Chris Harvey and Mr. John Holman
3 [ph.] both are familiar with our problems here and those
4 problems with E-net.

5 Most of Mrs. Anderson's Board members were picked
6 from a list that she supplied to the grand jury. Little
7 did they know that they became her puppets. The grand
8 jury, after several years of problems with Ms. Anderson,
9 chose other names that were not on her list. That's when
10 the Board was able to take control and appoint someone
11 working in the courthouse to be the Deputy Chief
12 Registrar. It just so happened to be my chief clerk for
13 probate court, and my office is open from 8 to 5, Monday
14 through Friday, except holidays, so now, the Registrar's
15 Office is closed -- is not closed for any other reason
16 other than holidays here, and the door is always open.
17 The phone -- the phoneline is forwarded to our phone.
18 When that office is closed, there's a note on that door
19 that states come to room 422 on the fourth floor. This
20 was all done, again, against Ms. Anderson -- Ms.
21 Anderson's wishes.

22 The day before our Chief Superior Court Judge was to
23 hear our case, Ms. Anderson resigned, and a new Chief
24 Registrar was appointed, and we've had no problems since.
25 All Board members have been given a code book by me, and

1 all Board members have access now to E-net. At this time,
2 we have a Board of Registrars that Wilkes County can be
3 proud of. I do have a Board member that resigned with me
4 today, and she was reappointed after Ms. Anderson
5 resigned. Her name is Lois Strong, and if you have any
6 questions for her or myself, we are prepared at this time.

7 MR. RAFFENSPERGER: Okay. Thank you, sir. Okay.
8 Members, do you have any questions?

9 MR. MASHBURN: This is Matt Mash -- this is Matt
10 Mashburn, and I have question for the judge. Thank you
11 for attending today, Judge. I appreciate your
12 presentation. Did -- the Elections Registrar serves at
13 the pleasure of the Board of Commissioners, or how do
14 y'all work down there?

15 MR. CHARPING: No, sir. They all -- there's a list
16 that the grand jury supplies to the Chief Judge. That's
17 usually done in February, always done in July -- excuse
18 me, August, based upon a list for any vacancies, any
19 openings there would be in the Board of Registrars. The
20 Commission has no part, no say-so in the Board of
21 Registrars.

22 MR. MASHBURN: Okay. So she's -- she's appointed and
23 accountable to the Grand Jury?

24 MR. CHARPING: She's appointable -- or she's
25 appointed by the Chief Superior Judge and accountable only

1 to them.

2 MR. MASHBURN: Okay.

3 MR. RAFFENSPERGER: Any other questions?

4 MR. WORLEY: I had a question, Mr. Secretary, for Ms.
5 Watson. Are -- are any of the items that Judge Charping
6 mentions regarding the failure to process the DDS
7 applications -- are any of those included in the report,
8 or have they been the subject of an investigation?

9 MS. WATSON: I would have to -- have to check on any
10 of the other investigations that we've had. As he stated,
11 that was just sent yesterday, so it may be that we -- we
12 have to open up a separate investigation into those
13 allegations.

14 MR. CHARPING: I do have picture that are reserved
15 that shows the date and time and pictures on E-net to
16 where it started and where it ended, the long list. When
17 I contacted Mr. Harmon about that, I asked him do you see
18 anything on the dashboard, Mr. Harmon? And he said yes, I
19 do, and I said what do you see? And he says a long list
20 of DDS applications that hadn't been processed right here,
21 and I said yes, sir. That's exactly what I'm talking
22 about right here, right now, and with only about
23 approximately 5800 registered voters at the time, that was
24 a big, big portion. We had voters that actually, in my
25 opinion, was [sic] not allowed to vote in elections at

1 that timeframe. If you look back at the timeframe, and
2 I'll be glad -- I've got many pictures I'll be glad to
3 send you that I took.

4 MR. RAFFENSPERGER: Members?

5 MR. WORLEY: Mr. Secretary, David Worley. I would
6 make a motion that we table this action today until such
7 time as Ms. Watson has had an opportunity to do some
8 investigation into the matters that were presented to her
9 yesterday. I'd rather just deal with all of this at once
10 than piecemeal it out.

11 MR. RAFFENSPERGER: Do we have a second?

12 MR. MASHBURN: Second, Matt Mashburn.

13 MR. RAFFENSPERGER: Okay. All those in favor of
14 tabling?

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Motion is tabled. Next one?

17 MS. WATSON: Next case is 2019-019, Webster County.
18 On June 26th, 2019, Mildred Russell [ph.] reported she was
19 denied the right to vote in person three times. Mrs.
20 Russell stated each time she was told she had to return an
21 absentee ballot before she would be allowed to vote.
22 Investigation shows Mildred Russell did go to vote on two
23 separate occasions and was told that she could not vote if
24 she did not have her absentee ballot to surrender and was
25 turned away. Both the Election Supervisor and the Deputy

1 Registrar advised at the time of the incident they were
2 unaware of the proper procedure to cancel an absentee
3 ballot. They both believed that the voter had to
4 surrender the absentee ballot before they could vote in
5 person. They both advised they are aware of the procedure
6 and have a copy of the affidavit form at this time.

7 The election resulted in a tie with each candidate
8 for a special election for Clerk of Superior Court to fill
9 the remainder of the term, receiving 29 votes. A court
10 challenge was filed and a consent agreement to void the
11 election results and hold a second election. This was due
12 to the one -- one voter that was erroneously turned away
13 for not having her absentee ballot with her to surrender
14 when she presented to vote at the polls. We recommend
15 Webster County Board of Election and Registration,
16 Patricia Burks, the Election Supervisor, and Bonnie Witt,
17 Deputy Registrar, be referred to the AG's Office for the
18 violation of 21-2-388(2), cancellation of absentee
19 ballots.

20 MS. THOMAS: Ms. Bonnie Witt is on the phone and
21 Frederick Over -- Overby.

22 MS. WATSON: I believe we have two people on the line
23 to speak: Bonnie Witt and Frederick Overby.

24 MR. RAFFENSPERGER: Okay. Which one is first?

25 MR. OVERBY: This is Fred Overby. Can y'all hear me?

1 MR. RAFFENSPERGER: Yes, sir. Loud and clear.

2 MR. OVERBY: I'm the county attorney for Webster
3 County and represent the Board of Elections. It should be
4 noted that also this was a very close, contested special
5 election to fill the vacancy of the Superior Court clerk's
6 office due to a retirement, and there was a second
7 complaint also about a ballot that was checked but not
8 blackened out so that the optical scanner would not count
9 it, and upon learning of that issue and conferring with me
10 and Mr. Harvey from the Secretary of State's Election
11 Division, they properly counted that ballot, which
12 resulted in the tie.

13 The issue with Ms. Russell was a second issue in that
14 election, and as stated, both Ms. Burks, the Supervisor,
15 and the Deputy Registrar, Ms. Witt, simply made an error.
16 When the contest was filed by Mrs. Crimes [ph.], that
17 error was admitted. There was no effort to skirt it or
18 deny it or anything like that, and the Board considered
19 and agreed that a new election ultimately had to be
20 required, and that election took place, and Mrs. Crimes,
21 the complainant, did prevail in that election.

22 The point we would like to make and urge to the Board
23 is that this was not a -- not a mistake of willfulness or
24 intent. It was a mistake of negligence and simply not
25 knowing the proper procedure. They do know the proper

1 procedure now. They do have the affidavit on file, and
2 they, you know, know how to handle this situation in the
3 future, and we would just encourage the Board to look upon
4 this as a situation where there was an error made. It was
5 acknowledged, and they've received some additional
6 training, and it won't happen again. Thank you very much.
7 I do have Ms. Witt, I believe, and Ms. Burks also is on
8 the line if y'all have any questions for them.

9 MR. RAFFENSPERGER: Thank you. Board? Do you have
10 any questions? What is your will?

11 MR. MASHBURN: This is -- this is Matt Mashburn. I
12 appreciate the attorney's excellent presentation, but
13 unfortunately, here, he's got the nightmare scenario in
14 that he's got a voter turned away, and it actually
15 impacted the outcome of the election, so you couldn't have
16 -- you couldn't certify the election, so they had to have
17 a new election. So this -- you know, this compounds the
18 worst thing you can do, send the voter away wrongfully,
19 with have it set aside an election, so this is just -- in
20 my opinion, this has to go to the AG's Office and make a
21 motion -- I make a motion that it be referred to the AG's
22 Office.

23 MR. RAFFENSPERGER: Okay. Do we have a second?

24 MS. SULLIVAN: This is Rebecca Sullivan. I would
25 agree and second the motion.

1 MR. WORLEY: This is -- this is Mr. Worley. I'm
2 going to oppose this motion because yes, this is the worst
3 circumstance possible, but if -- if you read the rep --
4 what I found from reading the report was that they moved
5 to correct it. They did correct it. They were very open
6 about everything, unlike some Boards that we see. They
7 have done everything that they can at this point to
8 correct the situation. The -- the candidate of Ms.
9 Russell's choice was eventually elected, and I'm -- I'm
10 just not sure what the Attorney General's Office can do
11 further on this matter. They can enter into a consent
12 order with the Respondent saying they won't do it again,
13 and they've done training, and they're aware of what's
14 going on now, but they've already done that.

15 The other option would be to add a fine to, you know,
16 to the file and fine Webster County for this. Webster
17 County is one of the smallest and poorest counties in the
18 State. As you can tell, only 60 people voted in the
19 election that was in question, and I -- I just don't think
20 we're achieving anything by sending it to the Attorney
21 General's Office that wouldn't be achieved by sending a
22 letter of instruction to -- to Webster County, so that --
23 that would be my preference, and so I'll oppose the
24 motion.

25 MR. RAFFENSPERGER: Okay. Any further discussion?

1 All those in favor of sending this to the Attorney
2 General's Office, please do so by signifying aye.

3 THE BOARD MEMBERS (except Mr. Worley): Aye.

4 MR. RAFFENSPERGER: Those opposed?

5 MR. WORLEY: No.

6 MR. RAFFENSPERGER: Motion carries. Next case?

7 MS. WATSON: Next case is 2019-029. On October the
8 3rd, 2019, Catoosa County Elections Director Tonya Moore
9 reported that Ringgold mayoral candidate Paul Lee had
10 offered free gifts in exchange for voting. Mayoral
11 candidate Paul Lee posted on Facebook on October 1st, 2019
12 in notice to all voters in the City of Ringgold. The post
13 states that if he is elected Mayor of Ringgold, he will
14 pick two restaurants and buy everyone that shows their "I
15 voted" sticker a free meal. Once notified of the
16 violation, he removed the post and issued a statement
17 formally withdrawing the offer. We recommend that Paul
18 Lee, mayoral candidate, be referred to the AG's Office for
19 violation of 21-2-570. There is no one on the line.

20 MR. RAFFENSPERGER: Okay. What is the will of the
21 Board?

22 MR. MASHBURN: This is Matt Mashburn. I move that
23 this be referred to the Attorney General's Office.

24 MR. WORLEY: I'll second that.

25 MR. RAFFENSPERGER: Any further discussion? Hearing

1 none, all those in favor of referring this to the Attorney
2 General's Office, case number 2019-029, signify by saying
3 aye.

4 THE BOARD MEMBERS: Aye.

5 MR. RAFFENSPERGER: Any opposed? Motion carries.

6 Next one?

7 MS. WATSON: The next case is 2019-033, City of
8 Forest Park. Between October 16th, 2019 to December 12th,
9 2019, we received multiple complaints regarding the City
10 of Forest Park November 5th, 2019 election. These
11 complaints of election fraud and illegal campaigning were
12 mainly against the City of Forest Park Election
13 Superintendent Lois Wright and City of Forest Park Ward 4
14 Councilmember Latresa Akins-Wells. Out of the fourteen
15 complaints submitted, five were substantiated.

16 Latresa Akins-Wells was the incumbent Ward 4 City
17 Councilmember and a candidate on the ballot for the
18 November 5th, 2019 City of Forest Park election. Forest
19 Park City Hall was the early voting polling location.
20 Between October 14th, 2019 to October 18th, 2019, it's
21 alleged Akins-Wells was inside the polling location
22 speaking and interacting with voters during the early
23 voting session, and this was substantiated.

24 Lois Wright was the City of Forest Park Election
25 Superintendent. She has conducted herself in an

1 unprofessional manner while working in the official
2 capacity of an election superintendent. Allegation three,
3 Lois Wright maintained a personal relationship with
4 Latresa Akins-Wells. As a result of their friendship,
5 Wright has received gifts from Akins-Wells in return for
6 political support.

7 Latresa Akins-Wells has campaigned for reelection of
8 City of Forest Park-funded community events, such as
9 functions held at community parks and public schools. Her
10 campaigning activities consisted of wearing campaign
11 attire, handing out campaign materials, and photo
12 opportunities with voters and political figures. This was
13 not substantiated.

14 The Office of the Secretary of State voter
15 registration data for the City of Forest Park is
16 inaccurate. Allegation was not substantiated. Someone
17 fraudulently submitted an absentee ballot application on
18 behalf of City of Forest Park resident Brenda Walton
19 [ph.]. The allegation was not substantiated, but
20 procedural errors were discovered that constituted
21 election code violation. Lois Wright entered the date on
22 the absentee ballot application for Brenda Walton as she
23 thought that was the date it came in. When Brenda Walton
24 came to vote in person, she denied completing the absentee
25 ballot application until she was shown the application.

1 Brenda Walton stated that she did not write the date on
2 the application and was told by Lois Wright that the date
3 was an error on her part and covered the date with Wite-
4 Out.

5 Allegation seven, some fraudulently submitted --
6 someone fraudulently submitted an absentee ballot
7 application on behalf of Jeanette Hand [ph.] who was
8 determined to be deceased on the date of the application.
9 This was a result that contracts with candidates to go out
10 into the community and collect absentee ballot
11 applications well in advance of the election. It appears
12 that some of these applications have not had the election
13 date entered at the time of collecting the application and
14 were then submitted without recontacting the voter,
15 resulting in voters stating they did not request the
16 absentee ballot, and in the case of Jeanette Hand, passing
17 away prior to the application being submitted but after
18 her death. This leads to confusion for the voters,
19 problems for the election staff, and general distrust in
20 the process.

21 Latresa Akins-Wells campaigned during the early
22 voting session within a hundred and fifty feet of the City
23 of Forest Park polling location. Allegation nine, the
24 City of Forest Park Election Office miscounted the votes
25 for the Ward 3 City Council seat and failed to read out

1 all of the yes/no referendum questions for the absentee
2 ballots on the night of the November the 5th, 2019
3 election. This was substantiated. Several voters did not
4 receive ballots with complete candidate information, and
5 one voter was not allowed to vote on Election Day.

6 Allegation eleven, there is video footage of Latresa
7 Akins-Wells and Lois Wright handling absentee ballots
8 inside City Hall. There was no violation substantiated.
9 Latresa Akins-Wells received a disproportionate amount of
10 absentee ballot votes compared to other candidates on the
11 ballot. Absentee ballot procedural errors were found with
12 no ballot number or issue date listed for 168 absentee
13 ballot applications.

14 Allegation thirteen, Latresa Akins-Wells was in
15 possession of forged absentee ballot applications in
16 December of 2015. This was not substantiated. Isabelle
17 Martinez [ph.] is the mother of Ward 4 Councilmember
18 challenge Yasmin Julio Martinez [ph.], is not a resident
19 of Georgia, and she assisted in Julio's campaign. She has
20 also illegally campaigned outside of Forest Park City Hall
21 during the early voting session. That was not
22 substantiated.

23 Our -- our findings are that all of the allegations
24 except for allegation one, six, nine, ten, and twelve were
25 unsubstantiated. Our recommendation is for Latresa Akins-

1 Wells, Ward 4 City Councilwoman, be referred to the AG's
2 Office for violation of 21-2-414(d), restrictions on
3 campaign activities when she was present inside the
4 polling location after she cast her own ballot. She also
5 admitted to escorting voters inside the polling location
6 to cast their ballot. The City of Forest Park, Lois
7 Wright, Elections Superintendent -- or former Elections
8 Superintendent be referred to the AG's Office for a
9 violation of 21-2-562(a)(1), fraudulent entries when she
10 inserted a date on another person's absentee ballot
11 application, then concealed that date with Wite-Out, and
12 21-2-384(a)(5), mailing of ballots, when Wright failed to
13 require a voter, Brenda Walton, to complete an affidavit
14 after allowing that voter to vote in person while their
15 absentee ballot was already in the mail, and City of
16 Forest Park, Lois Wright, Elections Superintendent,
17 former, Celia Jones, the Election Office absentee ballot
18 clerk be bound over to the AG's Office for SEB rule 183-1-
19 12-.02(4)(b), when she wrote an incorrect voter
20 combination code on the voter certificate which resulted
21 in the voter receiving the incorrect ballot, 1 count, and
22 21-2-384(a)(3), mailing of ballots, when Wright failed to
23 document absentee ballot information, i.e., ballot number
24 and issue date on at least 168 absentee ballot
25 applications. And then we have two people waiting to

1 speak: the city attorney, Mike Williams, and a
2 complainant, Trudy -- Trudy Smith.

3 MR. RAFFENSPERGER: Okay. I guess let's go with the
4 city attorney first.

5 MR. WILLIAMS: Good afternoon. This is Michael
6 Williams. Can you hear me?

7 MR. RAFFENSPERGER: Yes, sir.

8 MR. WILLIAMS: I just wanted to speak to the five
9 violations. With respect to the first violation involving
10 Councilwoman Latresa Akins-Wells, obviously, the City
11 cannot take a position on what action the Board may wish
12 to take, but just for informational purposes, as outlined
13 in the report, the use of City Hall is -- is the issue
14 because of the small size and the layout of City Hall, and
15 our concern is this is a problem that is capable of
16 potential repetition in the future with future candidates
17 or incumbents inadvertently and unintentionally violating
18 this by being at City Hill on official, non-election-
19 related business, so as a result, the City intends to
20 cease using City Hall as a polling location for future
21 advance voting or other election-related matters, and so
22 we have addressed that to the extent it involves the City.

23 The next three procedural violations, I think the
24 facts speak for themselves, and the City acknowledges that
25 those mistakes were made. Again, for informational

1 purposes, Ms. Wright, as well as Ms. Jones who was
2 involved as the absentee ballot clerk, will not be serving
3 in those capacities for future elections, and the City is
4 utilizing the City Clerk's office to perform the Election
5 Superintendent role, and they are in the process of being
6 trained. The City intends to make sure that we have a
7 fully trained and capable staff so that those types don't
8 occur again.

9 And finally, with respect to the last count involving
10 the documentation for the absentee ballot applications, et
11 cetera, there's a dispute as to the facts on this. We do
12 believe that there was a wrong record, but, you know, we
13 certainly acknowledge the concern about that, and one of
14 the things we -- we intend to explore is the use of
15 software to, you know, the ballot track-type software that
16 the State of Georgia is utilizing, as well as Clayton
17 County, so that we can automate that and have a better
18 system for managing absentee ballots going forward, and so
19 that -- that is part of the plan and a step that the City
20 is exploring, how we can utilize those services going
21 forward. And then again, as to that point, Ms. Wright
22 would not be part of that process.

23 And so as relates to the last four alleged violations
24 because the City is already taking steps to address those,
25 I believe a letter of instruction would be suitable for

1 those, again, because those individuals won't be part of
2 the elections going forward. And that's -- that's all I
3 have.

4 MR. RAFFENSPERGER: Ms. Folami -- Folami is on.
5 Could she -- she wanted to speak, one of the complainants?

6 MS. WATSON: I believe it's Trudy -- Trudy Smith.

7 MR. RAFFENSPERGER: Oh, it's Trudy Smith? Okay. Go
8 ahead, ma'am.

9 MS. SMITH: Yes. They have my written statement that
10 I asked them to read because I have a trach, and it's hard
11 for me to speak and to be understood.

12 MR. RAFFENSPERGER: Okay.

13 MS. THOMAS: Yes, we have it here. We'll read it for
14 you. So on behalf of Ms. Trudy Smith, this is her
15 statement. Even though the mayor vetoed allowing Lois
16 Wright to be the Election Superintendent in 2021, three
17 councilmembers brought her back up to have her serve
18 again. They were unable to get the fourth vote, so it did
19 not happen, so clearly, certain members of the council
20 have condoned Ms. Wright's actions.

21 MR. RAFFENSPERGER: And was there anyone else to
22 speak from this?

23 MS. THOMAS: Lawanda Folami is raising her hand, so
24 let me --

25 MS. FOLAMI: Good afternoon, everybody, Mr.

1 Secretary, everybody. I am a constituent of Clayton
2 County, Forest Park, and I'm here on this call today
3 because it's very important to the community. In our last
4 election, we had a host of complaints until I just decided
5 to get the citizens together and call into the State so
6 they could come in and investigate.

7 There was numerous things that went on. We had at
8 least 12 people -- there was 119 different cases of
9 previous elected officials inside the polling place. We
10 also have a pending case coming up the next week that will
11 actually illustrate why this issue should go over to the
12 AG for further investigation. Our Superintendent Elect is
13 a very trained, well-known of the law of the land of
14 voting, and at one point in time was a very -- person that
15 you could really trust. However, there is questions here
16 now from the citizens who actually pays for them to look
17 at our votes and also the attorney who the citizen pays to
18 represent the municipality. But however, the city
19 constituents would like to see this bound over to the AG
20 so that in future, that because -- the citizen will not
21 have trust problems in casting their ballot. I yield back
22 my time.

23 MR. RAFFENSPERGER: Okay. Thank you. Okay. Anyone
24 else to speak on this, or if not, Board, do you have any
25 questions? What's your disposition?

1 MR. MASHBURN: This is Matt Mashburn. I move that
2 the City of Forest Park on the -- I lost my place. I'm
3 sorry. I move that the City of Forest Park be issued a
4 letter of instruction and the remainder of the case, City
5 of Forest Park, Lois Wright, Election Superintendent, and
6 Latresa Akins-Wells be referred to the AG.

7 MR. RAFFENSPERGER: Okay.

8 MR. MASHBURN: I would also add to the motion to --
9 to get the other members of the Board, but I also would
10 move that this file be sent to the public integrity
11 section of the GBI to have them look at it as well as the
12 AG.

13 MR. RAFFENSPERGER: Okay. Do we have a second?

14 MR. WORLEY: I just had a question of our legal
15 counsel, if Ms. McGowan is on the call, as to whether we
16 have the authority to send it to the GBI, or is that
17 something that the Attorney General is going to do anyway?
18 I don't recall a case -- and I'm not saying there has not
19 been one, but I don't recall a case where we've
20 specifically referred a matter to the GBI, and I'm not
21 saying I'm opposed to that, I'm just questioning whether
22 we can do that.

23 MS. MCGOWAN: Mr. Worley, this is Charlene. I'm not
24 aware of a specific example of our office doing that
25 either, but it's certainly something that I can look into.

1 MR. WORLEY: Okay.

2 MR. RAFFENSPERGER: Does that mean that we hold that
3 second half of the motion in abeyance until we get an
4 answer, or we can do that while there is authority to do
5 that? Does that make sense?

6 MR. WORLEY: I would go ahead with Mr. Mashburn's
7 motion.

8 MR. RAFFENSPERGER: Okay. We have a second. Any
9 other questions, comments?

10 MS. LE: I think -- this is Anh Le. I think 21-2-
11 31(5) might be of some insight because I think 5 states
12 that the Board can authorize Secretary of State's Office
13 to investigate or to send to the Attorney General or
14 district attorney. I don't send a mention under that code
15 section for GBI, but I'll yield that to Ms. McGowan's
16 expertise.

17 MR. RAFFENSPERGER: Okay.

18 MS. MCGOWAN: I mean, the GBI, obviously, isn't
19 authorized to -- under legal action in a matter like our
20 office is or a district attorney's office is. They would
21 maybe be able to assist on the investigative side.

22 MR. RAFFENSPERGER: We have a motion. It's been
23 seconded. Is there -- do we need to amend anything, or do
24 we go ahead and put it to a vote? All those in favor of
25 the motion as presented, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.
3 Another City of Forest Park.

4 MS. WATSON: 2019-042: on November 5th, 2019, we
5 received a complaint alleging a young man was distributing
6 pamphlets inside the polling location at 803 Forest
7 Parkway, Forest Park, Georgia. The pamphlet contained
8 information regarding a ballot question. Investigation
9 showed a City of Forest Park poll worker, Edwin Martinez
10 [ph.], advised he was instructed to distribute the
11 pamphlet regarding the referendum question on the ballot
12 to each voter as they entered the poll. Lois Wright, the
13 Election Supervisor, acknowledged she authorized the
14 distribution of the pamphlet. The pamphlet was titled
15 Forest Park Report Referendum. The pamphlet provided the
16 answers to the following questions. What is free port?
17 Why free port? Why -- what should voters do? We -- the
18 recommendation is for City of Forest Park, former
19 Elections Superintendent Lois Wright, and Edwin Martinez,
20 poll worker, be referred to the AG's Office for 21-2-
21 414(a), restriction on campaign activities.

22 MR. RAFFENSPERGER: Okay. Does the city attorney --

23 MS. WATSON: Yes. I believe there's three people to
24 speak, Mike Williams and two others.

25 MR. RAFFENSPERGER: Okay. Who's first?

1 MS. WATSON: Mr. Williams? Mr. Williams?

2 MR. WILLIAMS: I'm sorry. I was muted. Again, this
3 is Mike Williams. I think the facts in this case speak
4 for themselves. We -- once this came to the City's
5 attention at the time, instructions were given to
6 immediately desist. This was an informational document
7 that was prepared to inform residents as to what was --
8 what the ballot question was about. It wasn't an advocacy
9 piece. It was never intended for this to be anywhere near
10 the polling location, and so, it was immediately put to an
11 end, and again, for the same reasons as the prior case, to
12 the extent action is required for the City, a letter of
13 instruction should be sufficient since those individuals
14 will no longer be part of elections going forward.

15 MR. RAFFENSPERGER: Okay. Does anyone else want to
16 speak? Members, do you have any questions?

17 MS. WATSON: Angela Redding? I believe we have
18 Angela Redding on the line in reference to this case. Ms.
19 Redding?

20 MS. REDDING: Good afternoon. How are you today?

21 MR. RAFFENSPERGER: Good.

22 MS. REDDING: The city attorney covered the -- I'm
23 sorry. The city attorney covered the information that I
24 wanted to mention regarding this case. However, I just
25 wanted to make it known because it states in the findings

1 that I, as the former city manager, authorized the
2 pamphlet to be distributed, and that is inaccurate.

3 MR. WILLIAMS: Mr. Secretary, this is Mike Williams
4 again. I would confirm that. There -- at no point did
5 any city officials authorize this.

6 MR. RAFFENSPERGER: Okay. Okay. Members, any
7 questions? What is your will?

8 MS. THOMAS: Oh, and we have one more person that
9 would like to speak on this case, and it's Robin Kemp.

10 MR. RAFFENSPERGER: Okay. Ms. Kemp?

11 MS. KEMP: Yes, sir. Can you hear me?

12 MR. RAFFENSPERGER: Yes. Go ahead.

13 MS. KEMP: Good afternoon, Mr. Raffensperger and
14 Board. My name is Robin Kemp. I am here in my capacity
15 as a resident and voter in Forest Park. It is also the
16 case that at the time I was a reporter for Blake News
17 Daily covering the City of Forest Park. I just want to
18 put that all on the table.

19 MR. RAFFENSPERGER: Okay.

20 MS. KEMP: I walked into the polling place at the
21 recreation center, gym, whatever, the address you guys
22 have, and I was handed this flier by the young man whose
23 name I -- I don't know but you found. I asked him are you
24 supposed to be giving these out in here because I don't
25 think this is legal? And he said he didn't know. He was

1 just told to give them to everybody. There was another
2 flier up, like, taped up on the wall to the left as you
3 enter, and then as you walk straight in, you're supposed
4 to go and sign in so they can process and check your ID.
5 When I finished voting, I contacted the Secretary of
6 State's Office to inquire as to whether or not this was
7 legal, and I thought it was not, and hence, we're here
8 today. I also did cover this somewhat extensively for the
9 News Daily. I have links to those stories, excerpts, and
10 if you would like them -- you may have them in whatever
11 packet or information you have already, I don't know.

12 But I just wanted to make it very clear that this
13 flier had also been presented the night before at City
14 Council, and while the language does not exactly come
15 right out and say you should vote for this, the
16 implication is pretty clear. My problem with this is that
17 it does not also inform residents and voters of what the
18 negative or downside would be of voting for a free port
19 exemption. Now, I know that there is an article in the
20 Barney [ph.], which although it's a UK publication, it
21 does basically explain free ports can defer to the point
22 where taxes are paid but the tax break is going to mean a
23 loss of revenue for, in this case, the City, and that free
24 ports can risk -- can risk facilitating money laundering
25 and tax evasions as those are not easily subject to checks

1 that are standard [sic] held there. And you know, that
2 information was not provided to voters in this information
3 pamphlet, and it seemed that the City was distributing a
4 very one-sided piece inside the polling place.

5 MR. RAFFENSPERGER: Okay. Thank you. Members, do
6 you have any questions? What is your will?

7 MR. MASHBURN: This is Matt Mashburn. I move that
8 this case be referred to the Attorney General.

9 MR. RAFFENSPERGER: Do we have a second?

10 MS. SULLIVAN: Second. Rebecca Sullivan.

11 MR. RAFFENSPERGER: Any further comments? All those
12 in favor of the motion as presented for 2019-042, signify
13 by saying aye.

14 THE BOARD MEMBERS: Aye.

15 MR. RAFFENSPERGER: Any opposed? Motion carries.
16 Can we do one more case before we take a break? We can do
17 the last of the 2019's. So next case.

18 MS. WATSON: Yes. The 2019-043 case was continued.

19 MR. RAFFENSPERGER: Oh, that's right. Okay. Can we
20 take a -- come back at 3:00, a ten minute break.

21 (Meeting break)

22 (Meeting resumes)

23 MR. RAFFENSPERGER: Okay. Next case?

24 MS. WATSON: The next -- next case is 2020-002, Floyd
25 County. On February 5th, 2020, we received a complaint

1 regarding the late publication of qualifying fees in Floyd
2 County. This was a self-reported violation. Former
3 Elections Supervisor Robert Brady reported the violation.
4 Due to a communication error, the qualification fees were
5 not posted prior to the February 1st, 2020 deadline. The
6 publication was published on February the 5th of 2020. We
7 recommend that the following be issued a letter of
8 instruction for 21-2-131(a)(1): Floyd County Board of
9 Commissioners, Floyd County Board of Elections and
10 Registration, and Former Chief Clerk of Elections Robert
11 Brady, and the violation of 21-2-273 be dismissed.

12 MR. RAFFENSPERGER: Okay. Does anyone from Floyd
13 County want to speak on this matter?

14 MS. THOMAS: Mr. Brady is on the line.

15 MS. WATSON: I believe Mr. -- I believe Mr. Brady is
16 on the line if he wishes to speak.

17 MR. RAFFENSPERGER: Mr. Brady?

18 MR. BRADY: Good afternoon again. No, sir. I don't
19 have anything to add to this. Thank you for your time.

20 MR. RAFFENSPERGER: Thank you. Members?

21 MS. THOMAS: One more person. Virginia Harman is on
22 the line as well. Ms. Harman?

23 MS. HARMAN: Yes, thank you. This is Virginia
24 Harman. I'm a Floyd County attorney. I also represent
25 the Floyd County BOER. Thank you for your time. I was

1 ready to present arguments, but if the recommendation is a
2 letter of instruction, I think we're -- we're perfectly
3 happy with that. We feel like we -- this was a one-off.
4 We have not ever had this happen before. Mr. Brady was
5 new to the job at that time, and it was just a
6 miscommunication and was fixed quickly, and we've taken
7 all necessary steps to make sure it doesn't happen again.
8 So thank you very much.

9 MR. RAFFENSPERGER: Thank you. Members, what would
10 you like to do with this?

11 MR. MASHBURN: This is Matt Mashburn. I move that we
12 issue a letter of intent on the first one --

13 MR. RAFFENSPERGER: Instruction?

14 MR. MASHBURN: -- a letter of instruction on the
15 first count and dismiss the second.

16 MR. RAFFENSPERGER: Do we have a second ?

17 MR. WORLEY: I'll second that.

18 MR. RAFFENSPERGER: Any further discussion? All
19 those in favor of the motion, please do so by signifying
20 aye.

21 THE BOARD MEMBERS: Aye.

22 MR. RAFFENSPERGER: Any opposed? Motion carries.
23 Next case?

24 MS. WATSON: 2020-008, City of Milan, city council
25 vacancies. The complainant Jerry Lowery [ph.] alleged the

1 City of Milan is not following the city charter and state
2 law concerning the filling of two vacancies on city
3 council. The investigation shows the city charter states
4 provided that if any vacancy shall occur within six months
5 next proceeding the regular election, no special election
6 shall be called to fill said vacancy. Councilman Bruce
7 Hanson [ph.] resigned on May 6th, 2019, and he still had
8 more than six months remaining on city council.

9 Councilman Keith Holtz [ph.] passed away on February 9th,
10 2020, and he still had more than six months remaining on
11 city council. However, no election was held. Our
12 recommendation is for City of Milan Mayor Jimmy Kirkland
13 [ph.] and City of Milan City Council be referred to the
14 AG's Office for two counts of violation of 21-2-504(a) and
15 21-2-540(d). No one is on the phone to speak.

16 MR. RAFFENSPERGER: Okay. Members, what is your depo
17 -- disposition towards this case?

18 MR. MASHBURN: This is Matt Mashburn. I move that we
19 accept the recommendation, and we forward it to the
20 Attorney General's Office.

21 MR. RAFFENSPERGER: Do we have a second?

22 MS. SULLIVAN: Second.

23 MR. RAFFENSPERGER: Any further discussion? Hearing
24 none, all those in favor of the motion as presented for
25 2020-008, please do so by signifying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.

3 Next case?

4 MS. WATSON: Next case is 2020-015, Stephens County,
5 absentee ballot box rules violation. Stephens County has
6 an absentee ballot box that does not have the signage
7 posted as outlined in the SEB rules. During an inspection
8 of absentee ballot drop box, it was found that the drop
9 box did not have the required signage posted. It was also
10 found that the location of the drop box had not been
11 posted to the website per the SEB rules. Our
12 recommendation is for Stephens County Board of Elections
13 and Registration and former Stephens County Chief
14 Registrar Eureka Gober be issued a letter of instruction
15 for the violation of SEB rule 183-1-14-0.6-.14(3)(9).

16 MR. RAFFENSPERGER: Are there any of the Respondents
17 on the call that would like to speak?

18 MS. WATSON: A Rebeckah Bennett is on the line.

19 MS. BENNETT: Yes, there are.

20 MR. RAFFENSPERGER: Ms. Bennett?

21 MS. BENNETT: Can you hear me?

22 MR. RAFFENSPERGER: Yes. Go ahead.

23 MS. BENNETT: Can you hear -- so in this particular
24 case, it was -- hello?

25 MR. RAFFENSPERGER: Yeah. Go ahead.

1 MS. BENNETT: In this particular case, it was noted
2 on multiple occasions that that particular box was outside
3 of the guidelines where the SEB rule (sound cuts out)
4 seemed concerned to make any of those corrections even
5 after it had been duly noted where the complaint (sound
6 cuts out)

7 MR. RAFFENSPERGER: Okay? Members.

8 MS. BENNETT: -- is finally (sound cuts out) the
9 works in this particular case because it wasn't just the
10 Registrar that was aware and outside of that compliance,
11 and it needs to be further noted that that office is still
12 outside of compliance to OCGA and SEB rules.

13 MR. RAFFENSPERGER: Okay. Members, what is your
14 disposition towards this case?

15 MS. BENNETT: You're breaking up. I'm sorry. I
16 missed some of that.

17 MR. MASHBURN: This is Matt Mashburn. I move that we
18 issue a letter of instruction.

19 MR. RAFFENSPERGER: Okay. Do we have a second?

20 MR. WORLEY: I'll second that.

21 MR. RAFFENSPERGER: Okay. David Worley. Any further
22 comments?

23 MS. SULLIVAN: This is -- this is Rebecca Sullivan.
24 Ms. Watson, do we know whether or not Stephens County has
25 brought that box into compliance with the SEB rules at

1 this point?

2 MS. WATSON: We would have to do another inspection
3 to verify.

4 MS. BENNETT: Can I ask a point of clarity?

5 MR. RAFFENSPERGER: Yes.

6 MS. BENNETT: Exactly who are you sending a letter
7 to?

8 MR. RAFFENSPERGER: To Stephens County Board of
9 Elections and Registration and the former Registrar Eureka
10 Gober. I know she's no longer there, but we would send a
11 letter to her as well.

12 MS. BENNETT: So essentially, it's okay for them to
13 function outside of code after being told again and again
14 and again? I mean, I guess that's my thing. You're
15 basically telling them something they've been told
16 multiple times and chose not to adhere to.

17 MR. MASHBURN: This is -- this is Matt Mashburn. The
18 intent of my motion is that we're going to -- we're going
19 to -- we're going to tell them this time, and that's a
20 letter of instruction.

21 MR. RAFFENSPERGER: All those in favor of the motion
22 as presented, signify by saying aye.

23 MR. WORLEY: Mr. Secretary?

24 MR. RAFFENSPERGER: Yes?

25 MR. WORLEY: David Worley here. I'd like to withdraw

1 my second of that motion.

2 MR. RAFFENSPERGER: Okay. Okay. We do not have a
3 second. Is there a second?

4 MS. LE: This is Anh Le. Ms. Watson, given that
5 there is an allegation that this is a continuing
6 violation, would there -- how quick would it be for you to
7 verify that they're in compliance or not?

8 MS. WATSON: We can have someone there tomorrow.

9 MS. LE: So by -- maybe can we table this to week, if
10 that would work for your timeline? I mean, excuse me,
11 next Wednesday's meeting. Okay. I move to table this to
12 next Wednesday's hearing, if that's okay?

13 MR. RAFFENSPERGER: Yeah. Tables trump motions, so
14 motion to table. Do we have a second?

15 MR. WORLEY: I'll second that.

16 MR. RAFFENSPERGER: All those in favor of tabling
17 until next week, signify by saying aye.

18 THE BOARD MEMBERS: Aye.

19 MR. RAFFENSPERGER: We'll pull it off the table until
20 next week. Motion carries. Next?

21 MS. WATSON: Next case is 2020-018, Hancock County,
22 absentee ballot drop box. On Wednesday, May 20th,
23 Investigator Monroe conducted an absentee ballot drop box
24 inspection at the Hancock County Board of Elections Office
25 for the upcoming June 9th, 2020 general primary election.

1 The only problem was that the drop box was a cardboard
2 file box that wasn't taped or locked shut and was sitting
3 unsecured on a table in the lobby. Hancock County
4 Elections Supervisor Gerald McCown told the investigator
5 that the box would be replaced with a metal drop box that
6 was locked as soon as possible. Recommendation is for
7 Hancock County Board of Elections and Registration and
8 Gerald McCown, Hancock County Elections Supervisor, be
9 referred to the AG's Office for violation of State
10 Election Board rule 183-1-14-0.6-.14(6)(7). I believe
11 there's two people on the phone to speak, Andrea Grant,
12 the attorney, and Nancy Stephens.

13 MR. RAFFENSPERGER: Okay. Who wants to go first?

14 MS. GRANT: This is Andrea Grant. I'll go ahead. I
15 had hoped to have the Supervisor on line, and I was
16 wondering do you all have a copy of his statement form
17 that he provided to the investigator in your -- in your
18 packets?

19 MS. WATSON: They have a report of that, not the
20 exhibits.

21 MS. GRANT: I'm sorry?

22 MS. WATSON: They have the report but not the
23 individual exhibits.

24 MS. GRANT: The statement form that he signed? Are
25 you calling that the exhibit?

1 MS. WATSON: Yes, ma'am.

2 MS. GRANT: I'm sorry. I don't -- I'm just trying --
3 I know it's really hard for us to do this like that. A
4 couple things that I would like to say on behalf of the --
5 the Board of Elections and Registration. As -- as you all
6 know that there's constant turnover in the staff and we've
7 had several Board members die in the past year or so, plus
8 the real difficulty was the emerg -- this was actually an
9 emergency room -- rule that was being implemented kind of
10 at the eleventh hour, and I understand completely why the
11 need for it, but I think all those things in combination
12 is what culminated in he -- Mr. McCown does not dispute
13 that he was not in compliance for a time period. I don't
14 have the exact time period that he was not in compliance,
15 and I -- I did ask him some questions so if you have any
16 questions for me about the compliance for the drop box in
17 the lobby, I'll be glad to answer it.

18 There are two things in the investigative report that
19 are not really crucial but kind of crucial. One thing it
20 says is that Gerald McCown Reed completed her [sic]
21 election certification training on 4/9/2010, and I know
22 that -- bless their hearts, the investigators have been
23 going nuts trying to get all this, and it's probably a cut
24 and paste, but Gerald McCown has not completed his
25 certification. And then I noticed under the potential

1 violations, and I apologize -- under the violations, it
2 says that they violated 183-1-14-0.6-.14, and I'm
3 wondering if it should be 183-1-14-.08-.14. Do we care?
4 I don't know. I'm assuming -- I mean, there's only one
5 drop box rule, so I have no -- no dispute about that, but
6 it just may be an incorrectly stated rule. And I'll be
7 happy to answer any questions, especially after the other
8 speaker speaks.

9 MR. RAFFENSPERGER: Okay. We have another --

10 MS. WATSON: Ms. Stephens? Ms. Stephens?

11 MS. STEPHENS: Yes. Can you hear me all right?

12 MS. WATSON: Yes, ma'am.

13 MS. STEPHENS: I have been a member of the Hancock
14 County Board of Elections and Registration since it was
15 created on July 1st, 2011. It has been extremely
16 difficult to try to bring Hancock County into compliance
17 with everything we should be doing. I feel that some of
18 our Board members have the opinion that laws are only a
19 suggestion and that you aren't breaking the law if you
20 don't get caught.

21 This case is about an absentee ballot box that was
22 placed in our office in May of 2020. It was an empty copy
23 paper box with a slit cut in the top and ballot box
24 written on the box. When I went into our office and saw
25 the box, I asked our Elections Supervisor, Gerald McCown,

1 if he had read the SEB rule and if that box met the
2 requirements. He said of course he had read it, and I
3 needed to stop asking him things like that. I went home,
4 read the requirements, and immediately called our
5 supervisor back and told him the box needed to be removed,
6 and he needed to read the SEB rule. I also texted our
7 Board Chair and sent an email to all the Board members
8 about the box.

9 The box remained there for several days. I went by
10 the office a day or so later. The box was still there. I
11 again said that it needed to be removed and emailed Board
12 members. A few days later, the box was gone, and I was
13 told by our supervisor that he had removed the box before
14 the Secretary of State investigator had come into the
15 office. He had not. In a sworn statement form from our
16 supervisor dated July 15th, 2020, our supervisor states
17 the cardboard box was there for a day and a half. This is
18 not true. The supervisor also states that there had
19 previously been a metal box in place, but it had gotten
20 full, and he had put the cardboard box there temporarily.
21 This is not true. The first ballot box used in the office
22 was the cardboard box.

23 I tried to get our Board members to call a meeting to
24 discuss this situation along with several other items
25 where we were not in compliance. They would not. This

1 was not discussed in a meeting until around July or
2 August, when our Elections Supervisor gave us a copy of
3 the sworn statement form. I questioned the information
4 that our super had -- supervisor had provided to
5 Investigator Monroe. I told the Board that our supervisor
6 -- what he had said was not true and that he had stated
7 this in a sworn statement to the Secretary of State
8 investigator. They did not care. There was no action
9 taken. I also informed Investigator Monroe about the
10 incorrect statements on the sworn statement form.

11 In the past, Hancock County has been fined by the
12 State Election Board. These fines are then paid by the
13 County, so it really has no effect on the Board of
14 Elections and Registration or the employees. I would like
15 to suggest that the SEB -- to the SEB that perhaps fines
16 could be issued against the individual, especially in this
17 instance, when false information was provided to the
18 investigator. Hancock County has a good many cases that
19 have been transferred to the Attorney General's Office,
20 some as old as 2011 that are still unresolved. Until we
21 make the individuals accountable, I do not know that we
22 will be able to improve elections and compliance in
23 Hancock County. Thank you for your time.

24 MR. RAFFENSPERGER: Okay. Any members have any
25 questions for any of the Respondents or for our

1 investigator? What is the will of the Board?

2 MS. WORLEY: This is David Worley. I make a motion
3 that we refer this matter to the Attorney General.

4 MR. RAFFENSPERGER: Okay. Do we have a second?

5 MR. MASHBURN: Matt Mashburn, second.

6 MR. RAFFENSPERGER: Any further comment? All those
7 in favor of the motion as presented for 2020-018, signify
8 by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Motion carries.
11 Next case?

12 MS. WATSON: Next case is 2020-024, Glynn County,
13 deceased voter. Election Supervisor Christopher Channell
14 reported they received an absentee ballot that was
15 postmarked a day or two before the voter Richard Graham
16 McKenna, Senior passed [ph.] away. Mr. Channell stated
17 the signature for Richard Graham McKenna, Senior did not
18 match his voter registration card. Mr. Channell advised
19 the signature was a close match to the voter's son's
20 signature on the oath envelope. Richard Graham McKenna,
21 Junior signed the oath that he assisted his father to vote
22 his absentee ballot. Investigation revealed Mr. McKenna
23 advised he thought it was okay for him to sign his
24 father's name as his father was not able to sign himself.
25 Mr. McKenna did sign as assisting on the oath envelope.

1 Mr. McKenna states his father told him who he wanted to
2 vote for, and he marked the ballot, as his father was in
3 pain and unable to do so himself. We recommend Richard
4 Graham McKenna, Junior be bound over to the AG's Office
5 for 21-2-562.

6 MR. RAFFENSPERGER: Is Mr. Mc -- is Mr. McKenna or
7 his attorney --

8 MS. WATSON: No. He is not.

9 MR. RAFFENSPERGER: What is the will of the
10 Committee?

11 MR. WORLEY: Mr. Secretary, this is David Worley. I
12 just had a question for Ms. Watson. So the issue here is
13 that rather than letting his father make an x and signing
14 that he had assisted, he signed both his father's name and
15 his name as assisting? Is that it?

16 MS. WATSON: Correct.

17 MR. WORLEY: I -- I don't see this as a violation,
18 and I would make a motion that we dismiss it.

19 MR. RAFFENSPERGER: Do we have a second?

20 MR. MASHBURN: Matt Mashburn, I second.

21 MR. RAFFENSPERGER: Okay. Any further comment? All
22 those in favor of dismissing the case as presented by the
23 motion, please do so by voting aye for 2020-024.

24 THE BOARD MEMBERS: Aye.

25 MR. RAFFENSPERGER: Any opposed? Motion carries.

1 Okay. Next case?

2 MS. WATSON: Next case is 2020-076, Gwinnett County.
3 On August 11th, 2020, James Shay [ph.] observed a vehicle
4 parked in the parking lot of the Gwinnett County poll
5 location at Winters Chapel United Methodist Church,
6 located at 5105 Winters Chapel Road. He advised the
7 vehicle had a Turn Georgia Blue 2018 sign posted in the
8 rear driver's side window.

9 Investigation showed the car was determined to belong
10 to a poll worker at the precinct. The car was found to be
11 approximately 83 feet from the edge of the building. The
12 poll manager advised the sticker was an old sticker and
13 did not have a candidate's name on it and believed it was
14 further than a hundred and fifty feet. The poll worker,
15 Betsy Shaver [ph.] was interviewed and advised the car was
16 outside a hundred and fifty feet, and she had the sign
17 since 2018, and it was not campaigning. We recommend
18 Gwinnett County Board of Registration and Election,
19 Elections Supervisor Kristi Royston, poll manager Kimberly
20 Rowland [ph.], and Betsy Shaver be referred to the AG's
21 Office for 21-2-414(a)(1)(a).

22 MR. RAFFENSPERGER: Okay. And there's someone on the
23 call from --

24 MS. WILSON: Good afternoon -- good afternoon,
25 Chairman Raffensperger and members of the Board. My name

1 is Melanie Wilson. I'm the senior assistant county
2 attorney with the Gwinnett County Law Department,
3 representing the Board of Registration and Elections and
4 Ms. Royston, the Elections Supervisor, who I believe is on
5 the call. And so certainly, there has to be -- it has to
6 be acknowledged that the -- the old elections -- the old
7 campaign sign on a vehicle belonging to a poll manager is
8 certainly conduct attributable to that poll manager, and
9 it would have been better, most definitely, if when the
10 issue was brought to their attention, the vehicle had
11 simply been moved to a location beyond the hundred and
12 fifty square feet, the area within which campaigning is
13 restricted.

14 The response given to the investigator by the poll
15 workers who were questioned indicates a need for training,
16 and I can assure you -- and if you want to hear from Ms.
17 Royston, she will say the same thing -- but the subject
18 matter of what's permissible conduct in terms of
19 campaigning, that is the subject of training for all
20 Gwinnett County poll workers. It will continue to be the
21 subject matter for training for Gwinnett County poll
22 workers. And so this -- this incident kind of presents a
23 good example of the kind of matter that poll workers have
24 to be aware of. Yes, it was a 2018 sticker. Yes, it was
25 not specific to a particular candidate or a particular

1 party, but the color was associated with one political
2 party, and that was the message in the sticker, and that
3 was clearly the message that the person, the complainant,
4 understood.

5 This was a runoff election held back on August 20th.
6 There was -- there was one partisan race on the ballot,
7 but there were six -- there was one nonpartisan race on
8 the ballot, I beg your pardon, but there were six partisan
9 races, and so there's not going to be an assertion by the
10 Board of Registration and Elections that this -- that this
11 sticker was not problematic or that perhaps it wasn't a
12 close violation of the rule, but having said all of that,
13 I want to restate again that this -- to attribute this
14 failure by a poll worker who may or may not have been
15 aware that she still had the sticker on her car -- to
16 attribute that failure to the Board of Registration and
17 Elections, I -- I'd ask the Board not to do so and
18 certainly ask the Board not to attribute this failure to
19 the Elections Supervisor. So that would be my first
20 request that at a minimum, both the Board of Registration
21 and Elections and Ms. Royston be -- be dismissed, but in
22 the alternative, members of the Board, as an alternative
23 to a referral to the Attorney General, I would request
24 that the Board consider issuing a letter of instruction to
25 the Board, to Ms. Royston, and to the -- and to the two

1 poll workers, the owner of the vehicle, Ms. Betsy Shaver,
2 and also the poll manager, Ms. Kimberly Rowland.

3 I do think that the training that we provide doesn't
4 skirt this issue, doesn't ignore this issue. It
5 emphasizes the importance of this issue. I think this
6 recent example is a good example for us to include in our
7 training material that, you know, whether it's someone
8 wearing an old t-shirt, something that we heard earlier
9 today of coming out of Fulton County, or a vehicle with an
10 old sticker as is the case with the pending matter, these
11 issues are ones that can be adequately and fully addressed
12 in training, and I would like to offer the Board our
13 assurance on behalf of the Board of Registration and
14 Elections that this is the kind of thing that we can -- we
15 can do a better job of. We will do a better job of. We
16 will take -- continue to take steps to ensure that our
17 training makes it crystal clear that a matter like this
18 needs to be appro -- approached seriously. And so with
19 that, I would ask once again that the Board issue a letter
20 of instruction and not refer this matter to the Attorney
21 General.

22 MR. WORLEY: Mr. Secretary, this is David Worley. I
23 just had a point to make which is that usually, when we
24 hold county election officials responsible for something
25 that a poll worker or poll manager has done, it's because

1 they were -- they, the poll manager or worker, were
2 carrying out some official duties and acting in an
3 official capacity in some way. In this case, I don't -- I
4 don't see that happening because at least as to Ms.
5 Shaver's -- I mean, that was -- she wasn't doing anything
6 to administer the election. She was just parking her
7 vehicle too close to the poll, so I don't -- I don't see
8 any liability for Gwinnett County here.

9 MR. RAFFENSPERGER: Okay. So what is the will of the
10 Board then?

11 MR. MASHBURN: This is Matt Mashburn. I agree that
12 the County's liability is tenuous on this at best. I move
13 to dismiss the County and issue a letter of instruction to
14 Betsy Shaver.

15 MR. RAFFENSPERGER: Okay.

16 MR. WORLEY: I would second that.

17 MR. RAFFENSPERGER: Okay. Any further discussion?
18 Hearing none, all those in favor of the motion, signify by
19 saying aye.

20 THE BOARD MEMBERS: Aye.

21 MR. RAFFENSPERGER: Those opposed? Motion carries.
22 Next?

23 MS. WATSON: Next case is 2020-081, DeKalb County.
24 In August 2020, we received three complaints regarding the
25 issuance of absentee ballots during the DeKalb County 2020

1 primary runoff election and one complaint regarding voter
2 fraud over several years in DeKalb County. Mark Clorack
3 [ph.] advised he requested his absentee ballot for the
4 2020 primary runoff election and did not receive the
5 absentee ballot. It was confirmed that the ballot was
6 processed on 7/6/2020. Journey Taylor [ph.] submitted an
7 absentee ballot request, and it was processed on August
8 the 5th, 2020. Taylor's application could not be located
9 by DeKalb County, so the date received could not be
10 confirmed.

11 There were numerous complaints regarding Brittany
12 Bohn, B-o-h-n, posting on social media that she was voting
13 in Georgia when she was living and working in New York.
14 Records indicate she has been living at various addresses
15 in New York since 2013, and she is registered to vote in
16 New York but has not voted in New York. Brittany advised
17 she did fill out a voter registration in New York but did
18 not receive anything to confirm she was registered and was
19 unaware that she was registered. The address listed for
20 her Georgia registration is a property owned by her
21 parents at 2733 Brake Wood Road, Atlanta, Georgia.
22 Brittany maintains a Georgia driver's license. The
23 neighbors claim Brittany moved several years ago but
24 visits from time to time.

25 Brittany confirmed that she leased an apartment and

1 lived in New York from September 2018 through October of
2 2020. Brittany advised she decided to return to Georgia
3 in October of 2020 because the theater industry in New
4 York was shut down. She is now back in New York. It was
5 confirmed that she voted in the DeKalb County 2018 general
6 election, and she attempted to vote absentee by requesting
7 absentee ballot during the DeKalb County 2020 presidential
8 preference primary election. Brittany and her father
9 contacted me after notices were -- were sent out for this
10 meeting to reiterate that Brittany is in the theater
11 industry, and her location of residence is fluid.
12 Brittany states she considers Georgia her residence.
13 Brittany stated she did contact the Georgia Secretary of
14 State's Office and stated she was wanting to vote and was
15 told as long as her voter registration was active, and she
16 had a Georgia driver's license that she could vote.

17 Based on the information provided by Brittany and her
18 father, I recommend voter Brittany Bohn be issued a letter
19 of instruction for 21-2-573 and DeKalb County Board of
20 Voter Registration and Elections Office be issued a letter
21 of instruction for violation of 21-2-273, when the DeKalb
22 County was unable to find a 2020 primary runoff
23 application for absentee ballot for a particular voter,
24 and I believe Ms. Bohn is on the line.

25 MS. BOHN: Yes, hi. I think you covered that well,

1 and thank you for adding the extra information. I just
2 want to write -- or read what I wrote, and it may
3 reiterate, but it's something that's important to me that
4 I wanted to make sure was stated, and thank you for
5 allowing me to speak on my behalf. Like was said,
6 allegation four is stating that I am not a legal resident
7 of Georgia, but to my understanding, I have always been a
8 legal resident of Georgia and therefore still have my
9 Georgia ID, and I've never voted anywhere else. Like
10 stated, I'm a traveling performing artist. I tour around
11 the country due to my work, and it's made most sense for
12 me to maintain my Georgia home as my permanent address.
13 Like said, just recently, I felt stable enough to get an
14 apartment in New York and looked into registering to vote
15 there. Then, the pandemic happened, which shut down my
16 entire arts industry until further notice. Therefore, I
17 decided to go home to Georgia for a while until I figured
18 out my next move.

19 For this past election, I went out of my way to call
20 the Georgia Secretary of State as stated to make sure that
21 I could vote in Georgia legally. I spoke to a woman about
22 my situation that I looked into, but never heard -- oh,
23 that I looked into registering in New York but never heard
24 anything back from them, no paperwork, emails,
25 confirmation that they had received my registration. They

1 said correct. My Georgia voting status was in good
2 standing, and as long as I had my ID from Georgia, I
3 wouldn't have any issues. I appreciate all the work
4 that's gone into this. If it's no longer the case that
5 I'm eligible to vote in Georgia, I completely understand,
6 and ultimately, I just wanted my voice to be heard in this
7 important election, and that's what I was told legally
8 that I could do. So thank you.

9 MR. RAFFENSPERGER: Thank you, Ms. Bohn. Do we have
10 someone from DeKalb County?

11 MS. WATSON: No, sir.

12 MR. RAFFENSPERGER: Members?

13 MS. LE: Mr. Secre -- Mr. Secretary, this is Anh Le.
14 I will recuse from this case.

15 MR. RAFFENSPERGER: Okay. Fair enough. And members,
16 now would be the appropriate time to make a motion if
17 you're so inclined.

18 MR. WORLEY: Mr. Secretary, David Worley here. Given
19 that Ms. Bohn did inquire of the Secretary of State's
20 Office and was told that it would be all right for her to
21 vote in Georgia because she hadn't heard whether her
22 registration -- attempted registration in New York was
23 valid, I would make a motion to dismiss the charge against
24 her and to send a letter of instruction to DeKalb County.

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

1 MR. MASHBURN: This is -- this is Matt Mashburn. I
2 will second it. Simply, the thing that persuades me on
3 that is that I understand from reading the file that she's
4 never voted in New York, not a single time. Correct?

5 MS. WATSON: That is correct.

6 MR. MASHBURN: Yeah. Then I second it.

7 MR. RAFFENSPERGER: Any further discussion? All
8 those in favor of the motion, please signify by saying
9 aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Next case?

13 MS. WATSON: Next case is 2020-094. A Christina
14 Peterson [ph.] reported to the Georgia Secretary of State
15 that Crystal Moore [ph.] was using a post office box as
16 her voter registration address. The investigator was able
17 to determine by speaking with Crystal Moore that she is
18 using 570 Piedmont Avenue NE, Unit 55012 as her voter
19 registration residence and mailing address. That address
20 is a US Post Office. Ms. Moore advised her voter
21 registration address -- with her current circumstances,
22 she does not have a permanent address. She advised she
23 looked up the rules before she did it to see if it was
24 acceptable, and she advised she does not have any other
25 address to live. The investigator was not able to

1 determine if Ms. Moore was living outside of her voting
2 district when she voted in the June 6th, 2020 and August
3 11, 2020 elections. Our recommendation is for Crystal
4 Moore to receive a letter of instruction regarding 21-2-
5 217(a)(1). Is she on the line? Ms. Moore was on the
6 line, but she had to leave at approximately 1 o'clock for
7 another engagement.

8 MR. RAFFENSPERGER: Members, do you have any
9 questions? What is your disposition on this case?

10 MS. LE: I move that we accept the recommendation of
11 issuing a letter of instruction.

12 MR. RAFFENSPERGER: Do we have a second?

13 MS. SULLIVAN: Second.

14 MR. MASHBURN: Second, Matt Mashburn.

15 MR. RAFFENSPERGER: Any further discussion? All those
16 in favor of the motion, signify by saying aye.

17 THE BOARD MEMBERS: Aye.

18 MR. RAFFENSPERGER: Those opposed? Motion carries.
19 Next?

20 MS. WATSON: The next case is 2020-096. On September
21 the 14th, 2020, Shauna Dozier with Clayton County
22 Elections notified our office that a resident in the City
23 of Riverdale at 403 Valley Hill Road may have a ballot box
24 and provided photos of the box. It was determined that
25 Doris Woods [ph.], the resident at 403 Valley Hill Road

1 Southwest, Unit 403, did have a box or container labeled
2 ballots set on a table outside of her door. It was
3 determined from speaking from Ms. Woods that she was
4 trying to get her neighbors engaged in the voting process
5 and was handing out absentee ballot applications that
6 could be completed and placed in the container to be
7 picked up and delivered to the Elections Office. Once Ms.
8 Woods was contacted, she removed the box. We're
9 recommending Doris Ann Woods be issued a letter of
10 instruction regarding SEB rule 183-1-14-0.6-14.

11 MR. RAFFENSPERGER: Is Ms. Woods on the phone?

12 MS. WATSON: She is not.

13 MR. RAFFENSPERGER: Okay. What is the Board's
14 position on this?

15 MR. WORLEY: Mr. Secretary, David Worley here. I'm
16 somewhat at a loss as to how to handle this case because
17 the -- the rule that we passed relates to drop boxes, and
18 I -- I don't know that there's any part of it that applies
19 to an individual. Essentially, we allow counties to do
20 this. I don't think there's a prohibition anywhere in the
21 statute about somebody putting together a piece of
22 cardboard and, you know, soliciting voter registration
23 applications that they can then turn into the county. So
24 I -- I'm not saying that what she did was right or that it
25 should be encouraged or anything like that. I'm just

1 saying we need some specific statutory or regulatory
2 authorization to do something about it, and I -- I'm
3 having trouble finding where that would be. I would ask
4 Ms. McGowan if that -- you know, if she could direct us to
5 something.

6 MR. RAFFENSPERGER: Can I ask a question also to that
7 point? It says ballots here. Were ballots -- were
8 absentee ballot applications put into this box, or were
9 actual absentee ballots -- because then it's ballot
10 harvesting and that's covered in House Bill 316, which is
11 illegal.

12 MS. WATSON: There is no information pertaining to
13 any ballots that were put into the box. She was handing
14 out absentee ballot applications for people to complete
15 and leave in the box, for her neighbors.

16 MR. RAFFENSPERGER: So to the Attorney General's
17 Office?

18 MS. MCGOWAN: Mr. Secretary, without the opportunity
19 to review the file further, I don't think I can provide a
20 legal opinion in this case. It's up to the Board to look
21 at the facts presented and the violations alleged and
22 determine whether or not there's probably cause.

23 MR. MASHBURN: This is -- this is Matt Mashburn. I -
24 - I would like Ms. Watson to go back and find out from Ms.
25 Woods if she ever -- what exactly -- if anything she ever

1 collected in the box and if so were any ballots ever in
2 that box.

3 MS. WATSON: Yes. She only collected absentee ballot
4 applications in it.

5 MR. MASHBURN: And what did she -- what did she do
6 with them?

7 MS. WATSON: A candidate came by and picked them up
8 to take them to turn them in.

9 MR. RAFFENSPERGER: I believe that's currently
10 lawful, and I think there will be discussions in the
11 General Assembly this session, but where she was at that
12 point -- and Mr. Germany, I believe, is still tied up in a
13 meeting, correct, so --

14 MS. SULLIVAN: This is Rebecca Sullivan. If the
15 Board would agree, I do see Mr. Worley's point regarding
16 the specific rule violation alleged here today, but I
17 think we need to explore a little bit better if there is
18 another rule that may have been violated in this case, so
19 I would make a motion to table it until next week until we
20 can look at that a little bit closer.

21 MR. WORLEY: This is Mr. Worley. I would second
22 that.

23 MR. RAFFENSPERGER: Okay. Any further discussion?

24 MS. LE: And this is Anh Le. Ms. McGowan, would you
25 be able to give us some insight on -- you said you didn't

1 have a chance to look at this. Would next week be okay,
2 next Wednesday's meeting?

3 MS. MCGOWAN: I can take a look at it between now and
4 next week's meeting.

5 MS. LE: Okay. Thank you.

6 MR. RAFFENSPERGER: All those in favor of tabling
7 this, signify by saying aye.

8 THE BOARD MEMBERS: Aye.

9 MR. RAFFENSPERGER: It's tabled. Next case?

10 MS. WATSON: Next case is 2020-112, Henry County. On
11 October 14th, 2020, the Investigations Division opened an
12 investigation concerning a complaint that a candidate in
13 Henry County was supplying voters in line at a polling
14 location with snacks and water. The candidate was
15 identified as Kelly Rose Alsiver [ph.], a candidate for
16 State Senate District 17. On October 14th, 2020, it was
17 reported by a witness that Kelly Rose Alsiver came to the
18 front of the line of voters with a wagon full of bottles
19 of water, oranges, and urged people to help themselves.
20 She introduced herself to voters in line as Kelly Rose
21 running for Senate. Kelly Rose states that she went to
22 the poll on two occasions to pass out water and snacks to
23 those in line. She states she was not wearing any
24 campaign clothing. On social media, she states that
25 everyone knows her by her hair. Kelly -- our

1 recommendation is for Kelly Rose Alsiver, candidate for
2 Georgia State Senate District 17, be referred to the AG's
3 Office for violation of 21-2-414(a)(3) and 21-2-570. And
4 I believe that she's represented by a Gary Spencer.

5 MR. SPENCER: It's not a Gary Spencer. It's just
6 Gary Spencer. So we have -- we'd like to ask you all to
7 consider tabling this for the following reasons. If you
8 look at the complaint and the findings, there's a couple
9 of things that are missing that -- that appear to be
10 inculpatory to Ms. Rose that are just not true. For
11 example, there is a video which she allegedly
12 livestreamed. We have that video that I think it would be
13 helpful for you all to see that in fact, she does not
14 appear to be at the location where the impression is
15 created that as though she is doing something wrong.

16 As it relates to the violations, if we go to 5720
17 first, the investigator says there is evidence to suggest
18 that Ms. Rose offered gifts in the form of water and --
19 while waiting in line. Well, that allegation does not
20 even meet the statutory requirement in that it doesn't say
21 she did it for voting. But even though, we have
22 affidavits from people who were present and said it didn't
23 happen. So instead of sending this to the AG because we
24 have evidence -- and this is not a question of law. We
25 have evidence that she did not do what she's accused of.

1 We'd ask you all to allow us to present this evidence to
2 the investigator. She, my client, just received the
3 certified letter on the 7th and so we'd like -- we'd like
4 to be able to present this evidence to the investigator
5 because this is not a case where there's an interpretation
6 of the law. This is a case where she did not do anything
7 wrong, and so we'd like to present that evidence before
8 having it go to the Attorney -- the Attorney General.

9 MR. MASHBURN: This is Matt Mashburn. Just so I
10 understand you correctly, counselor, you're going to --
11 you're going to disprove that she was within a hundred and
12 fifty feet of the polling place?

13 MR. SPENCER: I'm going to disprove that she was not
14 campaigning while she was within a hundred and fifty feet
15 of the polling place. That's what I'm saying. Yes.

16 MR. MASHBURN: What was she doing within a hundred
17 and fifty feet of the polling place?

18 MR. SPENCER: She was giving out water because
19 several people had passed out already that day because of
20 the long lines and the heat.

21 MR. WORLEY: (very distorted sound) Mr. Secretary,
22 David Worley. I make a motion that we table this until
23 the next meeting.

24 MR. SPENCER: I'm sorry. I couldn't hear you, Mr.
25 Worley.

1 MR. RAFFENSPERGER: You're breaking up, Mr. Worley,
2 but I think you said you would make a motion to table this
3 until the next meeting?

4 MR. WORLEY: (very distorted sound) Yes. I would
5 like to table this because had Ms. Spencer asked for a
6 continuance --

7 MR. RAFFENSPERGER: Your connection has -- is that --
8 is that the gist of what I heard to table until next week?

9 MR. WORLEY: (very distorted sound) Yes, sir.

10 MR. RAFFENSPERGER: Okay. Great. Do we have a
11 second to table until next week?

12 MR. MASHBURN: Matt Mashburn, second.

13 MR. RAFFENSPERGER: Okay. All those in favor,
14 signify by saying aye.

15 THE BOARD MEMBERS: Aye.

16 MR. RAFFENSPERGER: Motion carries. Okay. Next
17 case?

18 MS. WATSON: Next case is 2020-138, Pickens County.
19 We've received three complaints that alleged Pickens
20 County advance voting site did not have the basic
21 accessibility features needed for persons with
22 disabilities and that the advance voting site was not
23 equipped with poll workers who were trained to assist the
24 disabled. Poll workers were interrogating voters to
25 determine the nature of their disability.

1 MR. SPENCER: Okay. So I'm going to log out.

2 MS. WATSON: Investigation revealed the location was
3 visited and evaluated as to the space requirements for
4 those with handicapped access. It was found that areas
5 within the location were not in compliance with the space
6 needed and required by the Americans with Disabilities Act
7 space allowance and reach range standards. It was noted
8 that there were electrical cords that could hamper the
9 ability of a person in a wheelchair or that may have sight
10 issues. Our recommendation is for Pickens County Board of
11 Registration and Elections and Pickens County Election
12 Supervisor Julianne Roberts be referred to the AG's Office
13 for a violation of 21-2-265(b).

14 MR. RAFFENSPERGER: Okay. Is anyone here from
15 Pickens County?

16 MS. WATSON: No, sir.

17 MR. RAFFENSPERGER: Okay. What is the will of the
18 Board?

19 MS. LE: I move -- this is Anh Le. I move to accept
20 the recommendation and send this to the AG's Office.

21 MR. RAFFENSPERGER: Do we have a second?

22 MR. MASHBURN: Matt Mashburn, second.

23 MR. RAFFENSPERGER: Any further discussion? All
24 those in favor of sending this to the Attorney General's
25 Office for case 2020-138, signify by saying aye.

1 THE BOARD MEMBERS: Aye.

2 MR. RAFFENSPERGER: Any opposed? Motion carries.

3 Thank you. Next case?

4 MS. WATSON: Next case is 2020-161, Banks County. On
5 November 3rd, 2020, an investigator with our office
6 observed campaigning while conducting a site inspection on
7 Banks County polling precinct during the 2020 general
8 election. The investigator observed a campaign hat
9 bearing the name of a candidate on the ballot resting on
10 the dashboard of a vehicle parked near the entrance of the
11 polling precinct. The hat was in plain view to voters
12 entering the polling precinct.

13 Investigation revealed that the investigator observed
14 a vehicle parked in the handicapped space with a hat
15 displaying Trump 2020 displayed on the dash. The vehicle
16 was within approximately 15 feet of the edge of the
17 building. The person identified as associated with the
18 hat was a Patrick Cayson [ph.]. Mr. Cayson left the hat
19 in the car and was not aware that he was in violation of
20 the no campaigning law. Recommendation is to issue a
21 letter of instruction to Patrick Cayson. Mr. Cayson did
22 call and reports that this did occur, and he was unaware
23 of the violation but is now aware of the violation and
24 will be careful in the future as to where he leaves any
25 material with campaign literature on it at a polling

1 location. There is no one on the call.

2 MR. RAFFENSPERGER: Okay.

3 MR. MASHBURN: This is Matt Mashburn. I agree a
4 letter of instruction is proper, and so I move that we
5 issue a letter of instruction.

6 MR. RAFFENSPERGER: Do we have a second?

7 MS. LE: Anh Le, I'll second that.

8 MR. RAFFENSPERGER: Any further discussion? All
9 those in favor, please signify by saying aye.

10 THE BOARD MEMBERS: Aye.

11 MR. RAFFENSPERGER: Any opposed? Motion carries.
12 Next case?

13 MS. WATSON: Next case is 2020-212, Douglas County.
14 The Secretary of State's Office opened this investigation
15 following an allegation that the Douglas County Board of
16 Elections and Registration failed to ensure and verify
17 that all votes on memory cards were uploaded into the
18 elections management tabulation system. Investigations
19 revealed Douglas County Director Milton Kidd reported to
20 our office that he had identified a memory card containing
21 votes that had not been included in the initial
22 certification as the memory card was not uploaded. This
23 was discovered as a result of the state-wide audit when
24 Douglas County realized they had more ballots on hand than
25 the count submitted for certifications.

1 A Tiana Harvey [ph.] with the Dominion Voting System
2 advised she may not have checked all the tabulation --
3 tabulators, resulting in missing this memory card. She
4 also stated that at the time, she was not aware there was
5 a process to verify the data had successfully uploaded.
6 The number of votes on the memory card was 293. The
7 results were corrected and recertified on November 17th,
8 2020. We recommend that Milton Kidd, the Douglas County
9 Elections Director, be bound over to the AG's Office for
10 State Election Board rule 183-1-12-.12(b), consolidation
11 of results.

12 MR. RAFFENSPERGER: Okay. Anyone here from Douglas
13 County?

14 MS. WATSON: Yes, I believe Milton Kidd.

15 MR. LINKOUS: Yes, and Bill Linkous on behalf of
16 Douglas County Board of Election is here. Can you hear
17 me?

18 MR. RAFFENSPERGER: Yes. Go ahead.

19 MR. LINKOUS: Okay. Thank you, and good afternoon,
20 Mr. Secretary and Board members. My name is Bill Linkous.
21 I'm here representing the Douglas County Board of
22 Elections and Milton Kidd, the Director, who I believe is
23 also on the call. We are going to be asking and
24 requesting of the Board either dismissal or a letter of
25 instruction as to this issue, and the reason is that the

1 facts here are pretty simple. They show a simple, self-
2 reported computer issue that really was no one's fault.
3 It was immediately corrected and which has not occurred
4 since.

5 The November 2020 election was only the second time
6 that Douglas County had used the current election system
7 from an IT standpoint. Although they had requested
8 additional training earlier in the year, the training
9 received by Douglas County as to this issue amounted only
10 to a general overview of the new system. They were told
11 to lean heavily on the Dominion county technician that was
12 provided, and they did so. The problem occurred when the
13 technician, who was mentioned in the report, was loading
14 the memory cards into the system. There was no intent to
15 do anything wrong here. It was all something that was
16 according to the process, but what happened was the
17 technician was handling the uploading of the memory cards
18 and as to one card, she believed that the card had
19 uploaded, but it did not upload. No one is sure why the
20 memory card did not upload, but all of the other memory
21 cards uploaded correctly in the -- during the process.

22 So the problem with the memory card was discovered
23 during the risk-limiting audits/hand recount process.
24 When the technician discovered during the recount that the
25 CF card did not upload successfully, Douglas County

1 immediately reported it to the State. The technician also
2 immediately called both her regional manager and the
3 Dominion trainer to prevent this CF card issue from
4 happened in the future. The regional manager had not been
5 trained on how to double check CF card upload. The
6 Dominion trainer knew how to do it and tried to walk the
7 technician through the process of double-checking CF card
8 upload, but it was not a simple task that could be easily
9 explained over the phone. The bottom line is that neither
10 the technician nor her regional manager had the training
11 to respond to this IT issue through the CF card result
12 verification process.

13 However, they were able to correct the issue, and
14 Douglas County recertified the election without any
15 problems. It has since instituted full correctives
16 measures and conducted the January 2021 runoff election
17 with no issues or problems either of this sort or any
18 other. There was never a problem with an envelope or a
19 container being misplaced or improperly opened or even
20 overlooked as the report indicates. To the extent that
21 the report indicates that, it's simply not correct.
22 Therefore, we would contend that there is no violation of
23 the OCGA section or the State Board regulations that are
24 cited. Simply, the process was going on and simply a card
25 just didn't take as the process was going on properly and

1 according to the law. So because there was no violation
2 of any law or rule and because this is a technical issue
3 over which Douglas County's election system had basically
4 no control, we would respectfully request that the Board
5 either dismiss the case or issue a letter of instruction
6 instructing the folks at the County to continue to use the
7 current corrective reconciliation methods that they have
8 put in place since this issue was discovered.

9 And in summary, we believe that there wouldn't really
10 be any purpose in sending this issue to the AG's Office
11 because it essentially was something we could not have
12 spotted beforehand and was done -- everything possible was
13 done to correct it the second that it was discovered nor
14 was there any intent to break any rules or regulations.
15 And so we would respectfully -- respectfully again request
16 that it either be dismissed or a letter of instruction be
17 issued. Thank you.

18 MR. RAFFENSPERGER: Thank you. Anyone else want to
19 speak on this case? Members of the Board, what is your
20 position towards this case?

21 MR. WORLEY: (very distorted sound) Mr. Secretary,
22 David Worley. I find the lawyer's argument very
23 persuasive, and I move to --

24 MR. MASHBURN: David Worley, we couldn't hear you.

25 MR. RAFFENSPERGER: Yeah, you're all breaking up.

1 You sound like you're -- we can't understand you.

2 MR. MASHBURN: I have a question while David is
3 working on his technical difficulties to the attorney.
4 How did it -- how did it come to be that in the original
5 count in the initial election certification results it
6 didn't show up that there were 293 more voters than votes?

7 MR. LINKOUS: I can't answer with specifics on that
8 except to say that because the process was changed, they -
9 - they were unfamiliar with the process to request the
10 voter list, and the new process that was put in place took
11 longer, and it was never laid out fully in training. So
12 that -- that's the best that I can determine for why it
13 didn't turn up. Obviously, that issue, if there is one,
14 has definitely been corrected. They have fully instructed
15 themselves on how to double check the vote process during
16 the initial certification process.

17 MR. MASHBURN: Thank you.

18 MR. RAFFENSPERGER: Okay. What is the will of the
19 Committee?

20 MS. LE: This is Anh Le. I'm sorry, David Worley, if
21 I don't know your motion, and I don't -- if it's to send
22 to the AG, I would second that. If it's not, I would move
23 -- well, is there a motion? Sorry. Is there a motion
24 from David Worley?

25 MR. RAFFENSPERGER: Couldn't hear it, so Ms. Le, you

1 can make the motion.

2 MS. LE: Okay. Thank you. I would make the motion
3 to send this case to the Attorney General's Office.

4 MR. RAFFENSPERGER: Do we have a second?

5 MR. MASHBURN: Matt Mashburn, second.

6 MR. RAFFENSPERGER: Okay. Any further comment? All
7 those in favor of sending this to the Attorney General's
8 Office, signify by saying aye.

9 THE BOARD MEMBERS: Aye.

10 MR. RAFFENSPERGER: Any opposed? Hearing none,
11 motion carries. Last case.

12 MS. WATSON: Last case is 2020-235, Paulding County.
13 The Secretary of State's Office opened this investigation
14 following a complaint alleging that a William Bell Price
15 an attorney from Panama City, Florida publicly shared his
16 brother's Georgia address while giving a speech at the
17 local Republican Party headquarters on November 7th, 2020
18 and encouraged fellow GOP supporters to use his brother's
19 address to illegally vote in Georgia's upcoming election,
20 which was determined to be the January 5th, 2021 general
21 election runoff and the January 5th, 2021 special election
22 runoff, a potential violation of Georgia election code.

23 The preliminary investigation by the Secretary of
24 State's Office uncovered that the Respondent knowingly and
25 intentionally completed an online application to register

1 to vote in Georgia using his brother's address in Paulding
2 County, Georgia. Investigation revealed William Price did
3 submit a voter registration application online on November
4 8th, 2020 through the online voter registration portal.
5 He was placed in a pending status until additional
6 documentation was provided. The voter registration number
7 issued was 2199454. The address used was his brother's
8 address in Paulding County. The IP address that submitted
9 the voter registration returns to Panama City, Florida.

10 The video that was posted online shows Mr. Price
11 telling his audience that he is moving to his brother's
12 house in Hiram, Georgia to register to vote and invited 2
13 million Floridians to join him in using his brother's
14 address to vote in Georgia and detailed his plan on how he
15 was going to execute his plan to vote in January 2021. He
16 went on to describe how he arranged mail and configured
17 the set-up for utility bills to vote in Georgia. Mr.
18 Price's brother, Frederick Price [ph.] was contacted and
19 stated he knew nothing of his brother's plan or scheme.
20 In an article, Mr. William Price denied registering to
21 vote in Georgia and then acknowledged that he submitted
22 the registration to expose the Democrats he alleged were
23 trying to vote illegally. We recommend William Bell
24 Bandon Price be referred to the Attorney General's Office
25 for 21-2-561, 21-2-562, and 21-2-571, and 21-2-603.

1 MR. RAFFENSPERGER: Okay. Is there anyone?

2 MS. WATSON: There is not.

3 MR. RAFFENSPERGER: Okay. Board?

4 MR. MASHBURN: Matt Mashburn. I agree with the
5 recommendation and move that we accept it.

6 MR. RAFFENSPERGER: Okay. Do we have a second?

7 MR. WORLEY: I second it.

8 MR. RAFFENSPERGER: Okay. All those in favor of --
9 any comments, conversation? Hearing none, all those in
10 favor of the motion for case 2020-235, signify by saying
11 yes, aye.

12 THE BOARD MEMBERS: Aye.

13 MR. RAFFENSPERGER: Any opposed? Motion carries.
14 Okay. Well, members, I'm very grateful. We had a lot of
15 cases today. Plus, we had nearly an hour with Carter
16 Jones about his observation as our Fulton County monitor
17 during the election. I understand that next week will be
18 a busy week also. Plus, we'll have cases that we've
19 tabled. We'll have additional information for your
20 consideration at that time. If anyone does have any
21 comments that they would like to add, I would entertain a
22 motion for adjournment right now.

23 MR. WORLEY: So moved.

24 MR. MASHBURN: Matt Mashburn, I move to adjourn.

25 MR. RAFFENSPERGER: Okay. Second?

1 MS. SULLIVAN: Second.

2 MR. RAFFENSPERGER: All those in favor?

3 THE BOARD MEMBERS: Aye.

4 MR. RAFFENSPERGER: Meeting is adjourned. Thank you
5 very much.

6 (Meeting adjourned 4PM)

CERTIFICATE

**STATE OF GEORGIA
COUNTY OF DEKALB**

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 232 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 15th day of March, 2021.

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

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