

In The Matter Of:
SECRETARY OF STATE
STATE ELECTION BOARD HEARING

May 17, 2022

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**

**May 17th, 2022
8:30 A.M.**

**PRESIDING OFFICER: MATTHEW MASHBURN
ACTING CHAIR, STATE ELECTION BOARD**

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

Atlanta, Georgia

APPEARANCE OF THE PANEL

Matthew Mashburn, acting chair

Sara Tindall Ghazal

Ed Lindsey

Dr. Janice W. Johnston

ALSO PRESENT IN ORDER OF PRESENTATION

Ryan Germany

Investigator Dana DeWeese

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. MASHBURN: So since Ed can hear us, I'm going to call this meeting of the State Election Board to order, and the first order of business is that we begin with an invocation and Pledge of Allegiance, and I'd like to invite Sara Ghazal to do the invocation and the Pledge of Allegiance.

(Invocation)

(Pledge of Allegiance)

MR. MASHBURN: Thank you. I'd ask everyone to please be seated. The next order -- item on our agenda is the approval of the board meeting minutes from last meeting. I'd ask the Board if everyone has had an opportunity to have a look. Well, first, I need to -- before we do that, let me proceed with a roll call in essence. We know that Ed can hear us, so Ed checks in as present. Sara?

MS. GHAZAL: Present.

MR. MASHBURN: Member Sara Ghazal is present.
Doctor?

DR. JOHNSTON: Present.

MR. MASHBURN: Dr. Johnston is present, so all of the Board is present. We do have a quorum. Now, we can proceed to business, and that is has the Board had an opportunity to review the minutes from the last meeting? Are there any corrections that need to be made? Okay. At

1 this time, I will entertain a motion that the minutes be
2 approved.

3 MS. GHAZAL: So moved.

4 DR. JOHNSTON: Second.

5 MR. MASHBURN: It's been moved and seconded. Any
6 discussion? All those in favor, say aye.

7 THE BOARD MEMBERS: Aye.

8 MR. MASHBURN: If all those opposed would say nay?
9 Nay? There's no nay's. It passes unanimously. All
10 right. So Ed has joined us both in -- in visage and
11 voice, so welcome and we appreciate your vote, and we have
12 marked it for the official meeting records. The next item
13 on the agenda is public comment, and I have a list of
14 those who have commented, and just a warning, we're in
15 election season, and so tensions are high, and there's a
16 desire to have one candidate or another benefited, but
17 that's not the business of the Board. The business of the
18 Board is to run the elections uniformly and safely and
19 transparently, so comments in favor or in opposition to a
20 particular candidate are already ruled out of order by the
21 Chair, and so we ask you to respond accordingly, but we're
22 going to limit it to our traditional three minutes, and
23 the first speaker on the list is Rebekah Bennett. I think
24 we have -- you can come to this microphone. Now, we'll
25 turn your mic on.

1 MS. BENNETT: Good -- good morning, Board. My
2 question is for a candidate that qualified, looking for
3 some protocol or some definition into what happened in a
4 timeline. I am told that they disqualified roughly two
5 weeks after qualifying closed due to insufficient funds,
6 and it took the Board until April the 30th to make the
7 election local -- election supervisors aware of this,
8 preventing them from being able to reprint ballots or deal
9 with that. Can you give me any information on that, the
10 candidate being John London in the 9th district?

11 MR. MASHBURN: Well, the -- the public comments
12 section is for you to make comments. It's not a question-
13 and-answer period, so we're --

14 MS. BENNETT: Oh, okay.

15 MR. MASHBURN: -- I'm going to go ahead and rule that
16 all statements in the form of a question are rhetorical.

17 MS. BENNETT: Okay. That's fine. So I guess, if I'm
18 going to make a statement to those that are listening,
19 please make sure you check your ballots because we do
20 actually have candidates on there that were too late to be
21 pulled off, and I don't want to cause any issues going in
22 where people are uninformed, thinking there's an actual
23 candidate on the -- on the ballot.

24 MR. MASHBURN: Thank you for your comment. The next
25 speaker is George Balbona.

1 MR. BALBONA: I'm George Balbona. I'm from Cobb
2 County. I have handouts, three sets of handouts, and if
3 you want, if the general public is interested, there's
4 copies behind my cameras over there as well. I have some
5 questions and concerns. I'd like to know why Erica
6 Hamilton, DeKalb County's former Election Supervisor, was
7 placed on extended leave of absence prior to her
8 resignation. I think every Cobb County voter should be
9 asking this because she was recently hired as the Cobb
10 County registration manager, and I submitted an OCGA --
11 back in Feb -- February 3rd, which did not get a response,
12 which is contrary to OCGA 50-15-70, subsection F, where I
13 should get a response within three business days. They
14 never responded. I had to resubmit -- unacceptable. I
15 still haven't received any responsive information
16 regarding that.

17 I received this spreadsheet directly from the
18 Secretary of State's Office. It has all the counties and
19 all the companies that are handling their ballot printing.
20 Overwhelmingly, Tattnall out of Reidsville, Georgia is the
21 hit. They've been printing in Georgia since 1879. They
22 print 151 counties out of 159. You said -- just said,
23 Matt, that the SEB's goal was uniformity. Well, there's
24 only one county here that is listed as unknown. Guess
25 which one? My county, Cobb, says unknown. Print files

1 sent directly to Cobb -- directly to county, so that means
2 the Secretary of State's Office and Michael Barnes [ph.]
3 don't know who's printing ballots for Cobb County. I have
4 a problem with that. I have a lot more problems. Let's
5 get to them.

6 The other problem I have is that 8 other counties are
7 using Fort Orange Press out of Albany, New York. Okay.
8 They are playing -- paying exorbitant money to do this.
9 Their quote -- their invoice is ridiculous, to quote a
10 Georgia ballot printing expert, quote, that's pretty dang
11 expensive, and he also mentioned that it also doesn't
12 include postage, and I want to know why these counties
13 which include Cherokee, Clay -- bum, bum, bum -- what is
14 that? Right here. -- DeKalb, Gwinnett, Clarke, Paulding,
15 Cherokee, Dougherty -- Dougherty, Lee, Oconee, why they're
16 paying so much for ballot printing. I know there's
17 absentee, and there's, you know, emergency and all that,
18 provisional, but it is crazy. Cobb is paying too little.
19 The expert says that the bid is, like, half what it should
20 be by far, and they -- they quoted it last year, so
21 they're not making money. Why does someone want to
22 desperately print Cobb's ballots and not make money for
23 it? I don't get it.

24 Lastly, the other reason these guys are on the table
25 is because back in 2020, Gwinnett County opened the door

1 by doing a nationwide bid for ballot printing, and that's
2 why these guys are here, and I have a problem with -- you
3 know, that's why Fort Orange Press is in -- in the
4 picture, and the problem is that who put them at the table
5 is the former Gwinnett County Elections Supervisor Kristi
6 Royston, and she's currently the Fort Orange Press
7 representative, handling Georgia and the Southeast. Isn't
8 that nice? I think there's a big conflict of interest
9 there. She's also making a lot of money on it too, and
10 she was on --

11 MR. MASHBURN: The next speaker signed up for public
12 comment is YG Nyghtstorm.

13 MR. NYGHTSTORM: Good morning, everyone. My name is
14 YG Nyghtstorm. I'm running for US Congress in District 7,
15 based out of Gwinnett County, and I've had the pleasure of
16 speaking with constituents on both sides. Democrats and
17 Republicans are very concerned about our election. In
18 2016, the Democrats were angry, saying that Hilary Clinton
19 should have won the election, and that there were some
20 issues there. Stacey Abrams, some of her supporters, who
21 in are Gwinnett County, said that she should have won the
22 election. There are some concerns there. In 2020, Donald
23 Trump's supporters said he should have won the election.
24 There are some concerns there. The fact that the media
25 and some in the state house are not considering the

1 concerns of the constituency is a problem to me. This
2 should not be a partisan issue. We have folks being
3 kicked out. We have folks wanting transparency, and, you
4 know, it seems like some of the leaders here don't seem to
5 want that.

6 The people deserve to have free and fair elections
7 and to have the power to choose their leaders. Regardless
8 of whatever political affiliation we have, we should have
9 the right, as the people, to pick our leaders, and as a
10 person running for Congress in District 7, I don't care if
11 you Democrat or Republican, everybody should have full
12 transparency to this. Everybody should have full
13 transparency to every action with every ballot, and every
14 ballot should be counted, and the people should have the
15 power to know what's going on in the background and should
16 not have a shroud of secrecy. So my concerns are as a
17 person running because I have skin in the game -- this
18 directly affects me and others. I don't care if you
19 democrat or republican. It should not matter. The vote
20 should be the vote, and anybody that's trying to
21 manipulate the vote, if they break the law, they should go
22 to jail, and they should be punished. God bless everybody
23 in here, and I hope we can all stand together regardless
24 of political party for what's right and what's true for
25 the betterment of this state and this country. Thank you.

1 MR. MASHBURN: Thank you for your comment. Next, --
2 the next speaker signed up for public comment is Salleigh
3 Grubbs. Your mic is on.

4 MS. GRUBBS: Thank you, and good morning. I would
5 like to personally thank you for holding this in-person
6 meeting because it's very difficult to conduct actual
7 tangible meetings via Zoom because you always have control
8 of the mic. Last year, in April, on April 28th, I was
9 testifying when I was disconnected, so I wanted to tell
10 you thank you. I'm going to read a press release. I'm
11 from Cobb County. I did this press release and sent it to
12 you all on May 5th.

13 Unfortunately, the 2022 primary advance voting began
14 with multiple issues at polling locations throughout Cobb
15 County. Since the polls opened on Monday, May 2nd,
16 problems have included poll pad voter data being missing
17 and incorrect information in certain ballots. Some
18 ballots excluded a state representative race, and some
19 ballots excluded the cityhood referendums. Since our vote
20 is anonymous, once a ballot is cast, there is no way to
21 rectify an issue. Today, we were faced with the same
22 issues being reported. In addition, the early voting
23 check-in system, E-Net, crashed. Incidentally, it was
24 also down yesterday again. We have conflicting stories as
25 to why. The MyVoter page contains inaccurate or missing

1 information for some voters. The problems do not appear
2 to be isolated; however, we have not yet determined the
3 number of affected voters or the number of incorrect
4 ballots.

5 To Mr. Nyghtstorm's comments, it should be one
6 citizen, one vote, and there should be accountability in
7 how our process happens. The Cobb County Republican Party
8 takes election integrity seriously, and we are committed
9 to the proposition that every eligible voter should be
10 permitted to vote, every legal vote should be counted
11 accurately, and every ballot issued should be prepared
12 correctly. If we can get lottery tickets right, we should
13 be able to process ballots. As the representative of the
14 Cobb County Republican Party, we are elevating our level
15 of concern. The Cobb Board of Elections has suggested an
16 election challenge after the election as a possible
17 remedy, but we believe that the Office of the Secretary of
18 State and the Cobb Board of Elections exist to prevent
19 these matters from having to appeal to the courts for
20 every minor problem.

21 Although the problems may be considered minor, we
22 believe -- and I believe personally -- that it is
23 indicative of a systemic failure. Therefore, considering
24 the above issues, it is our position that emergency
25 balloting provisions should be used as per Georgia law

1 with audits implemented as per Georgia law. This would
2 entail hand-marked paper ballots so that poll workers can
3 verify the ballot being issued to the voter as accurate,
4 and the voter could actually see that the information is
5 accurate. It is imperative that the voter be able to
6 verify who they are voting for and what they are voting
7 for before they cast their ballot. We will act as needed
8 to protect the rights of voters from the systemic failure.

9 We have put our election integrity legal team and the
10 State GOP on alert that Cobb County GOP will do all within
11 our power to make sure that every legal vote is counted.
12 As of yesterday, we had conflicting information from the
13 Secretary of State's Office, and this body exists to
14 ensure that elections are run appropriately and fairly,
15 and I am begging you to please step up for the citizens of
16 Georgia. Thank you very much.

17 MR. MASHBURN: Thank you for your time. Next spea --
18 the next speaker is David Cross. The mic is on.

19 MR. CROSS: Thank you. My name is David Cross. I
20 live in Gwinnett County, Georgia. Today, I'm before you
21 not because you want me here for -- for the Board. I've
22 submitted over fifteen well-se -- well-researched
23 complaints on everything from potential ballot trafficking
24 violations, drop box tally sheets with impossible check-in
25 times, unsigned tabulator tapes for more than 300,000

1 votes in Fulton County, illegal and improperly installed
2 elections software, poll pad check-ins that don't match
3 the statement of votes cast. I found out about today's
4 meeting from someone on Twitter commenting by saying hey,
5 did you see this? The State Election Board did not even
6 notify me of today's meeting even though my official
7 complaints are on the agenda today. Nobody told me my
8 complaints were assigned case numbers, and my email was
9 ignored when I tried to find out which ones would be on
10 the agenda today. The lack of communication here is
11 astonishing, and it's embarrassing.

12 We the citizens have been asked to believe that this
13 was the most secure -- and I won't even finish the
14 sentence. Why? Because there are so many errors,
15 incomplete and missing documents that it should make even
16 the staunchest advocates wonder if the results were the
17 results at all. I've contacted the Secretary of State
18 over a dozen times in the past twelve months. I got so
19 excited when he called me a few months ago, but as it
20 turns out, he had no idea who I was, and he was simply
21 calling me for a donation to his campaign.

22 The Secretary and the counties have a duty to not
23 only collect the ballots but to verify the data and then
24 archive the data. Nobody proofed anything. Nobody ever
25 looked at drop box video. What is the point of security

1 footage if nobody ever views it? Is it my responsibility
2 to do the job of the county and the State Election Board
3 and the Secretary of State? The Attorney General has the
4 responsibility to prosecute and punish violations of law.
5 So far, he's done nothing, and no one's been held
6 accountable. My understanding is that each missing ballot
7 image is a thousand dollar fine. That's nearly 2 billion
8 dollars of liability. The Governor has a responsibility
9 to uphold the laws of Georgia, and clearly, election laws
10 were violated. He has done zero to help the people have
11 confidence that the laws were followed. I never thought
12 I'd say this, but I'm embarrassed to be a Georgian. Is
13 this the way we run elections in the greatest county on
14 Earth, like some third-rate banana republic? Our leaders,
15 the Governor, and the Secretary of State need to fulfill
16 their constitutional duties to the citizens. Put on your
17 big boy pants, roll up your sleeves, and get to work.
18 Everyone here wants secure -- wants a secure vote.
19 Election integrity is paramount. Thank you.

20 MR. MASHBURN: The next -- the next speaker -- the
21 next speaker is Garland Favorito, but just for a second, I
22 have received your emails, and I have forwarded every one
23 of them along for processing, so I apologize -- the volume
24 that we get -- this is a volunteer Board that has no pay
25 and no staff, so the volume of emails that we get make it

1 impossible for us to respond to every email that we get,
2 but rest assured, I did get your -- I did get your emails,
3 and I have forwarded them along for pro -- for processing.

4 MR. CROSS: I appreciate it.

5 MR. MASHBURN: Now, in addition, it is customary for
6 complainants to receive notice when their cases are being
7 heard, and if you are a complainant and you didn't receive
8 notice, I apologize for that. That wasn't -- that is not
9 the customary thing, and I apologize for that. That
10 shouldn't have happened, so I've -- I've been a
11 complainant before, and I got notice of the hearing where
12 my complaint was going to be heard, so that's the ordinary
13 course, so I will find out what happened -- what happened
14 there, and I apologize for that, but I've seen every
15 single one of them, and I've forwarded them along, but I
16 get 300 emails a day with complaints, so I can't respond
17 to each and every one and have a full-time job, so I
18 apologize for that, but I did want you to know that your
19 concerns are being addressed. Okay. The next speaker is
20 Garlan Favorito.

21 MR. FAVORITO: Thank you, Mr. Chairman. I'm Garland
22 Favorito, co-founder of Voter GA. We are encourage by the
23 restructuring of the Board and hope it continues for the
24 Board so they can gain complete independence from the
25 Secretary of State's Office and that will help you conduct

1 more legitimate, unbiased investigations.

2 This afternoon, you will receive an email, the final
3 signed draft of our demand letter respectfully requesting
4 that you make two State Election Board rules conforming to
5 federal and state law. When SB 202 was passed last year,
6 it made ballot images public, and Voter GA immediately
7 began a state-wide analysis of them for the 2020 general
8 election images. Our analysis was hindered because we
9 found that about 70 counties had destroyed roughly 1.7
10 million original ballot images from the 2020 election. In
11 another analysis, we found that about 70 counties
12 destroyed their drop box surveillance video which would
13 have monitored 181,507 drop box ballots.

14 In both cases, the counties blamed the State Election
15 Board rules that allowed for premature destruction of
16 images and surveillance video. I say premature because
17 state and federal law requires a two-year retention of all
18 election records. Therefore, the letter that you will
19 receive requests that the State Election Board rules be
20 changed to comply with state and federal two-year
21 retention periods. The destruction of the original images
22 prevents any means to verify the election results or the
23 tab counterfeit balances. Therefore, the letter also
24 requests the Board to seek a litigation hold on all 2020
25 general election ballots so that they may be preserved

1 until all litigation regarding the 2020 election is
2 resolved. The people demand transparency.

3 MR. MASHBURN: Thank you, sir. Thank you for your
4 comment. The next speaker is William T. Quinn. The mic
5 is on.

6 MR. QUINN: Thank you. Good morning. Yes, sir?

7 MR. MASHBURN: Excuse me, Mr. Quinn. Garland, I did
8 get your draft demand later, and I've already forwarded it
9 along, so I don't have an issue -- like, Mr. Cross didn't
10 know his was being processed. Yours is being processed.
11 Okay. All right. But I've already sent it along, so
12 sorry.

13 MR. QUINN: That's very good. Thank you. So again,
14 William T. Quinn, I'm a resident of Forsyth County,
15 Georgia. I wanted to this morning make the Board aware of
16 the existence of analysis from the actual ballot records
17 of a number of counties in Georgia. Some folks have
18 already seen this analysis. It's based on the actual
19 ballot listing from the systems in those counties. What's
20 interesting is many of the counties have been very
21 forthcoming and happy to turn over the cast the vote
22 record to us. Notably, there have been several that
23 haven't, which begs the question why not? I've heard
24 words like transparency, truthfulness, other things this
25 morning, so as we go forward, I would like to offer to the

1 Board the opportunity to see the analysis, have it
2 presented to you. We'll explain the findings and so
3 forth, and I would encourage the Board to send the message
4 where appropriate to the counties that are not turning
5 over the information yet -- Cherokee, Coweta, Houston --
6 that they should make that information available for the
7 betterment of everybody's visibility to what happened in
8 these -- in these past elections and for the knowledge and
9 foresight for the people of Georgia. Thank you.

10 MR. MASHBURN: Thank you for your comment. That
11 concludes the listing of people who have signed up for the
12 public comments, so the public comments section of the
13 meeting is closed. We now move to the section of the
14 meeting that is Board member comment, and we proceed in
15 reverse order, so Doctor, you get to go first as the
16 newest member of the Board. You get the honor or joy of
17 going first.

18 DR. JOHNSTON: Well, thank you.

19 MR. MASHBURN: Let me turn on your mic. There you
20 go.

21 DR. JOHNSTON: Thank you. To all of you who have
22 outlined deficiencies or processes that have not been
23 completed, we will do better, but let me -- imagine with
24 me for a few minutes. I'm going to put on my baseball
25 hat. The election is a baseball game. There are two

1 teams with an intense rivalry. It's early in the season,
2 and the game is on. There are rules, but the way the game
3 is played seems to keep changing. There are new rules
4 made. The equipment keeps changing. The bats are heavy.
5 The bats are light. The balls are small. The balls are
6 too big. The bases are moved. The lights tend to flicker
7 on and off. Whoever's at bat says the field doesn't seem
8 to be level. The scores on the scoreboard don't seem to
9 reflect the balls, the strikes, the outs, or the runs
10 batted in, so when the game is over, neither side is
11 really sure if they won fair and square.

12 Now, let me share a few words -- a few thoughts with
13 you. What we're seeing in the May 24th primary is what I
14 call a rough start: complaints by workers that the ballot
15 is too long for this election system, Election Net down on
16 day two and day fourteen, Easy Vote unusable and other
17 poll pad problems in Cobb County, Fulton County with early
18 voting scanners slower than molasses, Fulton County
19 scanners left on 24/7, Fulton County ballot marking
20 devices left on overnight, DeKalb County ballots
21 misprinted and sent to voters, Fulton County voters given
22 wrong ballots, reports of candidates not being on ballots,
23 loss of chain of custody of absentee ballots in DeKalb
24 County and then wrongly blaming the Secretary of State, a
25 Democrat candidate left off the ballot in HD 36, city

1 referendums misplaced, Cobb County tax collection boxes
2 mistaken for ballot drop boxes, absentee ballot voter
3 verification beginning before the posting processing date
4 with no monitors and no witnesses. This does not bode
5 well for the last few days of early voting and Election
6 Day on May 24th, and the November election will be
7 completely out of control if these equipment, operational,
8 and software issues are not resolved.

9 These distractions, chaos, and confusion only
10 increase the difficulty the State Election Board has in
11 providing oversight, uniformity, legality, and purity in
12 the elections. My impression is that election workers are
13 strained and struggling to keep up with the equipment, the
14 operations, and are helpless when it comes to any software
15 problems. In this atmosphere of partisan tension, we need
16 to do everything we can to simplify the process, make it
17 transparent for all candidates and their parties and
18 ensure that election laws and regulations are upheld.
19 There must be remedies, cures, and sanctions for violating
20 the laws if we want the results to be trusted and
21 accepted. We need rules that are understandable and
22 upheld throughout the state, and we need to train against
23 those rules. We also need to audit the training. We need
24 to insist on uniformity and accuracy in following State
25 Election Board rules and when laws and rules are broken,

1 there should be swift and meaningful sanctions up to and
2 including barring repeat offenders from being involved in
3 this very serious election process.

4 The good people of Georgia are paying a lot of money
5 for this election process, millions and millions of
6 dollars, and I'm not so sure they think they're getting
7 their money's worth. We should not continue to create
8 more complexity and shore up what has become an
9 untrustworthy system. Ryan Germany, the legal counsel for
10 the Secretary of State, said we have -- we have a decrease
11 in confidence of the election systems when he addressed
12 the State Election Board a year ago. He went on to say we
13 need to build back that confidence, and we need to address
14 things that fall through the cracks and other issues.

15 Indeed, we do need to address voter confidence.
16 According to a Rasmussen poll, sixty percent of voters
17 believe that both parties would cheat to steal an election
18 if they could get away with it. According to the
19 Rasmussen poll, there are several things that -- that the
20 majority of voters like and want: photo ID, number one.
21 It's common sense. It's not a crazy idea, and people want
22 it with mail-in ballots too in addition to driver's
23 license numbers and signatures. Number two, accurate
24 voter rolls, this has the support of more than eighty
25 percent of voters. One legal vote for one legal voter:

1 simple, basic, and not that difficult to achieve. Three,
2 bipartisan conduct and witnessing in all election
3 processes with ballots in by Election Day.

4 There are some things that voters do not like: a very
5 extended voting period. It's exhausting for workers.
6 It's expensive. It increases the risk for election
7 abuses. The low number of voters at the polls do not
8 justify extended early voting. Two, ballot harvesting,
9 buying, bullying, intimidation, pressure, threats,
10 vulnerable voter abuse, illegal voter assistance, and
11 ballot theft: I call these people vote -- vote predators.
12 They prey on the weak. Vulnerable voters must be
13 protected, and vote predators should be hunted down and
14 stopped. Outside -- three, outside private money or
15 schemes by so-called non-profits that amount to vote
16 buying -- these issues were recognized by the Jimmy Carter
17 and James Baker Commission in 2005, and most of us think
18 that they make just good common sense to ensure election
19 integrity. Those that oppose these measures are not moti
20 -- motivated by desire for honest, free, and fair
21 elections, but by dishonorable and unethical interests.
22 It's time to reset our election compass to a course that
23 will guide us to honest, free, fair, and trustworthy
24 elections that are conducted uniformly, cooperatively,
25 accountably, respectfully, transparently, and ethically.

1 Thank you.

2 MR. MASHBURN: Thank you for your comment. The next
3 member of our Board in terms of seniority or newness is
4 Mr. Lindsey, and so he has joined us by Zoom, and so I
5 turn the floor to you, Mr. Lindsey.

6 MR. LINDSEY: Well, first off, I -- I apologize for
7 not being able to be there in person, and I appreciate the
8 fact that I can -- in this age of technology, I can come
9 in via Zoom, and I do appreciate the comments that were
10 made -- public comments that were made as well as my
11 fellow members of the Board. I don't have any additional
12 comments at this time, but I look forward to hearing the
13 evidence as -- on the various issues that we have before
14 us coming, but good morning to everyone.

15 MR. MASHBURN: Thank you for your comments, Ed, and I
16 don't think I'm giving out too much information about your
17 personal life, but you rearranged your entire travel
18 schedule to be available this morning, so we appreciate
19 your effort in being here, and even though you're here via
20 Zoom, that required heroic efforts on your part to
21 rearrange your entire calendar, so we appreciate it very
22 much, so thank you very much. The next Board member is
23 Sara Ghazal, so we turn the floor over to Sara.

24 MS. GHAZAL: Thank you, Mr. Chairman. And I wanted
25 to thank every single person who's here today. I know

1 it's not easy being here at 8:30 in the morning, and your
2 presence here shows your commitment to Georgia's
3 elections. I think we can all agree everyone here,
4 everyone watching, and Georgians across the state all
5 depend on free and fair elections conducted peacefully by
6 nonpartisan professionals, free from intimidation. Our
7 election officials in 159 counties across the state are
8 doing everything in their power to maintain confidence in
9 our elections with limited resources.

10 Amplifying unproven and misleading allegations of
11 voting misconduct creates a chilling environment for
12 voters and election workers alike. I'm wholly committed
13 to working together with my colleagues here to find a path
14 forward with our communities that ensures Georgians' trust
15 in our election processes, supports our election workers,
16 and defuses the rising rhetoric and tensions across the
17 state.

18 I watched the movie that we -- that is on everybody's
19 lips, I've read all of the complaints, and I've watched
20 all of the accompanying videos that have been sent to the
21 Board. The claims made in the movie have been reviewed
22 and refuted by numerous Republican appointed and elected
23 officials. GBI Director Vic Reynolds explicitly stated
24 that he's seen no evidence linking any alleged cell phone
25 data to unauthorized ballot delivery. The analysis is

1 flawed, and there are assertions there that are wholly
2 unsupported by any evidence that I've been provided.
3 Aside from individual isolated instances that I can count
4 on one hand with fingers to spare, I've seen no credible
5 evidence of any organized efforts of unauthorized persons
6 delivering ballots, let alone widespread invalid votes
7 being cast. As the AJC has pointed out, a verified valid
8 ballot will be counted regardless of how it was delivered.
9 In Georgia, absentee ballots are only issued to registered
10 voters who have applied for those ballots, and those
11 applications --

12 MR. MASHBURN: Order, order.

13 MS. GHAZAL: -- and those applications have been
14 processed --

15 MR. MASHBURN: I'll ask the member to suspend for a
16 minute. The -- the ability of the public to be in this
17 meeting is a privilege that should be exercised with due
18 dignity and respect. No one interrupted the speakers when
19 they had public comment, and no one should interrupt the
20 Board members, okay? If we have a problem with this,
21 we'll clear the room, and we'll have the public meeting
22 via Zoom again, so I'm going to ask all of the people here
23 in person to conduct themselves with the respect that the
24 elections deserve, the respect that these Board members
25 deserve, and if not, we'll just clear the room, and you

1 can watch it on Zoom, okay? If the lady will continue?

2 MS. GHAZAL: Ballots are only counted once the
3 identity of the voter has been verified by checking the
4 signature on the ballot, and that is the process that was
5 followed in 2020. Drop boxes are inherently more secure
6 than mailboxes and have been used in other jurisdictions
7 for decades. Despite the lack of evidence of widespread
8 illegal ballot collection activities, real harm has been
9 caused by these unsupported allegations asserted by
10 individuals seeking to profit off of them. Election
11 administrators across the state have testified against
12 restrictions that were put in place because of how they
13 limited access to voters, and I'm deeply concerned that
14 the individuals who are pushing these false narratives for
15 their own purposes are fueling inflammatory rhetoric that
16 risks conflict, but I also have a deep belief that Georgia
17 voters will come together across the political spectrum to
18 reject efforts to dox and intimidate innocent voters and
19 hard-working poll workers who are simply doing their jobs
20 and that Georgians across the spectrum will condemn the
21 threats to identify and target non-profit organizations
22 based on unfounded allegations which these same groups are
23 threatening to do.

24 Our democratic institutions depend on public trust to
25 uphold our rights as citizens. I'm committed to working

1 together with our communities to deepen trust in our
2 elections and protect and support our election workers and
3 voters alike. Thank you.

4 MR. MASHBURN: Thank you. The -- the member of the
5 Board by seniority is me, so I get to go last, and so what
6 I'd like to do is take a few minutes to respond to the
7 questions that I get. As I go through the day, I get
8 uncounted numbers of emails asking me questions and
9 saying, have you seen this? Have you seen that? Please,
10 please see this. Please, pay attention to this. So what
11 I want to do is take this opportunity to communicate to a
12 lot of people all at one time the questions -- the answers
13 to questions that I have been receiving.

14 And so the first question is -- surprisingly, the
15 suitcase ballot issue is still coming up, and I get lots
16 of questions about that, so I'm going to go take a minute
17 to address that. And so what I want to do is I want to
18 invite everybody in the public who is interested in this,
19 and especially I'm speaking directly to voters who have
20 come to me and said I'm not going to vote because the
21 suitcase ballot showed my vote doesn't count -- I'm
22 speaking directly to you now. I want you to go to secure
23 vote GA dot com, secure vote GA dot com forward slash fact
24 check, and that has been put up by the Secretary of State
25 and is the actual video from State Farm Arena. It has

1 four cameras, and you might be a busy person, and you
2 might say, well, I don't have time to watch 14 hours of
3 four cameras, so what I'm going to do is I'm going to make
4 it -- all you've got to do is watch three and a half
5 minutes, and so if you go -- if you go to secure vote
6 Georgia -- I mean, secure vote GA dot com forward slash
7 fact check, go to camera 2, timestamp 10:26, and watch the
8 next three and a half minutes. You will be able to see
9 empty ballot containers -- visibly empty -- shown on the
10 camera, camera 2. You can watch the workers load the
11 ballots into the ballot containers, you can watch the
12 workers seal the ballot containers, and you can watch the
13 workers push the ballot containers under the table. So --
14 and you will see that the ballot containers are clearly
15 marked ballots. So I still have people coming to me
16 saying that they smuggled in unauthorized secret suitcases
17 of ballots. I still get this, and so you can see on this
18 camera that it says ballots, so all it will take us three
19 minutes of your time, three and a half minutes of your
20 time. And then also, you can go to camera 4 at the same
21 timestamp and see what the monitors are doing, so you can
22 watch the three and a half minutes where those ballot
23 containers get loaded, and you can watch the monitors
24 watching or not watching the workers do that.

25 The second thing I want to do is I want to take a

1 minute to commend the State's lawyers and representatives
2 in the legal suits. We have tremendous representation,
3 and I want to call these lawyers out by name: Josh
4 Belinfante, Vincent Russo, Brian Tyson [ph.], Melanie
5 Johnson [ph.], Ryan Germany, Charlene McGowan. They all
6 do a tremendous job for the people of Georgia. They're
7 some of the brightest lawyers out there. They are
8 certainly the most -- among the most experienced election
9 lawyers out there, and they have a win ratio that I've
10 only seen exceeded by the Walton High School girls' tennis
11 team that went a hundred and fifty-nine and zero, so these
12 lawyers are very, very talented. So -- and the State of
13 Georgia is to be very proud. The citizens of Georgia
14 should be very proud to have them represent them.

15 So one thing we see on the national press, we see
16 talking heads get on the television and tell us the
17 lawyers should have agreed to this. The lawyers shouldn't
18 have agreed to this. And I just want the citizens of
19 Georgia to know that the lawyers that are working on their
20 behalf are some of the most talented, energetic,
21 conscientious, and dedicated public servants that I've
22 ever met, and I'm -- I'm proud of each and every one of
23 them and what they do.

24 The final thing is that I want to point out I've had
25 lots of people say -- beg me please watch the movie 2000

1 Mules. Please watch the movie. Please watch the movie.
2 So I did watch the movie, and I need to make -- I'll make
3 four points about the -- about the movie. First is I know
4 Hans von Spakovsky. I've known him for a long time. He's
5 an acquaintance of mine. He's a very smart person. He's
6 been very interested and very dedicated to issues of
7 ballot harvesting for a long time, so he is -- he is a
8 voice that I trust and -- and -- and is one of the
9 brightest people I know. So Hans von Spakovsky is in the
10 movie, and he makes points. Now, most of the points he's
11 making don't apply to Georgia, and in fact, the movie
12 itself recommends that states adopt a system where ballots
13 are mailed at the request of the voter who then gets the
14 ballot and sends them back, so in fact, the movie says
15 that states should adopt this system. Well, the thing is
16 Georgia uses that system and has used that system for
17 many, many years, so the citizens of Georgia who are --
18 see this movie and talk to their -- their friends that are
19 talking about this movie, the movie suggests that the
20 other states -- they don't mention Georgia by name, but
21 they suggest that the other states adopt the system that
22 Georgia uses, so you can be confident in that.

23 The next thing about the movie is they are free to
24 draw whatever conclusions they want, but the citizens of
25 Georgia need to know that Sara was correct in that a

1 ballot that is delivered by a ballot harvester -- and let
2 me take a minute out of this. I, actually, as -- in my
3 experience, I actually was part of a team that busted a
4 ballot harvesting ring in Georgia that resulted in
5 prosecutions, so the citizens of Georgia can rest assured
6 that they have one of the only people in Georgia that has
7 actually busted a ballot harvesting ring taking this very
8 seriously. Now, a brief moment to talk to my Republican
9 friends out there. Rush Limbaugh used to hate it. I
10 mean, he would go apoplectic when somebody says we have to
11 investigate this because of the seriousness of the
12 allegation. He hated that, but here, we're -- us
13 Republicans are now on the other side of this issue, and
14 we do want it investigated. We do want it investigated
15 exactly because of the seriousness of the issue.

16 So we'll give this a fair look. We'll call the balls
17 and strikes fairly as we see them, and the chips will fall
18 where they may, but it's not going to be a witch hunt.
19 It's going to be done soberly and with great care by
20 people who know what they're doing, and you can rest
21 assured that I'm very familiar with ballot harvesting.
22 I've trained scores of lawyers in what do look for over my
23 thirty years of doing this. So the citizens of Georgia
24 can rest assured.

25 But Sara is exactly correct in that a -- a vote

1 delivered by a ballot harvester, if there is one, is
2 treated in exactly the same manner as the vote that you
3 have delivered yourself. It still goes to the same
4 people. It still goes through the same process. It's
5 still checked against the voter rolls. The signature at
6 the time was still matched, and so we say is this a voter?
7 Yes, this is a voter. Did they request a ballot? Yes,
8 they requested a ballot. Are they authorized? Yes. So
9 the idea that I got from watching the movie was that they
10 were saying there were 92,000 illegitimate, manufactured
11 votes in Georgia, and maybe I misunderstood the point they
12 were making, but that was the point I heard. But that is
13 not true.

14 A ballot harvested vote might be a perfectly legal
15 vote. It's just the manner of its delivery was illegal.
16 So that's a very important point that I did not see
17 mentioned, that I would bring out to those that -- that
18 want to ask what's my opinion there.

19 The other thing I want to address is that I heard on
20 the radio the other day an allegation that the -- that the
21 Governor mailed out 7.8 million ballots to people that
22 didn't even request them, and I almost drove off the road
23 because that was -- that statement was so wrong on so many
24 different levels. So let's address that for a minute.
25 First of all, no constitutional officer anywhere in the

1 state sent anyone a single ballot. The ballots are sent
2 out by the county election office, so no constitutional
3 officer sent a single ballot to anybody. The governor
4 didn't, the Secretary of State didn't, nobody did. And
5 second of all, nobody -- other than a handful of mistakes
6 where an election worker just simply picked the wrong --
7 the name next on the list and sent a ballot off to the
8 wrong person by mistake, no -- no election worker sent a
9 ballot out that wasn't requested by a voter. So when they
10 talk about mailed-out ballots and vote by mail, Georgia
11 does not use that system. Although you can send your
12 absentee ballot back by mail, we don't use vote by mail,
13 and what they mean when they're talking about vote by mail
14 is they mean that live ballots are mailed out to everybody
15 on the voting list, and Georgia does not have that system.
16 I personally don't think that's a wise system. I don't
17 think we should do that for the same reason you don't send
18 out a live credit card to somebody, whether you know that
19 they live there or don't, so Georgia does not use that
20 system. Ballots are only sent when they're requested.

21 So that's a few issues that I wanted to get out to
22 the public and get off my chest, and I think everybody has
23 the opportunity to speak, and one of the reasons that I
24 was insistent and Sara was insistent and the Doctor was
25 insistent, and Ed agreed along, and the Secretary of

1 State's Office and the Georgia Building Authority were so
2 kind to let us have this meeting was because I thought it
3 was important that everybody have a chance to publicly air
4 their views and get things out in the open that they
5 wanted to talk about, so I've gone a long time, and what
6 we will do now is close the Board member comment section
7 of the meeting, and we'll move to the update on True the
8 Vote complaint, which I think is Ryan Germany. So Mr.
9 Germany, the floor is yours.

10 MR. GERMANY: Thank you, Mr. Chairman. I'm Ryan
11 Germany. I'm the General Counsel for the Secretary of
12 State's Office. I wanted to give the Board members a
13 quick update on the complaint from True the Vote that we
14 received that we are investigating. At the last meeting,
15 the Board members authorized subpoenas to go out. Those
16 subpoenas have been sent. We are in discussions with True
17 the Vote's lawyers about receiving information, and I look
18 forward to receiving that information so that we can fully
19 investigate these claims. True the Vote does have some
20 genuine concerns about confidentiality of information, and
21 so we're trying to work with them to resolve those
22 concerns. It could be a situation where we end up needing
23 to go to court and have the protection of a court order to
24 protect confidentiality. So that's where we are with --
25 with this. We have not yet received information, but

1 we're -- we're in discussions with their lawyers. At this
2 point, I would ask the Board to authorize the AG's Office
3 to take appropriate action if it does come to a point
4 where we need to go to court to enforce the subpoenas or
5 get a protective order. I would ask the Board to
6 authorize the AG's Office to take that action if it -- if
7 it becomes necessary.

8 MR. MASHBURN: So that's -- if that's a request for a
9 motion, the Chair will entertain a motion if there are --
10 if a Board member would like to make one.

11 MR. LINDSEY: So moved, Mr. Chairman.

12 MS. GHAZAL: So moved.

13 MR. MASHBURN: Okay. We have -- Sara and Ed have
14 both moved and seconded. Doctor?

15 DR. JOHNSTON: Discussion.

16 MR. MASHBURN: Discussion.

17 DR. JOHNSTON: So I'm very --

18 MR. MASHBURN: Oh, sorry. My fault.

19 DR. JOHNSTON: I'm very concerned about
20 confidentiality and actually the safety and well-being of
21 said whistleblower. Do we have any information about the
22 whistleblower?

23 MR. GERMANY: Not at this point, no, ma'am.

24 DR. JOHNSTON: Is there any indication that the
25 whistleblower was discovered and harmed?

1 MR. GERMANY: We don't have any information about the
2 whistleblower at this point. We have requested that
3 information.

4 MR. LINDSEY: If I may, Mr. Chairman, while -- you
5 know, within the court system there are procedures for
6 assisting in confidentiality for a whistleblower, but
7 given the allegations that True the Vote came forward
8 with, you know, I believe that it is incumbent on us and
9 the Attorney General to pursue those allegations and to
10 see if it, indeed, has any merit or not, and I would
11 encourage True the Vote to cooperate with us and cooperate
12 with the Attorney General to set up the necessary
13 safeguards for any whistleblower which can be done through
14 the court system. But let's get to whether or not these
15 allegations have any merit or not. I -- I was a little
16 bit concerned that in one publication someone from True
17 the Vote was quoted as saying that he felt that the
18 subpoenas were an attempt to intimidate True the Vote and
19 harass True the Vote. I believe that was the term that
20 was used in this -- in this publication. I certainly hope
21 that didn't accurately reflect True the Vote's true
22 feelings, and I certainly hope that they will -- will work
23 with the AG to set up the necessary safeguards for any
24 whistleblower, but let's move forward with the -- with the
25 investigation.

1 Although the best way we can do so is if someone
2 comes forward with specific evidence with someone who can
3 testify. For that reason, I believe that it's incumbent
4 on us to have the AG move forward.

5 MR. MASHBURN: Doctor, do you have --

6 DR. JOHNSTON: I do not want to put the wellbeing or
7 safety of somebody in jeopardy, and I think we need to
8 have a mechanism to offer protection to necessary parties
9 before we can really proceed with this investigation.

10 MR. GERMANY: I think the mechanism to do that is
11 what we're discussing. I think a court order could --
12 could assist with that, and that's why I'm asking the
13 Board to authorize the AG to take appropriate action both
14 to enforce the subpoena if it becomes necessary but also
15 to ensure, you know, sufficient confidentiality of -- of
16 information.

17 MR. MASHBURN: Any further discussion? Any further
18 discussion? If not, at this time we're ready to proceed
19 with the motion to authorize subpoenas with instruction.
20 If all those in favor would say aye?

21 THE BOARD MEMBERS: Aye.

22 MR. MASHBURN: If all those opposed would say nay?
23 Motion carries. Mr. Germany, the floor is still yours.

24 MR. GERMANY: That's all I have on the True the Vote
25 complaint, Mr. Chairman.

1 MR. MASHBURN: If you'll remain in place, the next --
2 the next item on our agenda is an update on early voting,
3 so Mr. Germany, again, the floor is yours.

4 MR. GERMANY: Thank you, Mr. Chairman. I did want to
5 provide the Board with a quick update on early voting. We
6 are now -- it's Tuesday of the last week of early voting,
7 so we do expect turnout to increase as it generally does
8 during the last week of early voting. So far in this
9 election, we've had record early voting turnout almost
10 every day of the cycle. Yesterday was, in fact, the
11 highest day that we've had in the cycle, and we've been
12 consistently -- I think it's about two and a half times
13 the number of early voters that we had in 2018 and about
14 one and a half times the number of voters -- the number of
15 early voters that we had even in the 2020 cycle for in
16 person early voting. And also, we have not had reports of
17 lines. I do expect for those listening in that lines will
18 probably increase as the week continues, so if you can
19 work that into your voting plans. But that is what we're
20 seeing. We're seeing record early voting turnout, and
21 we're seeing no reports of lines at this point.

22 There have been some issues that some people have
23 discussed already. I would describe them as the types of
24 issues that we normally see in -- in any election, and
25 we've been working with counties to resolve them as

1 quickly as possible. The bulk of the issues that are a
2 bit unique to this cycle are because this is the first
3 election following redistricting, that fall into the ten-
4 year redistricting cycle, and as the Board members know,
5 we had a condensed redistricting cycle this year due to
6 the delayed -- delayed census and then delayed numbers out
7 from the census bureau, so the counties have been working
8 -- working diligently to complete that redistricting as
9 quickly as possible, but we are seeing some issues with --
10 with redistricting, and we are working with counties to
11 resolve them as quickly as -- as we can. I'm happy to
12 take any questions.

13 MR. MASHBURN: Ms. Ghazal?

14 MS. GHAZAL: Thank you, Mr. Germany. I appreciate
15 this, and this is more of a comment than a question, and I
16 -- I think that all of us have shared in the frustrations
17 that Ms. Grubbs and Dr. Johnston have expressed with
18 regards to some of these redistricting issues. I want to
19 acknowledge the fact that the county election supervisors
20 almost as a whole recognized that this was going to be an
21 issue and petitioned to delay the start of the primary by
22 one month, but unfortunately, the General Assembly did not
23 take that up, so this was -- this was -- these issues were
24 anticipated, and I think the counties should be commended
25 for, frankly, the scarcity in the number of problems that

1 we've seen. I anticipated a lot more given the compressed
2 timescale, so I really wanted to give my thanks to the
3 incredible work that the counties have put in to try to
4 minimize these problems and to resolve them as quickly as
5 they could.

6 MR. GERMANY: I would -- I would echo that, and I
7 would just add the same praise for our elections division.
8 This cycle, we instituted a new tool of using the mapping
9 software to kind of help counties do some quality checks
10 on their -- at least their state and their federal --
11 their congressional lines, and I think -- I think the
12 counties would say that that tool is appreciated and
13 helped them really reduce any potential errors before
14 voting started. Some of the issues that have come up that
15 we've seen have been with county commission lines, and
16 that was unfortunately not part of the quality assurance
17 check we were able to -- to offer counties because we
18 don't have those -- those lines, but when those issues
19 were discovered, then counties quickly -- quickly resolved
20 them as well.

21 MR. MASHBURN: Ed?

22 MR. LINDSEY: I would like to make a -- you know, a
23 quick comment as well, Mr. Chairman, just to -- while I do
24 recognize the difficulties that the counties are going
25 through, I think all of us are concerned any time any

1 voter has their vote cheapened, for want of a better term,
2 because of some irregularity and that these need to be
3 taken care of as quickly as possible so that every voter's
4 vote can be fully counted. I am encouraged by the
5 turnout, you know, to sort of echo what you said, and for
6 those who were listening who want a good website to check
7 daily, it's something called Georgia votes dot com, which
8 is a great website that shows you every day -- that shows
9 that as of today in terms of turnout 2022 primary early
10 voting versus '18, we're 196 percent higher than we were
11 just four years ago, but I think that that's a -- that's
12 good positive sign of -- of the interest of voters in this
13 election and their desire to exercise their votes.
14 Anyway, I -- while I do commend the counties for what
15 they're trying to do to correct any irregularities, I
16 think it's incumbent upon us and anyone to -- to try to
17 get these things resolved as quickly as possible.

18 MR. MASHBURN: Thank you. Any further comments from
19 the Board? Okay. With that, we'll conclude the update on
20 early voting, and we'll move to investigations reports.
21 I'll call SEB case number 2022-054, Gwinnett County,
22 ballot harvesting. We have our investigators. We have
23 our investigators? Great.

24 MR. DEWEESE: Good morning. I'm Investigator DeWeese
25 with the Secretary of State's Office. Now, the first case

1 is 2022-054, ballot harvesting involving a white Ford SUV.
2 The complainant sent in video clips of the white SUV
3 approaching the ballot box at the government building in
4 Gwinnett County. A male subject exits and places five
5 ballots inside the ballot box. The video had the vehicle
6 tag. I was able to find the registered owner and identify
7 him and interview him, but prior to my interview, I
8 researched his home and located five legal electors that
9 lived inside the home, and they were all family members.
10 I checked all of their ballots in our E-Net system, and
11 they all coincided as being dropped in the drop box on the
12 same day as the male placed them in the video, and they
13 were all counted either that day or the very next day. So
14 I then interviewed him and determined -- and validated
15 that he had five -- more than five people living in his
16 home, but the five electors all lived in that residence at
17 that time, making all those ballots legal ballots.

18 MR. MASHBURN: Thank you for that report. Any
19 questions from the Board? Dr. Johnston?

20 DR. JOHNSTON: Thank you for the report. Did you get
21 information as to the relationship of each of those five
22 people?

23 MR. DEWEESE: They were his children and his wife.

24 DR. JOHNSTON: And did you interview them?

25 MR. DEWEESE: No. But I did check their election

1 status, that the ballots all matched, so everybody that
2 was a registered voter at that house -- in the interview,
3 he admitted to being there. He said that's me on the
4 video. That's me placing five ballots, but he goes those
5 are all my family members' ballots, so that information
6 and prior to me talking to him, I found all the electors
7 that were registered at that home and checked all their
8 ballots, and they were all dropped on the same day which
9 matched up with the video and counted.

10 DR. JOHNSTON: Thank you.

11 MR. MASHBURN: Other questions from members of the
12 Board?

13 MR. LINDSEY: If I -- if I may, Mr. Chairman, I think
14 for the listening audience, it's important to point out,
15 you know, that the investigator confirmed that you are
16 authorized to deliver ballots for other family members
17 located in your home. That is something that is clearly
18 permissible by law; correct?

19 MR. DEWEESE: That is correct.

20 MR. LINDSEY: Let me also ask you this, and I
21 appreciate folks coming forward with concerns and specific
22 allegations for us to investigate, but I've also seen some
23 of these -- some people also going out and publishing
24 these allegations and posting videos online or through --
25 through other sources of people without a full

1 investigation. Do you know whether or not this individual
2 was one of those people that was -- whose car and car tag
3 and picture was published publicly?

4 MR. DEWEESE: As far as the white SUV, I have not
5 seen the movie True the Vote, but I did see a True the
6 Vote representative on a Tucker Carlson show, and in the
7 background, they had that video clip playing of that
8 subject in the white SUV.

9 MR. LINDSEY: I would simply like to caution folks
10 who -- who are bringing forth these allegations to please
11 allow investigation to take place before you publish these
12 allegations. You know, voter harvesting is a crime.
13 Claiming that someone is committing a crime without full
14 investigation carries with it some -- some legal liability
15 as well, and -- and I would like for folks who are simply
16 just exercising their right to vote and exercising the
17 right of their family to vote not to -- not to have
18 allegations thrown about and just simply ask folks to be a
19 little more cautious in this day and age to make sure that
20 before you make those kind of allegations, that you turn
21 over the claim to proper authorities and allow an
22 investigation to take place before you publish it and
23 perhaps bring into question someone's good name. Just a
24 cautionary -- I think this is a cautionary tale here that
25 I would like for us to observe in the future.

1 MR. MASHBURN: Thank you, Mr. Lindsey. I -- I do
2 have one -- it's kind of a question, but it's for the
3 benefit of the people out there, and you can defer to your
4 colleague if you'd like to -- to answer this question, but
5 when you go and interview people -- a friend of mine was
6 put up for US Attorney, and so she listed me as a
7 reference, and the FBI came and -- and talked to me about
8 her as a reference, and they came with badges and guns. I
9 was scared to death, and it was just a -- it was just a
10 job reference. So how -- how does this -- how do y'all
11 approach -- do you communicate with them the seriousness
12 of it? Do you communicate with them that it's a crime to
13 tell you things that aren't true? Or how does that
14 process work? I think people listening would like to know
15 at what level -- are we just taking someone's word for it,
16 or at what level is the -- is the weight or the magnitude
17 of the system made apparent?

18 MR. DEWEESE: Well, in my experience as an
19 investigator, every case is different in how you would
20 approach, in this case, a Respondent. In this case, I got
21 a lot of information prior. I found five legal votes from
22 that address and matched up with the video, so that made
23 me a little -- well, what's the word I'm looking for? It
24 made me satisfied that it looked like they were going to
25 be legal votes, so I contacted him by phone and email and

1 set up a meeting to get his statement. And as far as the
2 family living there, yeah. You could tell there were
3 several people living there with the amount of cars in the
4 -- in the driveway.

5 MR. MASHBURN: So not to put words in your mouth, but
6 to characterize what I heard, and that is -- like -- like
7 us lawyers, we always say don't ask a question in court
8 that you don't already know the answer to. You -- you go
9 into these interviews already knowing the answers to a lot
10 of the questions you're going to ask, and that way you
11 know whether they're telling you the truth or not.

12 MR. DEWEESE: Correct. Well, I researched the home
13 and found that these people lived there and, you know, did
14 as much research as I could based on the information I had
15 with his name and all that.

16 MR. MASHBURN: Thank you for that explanation. Do
17 you have a recommendation for the Board?

18 MR. DEWEESE: I did not find anything to suggest a
19 violation of Georgia code.

20 MR. MASHBURN: All right. I think your
21 recommendation is for no action. I'm prepared to accept a
22 motion.

23 MR. LINDSEY: So moved, Mr. Chairman.

24 MS. GHAZAL: So moved.

25 MR. MASHBURN: Okay. Ed and Sara have both moved and

1 seconded with each other again. Dr. Johnston, discussion?
2 All right. I told you we had -- I told you we had the
3 brightest lawyers in the -- in the State helping us out.
4 There is no legal consequence to the statement no action,
5 so it's actually a motion for dismissal, so I stand
6 corrected. Thank you, Ryan. So the Board will restate
7 the motion as one for dismissal.

8 MR. LINDSEY: So moved, Mr. Chairman.

9 MS. GHAZAL: Second.

10 MR. MASHBURN: It has been moved and seconded, so we
11 are ready for a discussion. Dr. Johnston, anything?

12 DR. JOHNSTON: No discussion.

13 MR. MASHBURN: No discussion. We're ready to vote.
14 If all those in favor of the dismissal will say aye?

15 THE BOARD MEMBERS: Aye.

16 MR. MASHBURN: All those opposed will say nay? So
17 the motion carries, and this case is dismissed. Next case
18 on the agenda is case number -- SEB case number 2022-055,
19 Gwinnett County, ballot harvesting. You have the floor.

20 MR. DEWEESE: Yes, thank you. It's very similar,
21 same kind of complaint. Video received from the
22 complainant showing a subject driving a red Corolla, same
23 thing, but this was on 10/18 of '20, placed the ballots
24 inside the ballot box, and they appeared to be more than
25 the one legal allowed vote -- ballot. Same investigation,

1 we had a tag. I got the registered owner and did the same
2 research on the home, found the legal electors registered
3 at that address and confirmed with -- in a phone interview
4 that was recorded with him that he did admit that it was
5 him on the video, and he admitted to placing the four
6 ballots, and they were all family members that lived at
7 that home, and that was that. All the information on E-
8 Net coincided with the video as being dropped, and as far
9 as being accepted into E-Net, as we mentioned the first
10 time, it depends on the time of day you drop your ballot.
11 If you drop it off early, it may get counted all at the
12 same day, or if you drop it off late at night, it could
13 get counted on a very -- next date, but in this case, they
14 were all counted, and they all appeared to be legal votes,
15 and my interview confirmed that.

16 MR. MASHBURN: Any questions by Board members? Dr.
17 Johnston?

18 DR. JOHNSTON: What were the rel -- relations of each
19 person --

20 MR. DEWEESE: These were his family members and
21 children.

22 DR. JOHNSTON: His what?

23 MR. DEWEESE: His children.

24 DR. JOHNSTON: Children.

25 MR. DEWEESE: And his wife.

1 DR. JOHNSTON: Did you interview them?

2 MR. DEWEESE: No.

3 DR. JOHNSTON: Thank you.

4 MR. DEWEESE: I just confirmed that all their votes
5 were all voted the same way.

6 MR. LINDSEY: Investigator, I have a similar question
7 to the question I asked previously. In addition to the --
8 sending the complaint to us, and I do appreciate when
9 someone sees something that looks questionable that they
10 turn over the investigation to us, but do you know whether
11 or not -- once again, the same question I had before, that
12 in addition to filing a complaint with us, do you know
13 whether or not allegations of voter harvesting were
14 published in any kind of online service or any kind of
15 documentary or anything like that? Do you know in this
16 situation if that happened again?

17 MR. DEWEESE: I have not seen any -- my personal
18 self, I have not watched that movie yet.

19 MR. LINDSEY: Okay. I just -- anyway, the same --
20 same caution that I would give -- that I gave earlier I
21 would give here to -- to the folks making these
22 allegations. If you see something that you would find
23 questionable, turn it over to the authorities, but do not
24 simply go out and start questioning the integrity of
25 individuals and alleging crimes without any further

1 evidence. That could subject you to some kind of
2 liability from that individual who rightly might take
3 exception to having their good name questioned.

4 MR. MASHBURN: So I understand your finding was there
5 was insufficient evidence to prove a Georgia election code
6 violation?

7 MR. DEWEESE: Yes, sir.

8 MR. MASHBURN: Okay. At this point, the Board -- the
9 Chair will entertain a motion from any of the Board
10 members?

11 MR. LINDSEY: So moved, Mr. Chairman.

12 MS. GHAZAL: Second.

13 MR. MASHBURN: To dismiss?

14 MR. LINDSEY: Move to dismiss.

15 MR. MASHBURN: Okay. There's been a motion to
16 dismiss and a second. Discussion?

17 DR. JOHNSTON: No discussion.

18 MR. MASHBURN: No further discussion, so we're ready
19 to vote, so all those in favor of dismissing this case 2 -
20 - SEB 2022-054 would say aye?

21 MR. LINDSEY: Aye.

22 MR. DEWEESE: 55. Yeah, it's 55.

23 MR. MASHBURN: Oh, I'm sorry. 55. Thank you for
24 correcting me, -055. All those in favor would say aye?

25 THE BOARD MEMBERS: Aye.

1 MR. MASHBURN: All those opposed would say nay? The
2 motion carries, and the case is dismissed. The next case
3 is SEB 2022-056. I'll hand this over to the investigator.

4 MR. DEWEESE: Yes, sir. This is also ballot
5 harvesting, and this involves the video clips received
6 from the complainant out of Gwinnett County on a black
7 Volkswagen Passat. The tag was visible, and we were able
8 to get the registered owner for that also and did the same
9 procedures. I found out that he was a legal voter, and
10 his vote was counted on the same day, 10/12/20, that he
11 placed them in the box. This voter only had two votes,
12 and the second vote was his mother's, and I did confirm
13 through investigation that she was a legal voter,
14 registered, and both ballots were dropped at the same time
15 and counted at the same time, and I found no violation of
16 Georgia code on this.

17 MR. MASHBURN: Questions from the Board?

18 DR. JOHNSTON: Question, did you interview the
19 mother?

20 MR. DEWEESE: No, ma'am.

21 DR. JOHNSTON: Thank you.

22 MR. MASHBURN: Any further questions from the Board?
23 At this time, I'm ready to entertain a motion from a
24 member.

25 MS. GHAZAL: I move to dismiss this case.

1 MR. MASHBURN: Board member Ghazal has moved to
2 dismiss. Is there a second? Is there a second?

3 MR. LINDSEY: Second. Second, Mr. Chairman. Sorry.
4 I was on mute.

5 MR. MASHBURN: There's a second. Any discussion?

6 DR. JOHNSTON: No discussion.

7 MR. MASHBURN: No discussion. We're ready to vote.
8 All those in favor of dismissing case number SEB 2022-056
9 would say aye?

10 THE BOARD MEMBERS: Aye.

11 MR. MASHBURN: All those opposed would say no?
12 Motion carries, and case number SEB 2022-056 is dismissed.

13 MR. DEWEESE: Thank you.

14 MR. MASHBURN: Did I hear anybody? Did I hear
15 somebody?

16 MR. DEWEESE: I said thank you, sir.

17 MR. MASHBURN: One thing I would like to just add to
18 my comment on this is I would like to state the
19 appreciation for those citizens out there that are
20 watching these videos. I think the cautions that have
21 been given are very wise, but the people that are watching
22 these videos are basically giving up their time to be poll
23 observers. They're doing it after the fact rather than
24 during the time, but it is still time, and it takes hours
25 and hours and hours and hours and so I think the citizens

1 that do this provide a tremendous public service and --
2 and have my thanks, but I think we should also be
3 cautioned to be judicious with your findings, but it just
4 -- I appreciate the time that it takes to go in to
5 watching these videos. So with that, we will move on to
6 the next item on the agenda and that is the Attorney
7 General report. Charlene McGowan, attorney Charlene
8 McGowan of the Attorney General's Office is here to
9 present that, so we turn the floor to you, attorney
10 McGowan.

11 MS. MCGOWAN: Thank you, Mr. Chairman, and good
12 morning, Board members. For the Attorney General's
13 report, I just have one agenda item, and that is a consent
14 order with the Spalding County Board of Elections and
15 Registration. This consent order resolves two cases. One
16 is a 2017 case, case 2017-073. That case involves some
17 redistricting issues back in 2017 with the City of Griffin
18 municipal election. But the primary case that this
19 consent order resolves is 2020-157, which involved a
20 number of significant issues that arose on Election Day in
21 November 2020. The Board voted to refer this matter to us
22 back in August of 2021. The issues in that case that
23 arose were failure to have voters sign the voter
24 certification at check-in, failure to timely start voting
25 on Election Day. When the poll pads were not working that

1 morning, poll workers used provisional ballots instead of
2 emergency ballots, which should have been done pursuant to
3 this Board's rules. There were also some issues about the
4 proper handling of provisional ballots when they were at
5 the end of the day.

6 The consent order also addresses the Secretary of
7 State's investigation into allegations that ballots had
8 been discarded in a dumpster as was reported when this
9 case was presented to the Board, that allegation was not
10 corroborated, and while they were no ballots that were
11 discovered in that dumpster, there were documents
12 containing confidential voter information that had not
13 been disposed of properly. So the consent order with
14 Spalding County Board of Elections includes a civil
15 penalty of 13,000 dollars, investigative costs of 6,321
16 dollars, as well as training requirements for county
17 election workers. So our office recommends that the Board
18 approve this consent order.

19 MR. MASHBURN: Questions -- questions by the Board?
20 Ms. Ghazal?

21 MS. GHAZAL: Yes. My question is regarding the --
22 the mandatory training. How will that be conducted? Who
23 will be conducting it? What sort of feedback oversight
24 will there be with that?

25 MS. MCGOWAN: That is something that will need to be

1 worked out between the Secretary of State's Office and the
2 elections director of the county. The county does have a
3 new elections director, so we will work with them to make
4 those training arrangements.

5 MS. GHAZAL: Okay. Thank you.

6 MR. MASHBURN: Other Board members' questions? I
7 have a question if no one else has -- okay. The -- my
8 impression is this is a rather large fine. Is your -- you
9 have a lot more experience in this than even I do, and is
10 -- how do you have a -- do you rank this on fines that
11 you've seen or that you've been involved with? Is this a
12 bare -- fairly large fine?

13 MS. MCGOWAN: This is a large fine. Yes.

14 MR. MASHBURN: Okay. So this is one of the biggest -
15 - this is one of the bigger ones I've seen, so this was a
16 serious matter treated very seriously by the Attorney
17 General's Office.

18 MS. MCGOWAN: That is correct.

19 MR. MASHBURN: At this time, I'll entertain a motion
20 to approve -- oh. Further question, Dr. Johnston?

21 DR. JOHNSTON: So is there -- are there circumstances
22 where the election supervisor is prohibited from working
23 in the election area -- in the election office? Or a
24 recommendation is made?

25 MS. MCGOWAN: Our -- yes. The Board does have the

1 authority to revoke an election supervisor's
2 certification. It can also lapse if the director does not
3 receive their annual training or meet their annual
4 training requirements. In this instance, that particular
5 election supervisor that was in the position for the
6 November 2020 election is no longer with Spalding County.

7 MR. MASHBURN: And if I may, do I understand
8 correctly there is a case pending against that person?

9 MS. MCGOWAN: Yes. And to clarify, this particular
10 consent order for the case -- the 2017 case, the Spalding
11 County Board of Elections and Registration is agreeing to
12 take responsibility for her actions for that incident but
13 not for the 2020 case, so our office still has a case
14 pending against the former elections supervisor, and we
15 will pursue that separately.

16 DR. JOHNSTON: Is there a manner in which this
17 previous election supervisor would be prohibited from
18 working in another election, another county office?

19 MS. MCGOWAN: We would have to look into -- the Board
20 would have to look into taking steps to revoking her
21 certification to the extent that she is still using it.

22 DR. JOHNSTON: So I think it's a consideration for
23 old workers that are sort of repeat offenders. Is there a
24 method that we have that would suggest that -- or a
25 process for revoking certification? So that they don't

1 pop up in another county, so to speak.

2 MS. MCGOWAN: Are you talking -- I'm sorry. Are you
3 talking about election -- county elections directors or
4 just poll workers, any elections worker in general?

5 DR. JOHNSTON: Well, I'm saying that this was the
6 elections supervisor that was having the difficulties.

7 MS. MCGOWAN: I --

8 MR. MASHBURN: If I -- if I could step in for just a
9 minute, I have -- I have an analogy that -- that I'm
10 familiar with, not personally, but I've -- I've seen it,
11 and that is the judicial qualifications commission
12 sometimes will settle a case with a judge by the judge
13 agreeing not to stand for election again, so as you enter
14 into consent order negotiations, that is one of the tools
15 that you might use that the person would say, you know,
16 I'm done with elections, and -- and so they would agree,
17 as far as the consent order, never to hold that position
18 again. Is that...

19 MS. MCGOWAN: Yes. That's certainly a tool that is
20 available to us.

21 MR. LINDSEY: And -- and if I may, Mr. Chairman, sort
22 of to follow up, at the -- once that investigation,
23 regarding the supervisor, is completed, and they come back
24 to us, we have the authority at that time to -- to move to
25 revoke their license to be a supervisor, elections

1 supervisor; correct?

2 MS. MCGOWAN: Yes. That is correct. There is a
3 permission in the elections code that allows this Board to
4 revoke certification.

5 MR. LINDSEY: Yeah. I just wanted -- I just wanted
6 to make sure that the audience knows that we have that
7 power, that her invest -- okay. I don't know if it was a
8 she or he. That investigation is still ongoing, but that
9 -- that power is still available to us when it comes back
10 for final adjudication.

11 DR. JOHNSTON: So is there a notification process
12 that is in place that the Board would be notified if this
13 election supervisor was soon to be hired in another
14 county?

15 MS. MCGOWAN: I'm not aware of any notification
16 process that exists.

17 MR. MASHBURN: Any further questions? Okay. At this
18 time, I will entertain a motion to approve the consent
19 order, Spalding County, 2017-073 and 2020-157, through a
20 motion?

21 DR. JOHNSTON: So moved.

22 MR. MASHBURN: There's been a motion to approve the
23 consent order. Is there a second?

24 MS. GHAZAL: Second.

25 MR. LINDSEY: Second.

1 MR. MASHBURN: Board member Ghazal and Ed Lindsey
2 have coordinated to second once again, so there's been a
3 motion and a second. Is there any further discussion?
4 Everyone's ready to vote. All those in favor of approving
5 this consent order would say aye?

6 THE BOARD MEMBERS: Aye.

7 MR. MASHBURN: All those opposed would say no?
8 Motion carries. The consent order is approved. With
9 that, I have exhausted my agenda and would entertain a
10 motion to adjourn.

11 MS. GHAZAL: So moved.

12 DR. JOHNSTON: Second.

13 MR. MASHBURN: Board member Ghazal has moved and Dr.
14 Johnston has seconded. All those in favor would say aye?

15 THE BOARD MEMBERS: Aye.

16 MR. MASHBURN: All those opposed would say no? No
17 opposition. We are adjourned.

18 (Meeting adjourned 10:05 A.M.)

CERTIFICATE

**STATE OF GEORGIA
COUNTY OF DEKALB**

I, Kaitlin Walsh, Certified Court Reporter, hereby certify that the foregoing pages numbered 4 through 60 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 7th day of June, 2022.

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

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