

IN RE: STATE ELECTION BOARD MEETING
State Election Board Meeting on 11/18/2024

1 GEORGIA STATE ELECTION BOARD

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6 STATE ELECTION BOARD MEETING

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10 November 18, 2024

11 9:06 a.m.

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15 Georgia State Capitol
16 206 Washington Street
 Room 341
16 Atlanta, Georgia 30334

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24 MARIAH NORTH, CCR
Certification No. 5026-8871-8363-0336

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1	ATTENDEES	Page 2
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3	John Fervier, Chairman	
4	Sara Tindall Ghazal, Board Member	
5	Janelle King, Board Member	
6	Mike Coan, Executive Director	
7	Dr. Janice Johnston, Board Member	
8	Rick Jeffares, Board Member	
9	Alexandra Hardin, Paralegal	
10		
11	PUBLIC SPEAKERS	
12	Matt Rowenczak	
13	Kevin Muldowney	
14	Field Searcy	
15	Eugene Williams	
16	Chris Hayden	
17	Lucia Frazier	
18	Jason Frazier	
19	Maria Gaudio	
20	Sandra Burchardt	
21	Janet Grant	
22	Don Hackney	
23	Stefan Bartelski	
24	Julie Adams	
25	Victoria Cruz	

IN RE: STATE ELECTION BOARD MEETING
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1 PUBLIC SPEAKERS (CONT.)

2 Stephen Aleshire
3 Charles Rambo
4 Garland Favorito
5 Mark Davis
6 Kristen Avers
7 Earl Ferguson
8 Marissa Pyle
9 Chris Hayden

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11 GUEST SPEAKER

12 Dr. Rick Richards
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1 STATE ELECTION BOARD MEETING

2 November 18, 2024

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4 (Reporter disclosure made pursuant to
5 Article 10.B of the Rules and Regulations of the
6 Board of Court Reporting of the Judicial Council
7 of Georgia.)

8 (The proceedings commenced at 9:06 a.m.)

9 CHAIRMAN FERVIER: Call to order the Monday,
10 November 18th, 2024, meeting of the State Election
11 Board. We have quorum. My name is John Fervier,
12 Chairman of the State Election Board we have going
13 today, but with Member Jeffares, Member Johnston, Member
14 Ghazal, Member King is running a few minutes late and
15 will join us in a little bit, and our executive
16 director, Mike Coan, and our paralegal, Alexandra
17 Hardin.

18 Well, we've told you the election news and now
19 we'll start with the new State Election Board. I want
20 to give thanks, first of all, to all those hard-working
21 poll workers out there. In the last few weeks, I've had
22 a chance to get out there and visit a lot of different
23 polls, and it was amazing to me to meet with the poll
24 workers that are out there. And when you see a lot of
25 them, they are in their 60s and 70s and maybe 80 years

1 old, working 12-hour shifts, given 30 minutes for lunch,
2 and two 15-minute breaks a day. I'm amazed that they're
3 able to get out there with that kind of stamina to do
4 that, and I'm just so thankful for all of them
5 volunteering their time for very little money and the
6 hard work they do.

7 And I was also -- it was really good to see
8 the voters and how happy they were and how smooth things
9 went at all the poll locations. And I was all the way
10 in North Georgia, South Georgia, and a lot of Atlanta.
11 The wait times were minimal at best. On Election Day,
12 the average wait time was three minutes across the
13 state. Prior to that, the longest wait time I heard was
14 an hour at the Hilton Georgia, where they only had one
15 early voting location, and so everybody showed up on the
16 first day. So it was really pretty smooth. The voters
17 that I came across seemed to be happy. The poll workers
18 were happy, and the superintendents I spoke with were
19 happy. So we're just glad that that big election is
20 over, and we can start looking towards 2026, I guess.

21 First, we'll start today with the invocation
22 and the Pledge of Allegiance. Dr. Johnston, would you
23 lead us in prayer, please.

24 DR. JOHNSTON: I'd be glad to. Let us pray.
25 Oh Lord almighty, how great and majestic and glorious

1 are you. Thank you for your goodness and blessings.
2 Thank you for this gathering today. Bless our
3 president, Joe Biden. Bless our president-elect, Donald
4 Trump. Bless our governor, Brian Kemp. Guide us in the
5 work we do today. Give us discernment, wisdom, and
6 clarity in the task at hand. Show us the truth. Show
7 us the way. God bless Georgia and the USA. Amen.

8 CHAIRMAN FERVIER: Amen. Now let's rise for
9 the Pledge of Allegiance, please.

10 (Recitation of the Pledge of Allegiance)

11 CHAIRMAN FERVIER: Well, unfortunately we only
12 have one page of public comment today.

13 BOARD MEMBER COAN: There is still time.

14 CHAIRMAN FERVIER: There is still time.
15 That's right. But we'll go with the same standard.
16 We're going to go with public comment first, two minutes
17 each, please. Director Coan will lightly tap when
18 you're at the end of your two minutes or near the end of
19 your two minutes. And then we ask that you would please
20 be considerate of everybody. As we've learned, we all
21 have a lot of different opinions on things, but
22 everybody deserves a voice and deserves respect. So
23 please be respectful of other people.

24 And Director Coan.

25 BOARD MEMBER COAN: Okay. Good morning,

1 everybody. It is good to see everybody here, a lot of
2 regulars, some new. And it's great to have you guys
3 here for our meeting. But we'll start -- we'll just --
4 because we don't have a huge audience, we don't have to
5 stack you guys up against the wall. But I'll just call
6 you up three or four at a time, and that way we keep it
7 orderly. We'll start with Matt Rowenczak.

8 Is that how you pronounce it?

9 MR. ROWENCZAK: Yes.

10 BOARD MEMBER COAN: Okay. Great.

11 Kevin Muldowney, Field Searcy, Eugene
12 Williams, if you will all get in line up here, please,
13 and then we'll get this rolling.

14 Sir, you have the floor.

15 MR. ROWENCZAK: All right. Good morning,
16 Board. I'm a Fulton County voter. I've observed. I've
17 worked and monitored Fulton County elections over the
18 last four years. We continue to have a culture problem
19 within Fulton County elections and a lack of leadership
20 to address it. There was consistent obstruction of
21 observation and overall transparency with administering
22 elections, including this most recent one, whether that
23 be a massive disparity in political party representation
24 in the election workers, there was actually a lawsuit
25 that was brought over that, denying the public, even

1 Board of Election members, access to election documents,
2 hostility to poll watchers, outright obstruction of
3 public observation, and blatant disrespect from
4 Elections Director Nadine Williams to elected officials,
5 Board of Elections members, and members of the public.
6 This has got to change.

7 Secondly, I want to bring to your attention
8 that you should have one or two requests for
9 investigation from this most recent election. And it is
10 in regards to Fulton County advising individuals on
11 multiple occasions that they could vote on Election Day
12 when they were either not registered to vote or they
13 were very recently registered, including on the spot.
14 So we have election workers, maybe employees, that are
15 either not educated on the law or worse, they don't care
16 to follow the law. I encourage you to pursue this
17 request since it occurred multiple times.

18 And then lastly, Fulton County is likely to
19 receive a positive report from Brian Germany and the
20 Carter Center because we've seen this playbook before.
21 Fulton County brought in the Carter Center to observe
22 the 2022 election and published a report with almost
23 zero objectivity and absent of various issues that did
24 occur. So don't be surprised if this happens again.
25 Thank you very much.

1 BOARD MEMBER COAN: Thank you, Matt.

2 Appreciate your comments.

3 Next, we have Kevin Muldowney.

4 MR. MULDOWNNEY: Good morning. Kevin
5 Muldowney, Fulton County resident and voter. I
6 encourage the Board to wholeheartedly accept Lucia
7 Frazier's rule proposals. To run a clean and
8 transparent election, we must have a definitive starting
9 point, a certified list of electors, and finally, a
10 certified list of voters that participate in that
11 election. These lists absolutely need to be available
12 to the public. If not, what is the Secretary of State
13 hiding? The Board is not working for the Secretary of
14 State but is working for the citizens in the state of
15 Georgia to ensure a fair and perfect election. These
16 two objectives should not be in conflict, and it should
17 be very concerning when they seem to be.

18 During the past election, Fulton decided to
19 open four new drop-off locations for absentee ballots on
20 the three days between the close of early voting and
21 Election Day. This is very strange, in my mind,
22 bordering on illegality. Observers were dispatched to
23 all four locations. Fulton sent out a communication
24 forbidding any observers. The SOS surprisingly
25 countered with an email allowing the observation to take

1 place. This went downhill Sunday and Monday.
2 Observers, including two Georgia senators, were
3 forbidden from entering these makeshift ballot
4 collection centers.

5 The elections department seems to suffer from
6 a culture that is far from transparent. This was again
7 on display during election certification. The BRE board
8 members, who were the actual superintendents of our
9 elections much to David Williams' dismay, had to certify
10 with only results tallied. No supporting documents were
11 provided. They could not get copies and could only
12 scribble down notes on their own. There was an AJC
13 article dated October 14 with the headline:
14 Inappropriate and Unprofessional. Georgia Election
15 Board Chair wants his GOP peers to back down.

16 Chairman from there, when you sick your media
17 dogs on your own Board so that they bow to your wishes,
18 well, that's the height of inappropriate and
19 unprofessional.

20 BOARD MEMBER COAN: Thank you, Kevin.

21 Next up, we have Field Searcy.

22 MR. SEARCY: Good morning. Field Searcy from
23 Grady County. Thank you, Board. As we've said
24 elsewhere, the people's sovereignty over elections in
25 Georgia has been usurped and outsourced to foreign

1 corporations and special interests. It looks like the
2 recent tabular takes from Georgia's elections, including
3 the most recent in 2024, have local election workers
4 certifying the elections, quote, in accordance with the
5 Local Authorities Election Act, end quote.

6 We looked this up in Georgia Code and could
7 not find any reference to the Local Authorities Election
8 Act. In fact, we found it in the province of Canada --
9 province of Alberta, Canada. Apparently, no one has
10 noticed this in four years, and we have our local
11 election workers signing a legal document certifying
12 elections with this wording. Let that sink in a bit.

13 It is disappointing that the SEB did not meet
14 before the election to address a serious cybersecurity
15 issue discovered in four Georgia counties to open
16 records requests and made known in Fulton County
17 Superior Court testimony about six or seven weeks ago.
18 I'm referring to the encryption hash code stored in
19 plain text, which has been used to decrypt the system
20 admin password. This same password has been found in
21 six other states and appears to not have been updated in
22 15 years.

23 Do you think any steps were taken to correct
24 the issue? It has become a national joke. You can buy
25 all sorts of merch on Amazon with this password.

1 Further, there is a serious question as to how this
2 version of software was even approved by the Election
3 System Commission, being that the password security
4 protocols didn't even meet NISS or VSSG standards at the
5 time it was approved by the EAC in 2019.

6 These are just more examples of
7 maladministration. Everything about the election system
8 and the SOS that approved it is suspect and subject to
9 microscopic scrutiny. And yet the SOS has been caught
10 sending secret emails listing \$5 million for a 501(c)(4)
11 to combat this information. The 2024 election may be
12 over, but the fight for election security continues.
13 The state has still not addressed the core issues of our
14 voting system, insecure electronic voting system,
15 manipulated voting rolls, and synthetic identity theft,
16 and failure to enforce major election law violations.

17 Remove the machines, decentralize the voting
18 rolls, and go to hand counting superior-grade paper
19 ballots, and at the precincts, same-day voting. Taiwan,
20 a country of 24 million people, can do it. We can do it
21 in Georgia. Return the medium back to the people.

22 BOARD MEMBER COAN: Thank you, sir, for your
23 comments.

24 Eugene Williams, you're up next.

25 MR. WILLIAMS: Good morning. My name is

1 Eugene Williams. I reside in Cobb County, and I've been
2 working there for several years trying to clean up and
3 get the voter rolls in better shape. And I was here at
4 the October 8th State Board of Elections meeting, where
5 I heard Ms. Saira Draper speak and really, frankly,
6 unjustly disparage EagleAI and the great work that
7 they've been doing to help clean up the voter rolls
8 across the state.

9 I thought she was absolutely off base in her
10 remarks and was only repeating the false talking points
11 put out by the machines that seems to love loaded voter
12 rolls filled with the names of deceased electors that
13 have died, electors that have moved out of state years
14 ago, electors that have filed homestead exemptions in
15 other jurisdictions other than the ones that they're
16 registered to vote from, electors that are actively
17 voting in other states than the one that they are
18 registered right here in Georgia.

19 I guess, well, it's et cetera, et cetera, et
20 cetera. The problem just goes on and on and on. And
21 I'm really thankful to Dr. Rick and his data team for
22 putting together a system to uncover the issues in our
23 voter rolls. From my firsthand experience, it's a great
24 program that does a wonderful job of rooting out invalid
25 voter registrations. And Dr. Rick is very clear. The

1 only data that goes into his program is government-
2 sourced data. His program uses exactly the same data
3 that ERIC inputs into their system. And I love his
4 signature line found on his emails, No politics, just
5 data. It is completely a nonpartisan effort.

6 It is a great software program, and I wish all
7 the election departments across the state of Georgia
8 would be using it because, bottom line, we have a
9 problem with our voter rolls. And frankly, there's no
10 better system out there than EagleAI to help identify
11 the failings in our voter rolls.

12 Thank you very much.

13 BOARD MEMBER COAN: Thank you, Mr. Williams.
14 I appreciate it.

15 Okay. The next batch of folks we're going to
16 call up is Chris Hayden, Lucia Frazier, Jason Frazier,
17 and Maria Gaudio.

18 MR. HAYDEN: Good morning. I'm Chris Hayden.
19 I'm a Fulton County resident. I was a poll worker at
20 East Roswell Library, an advance voting precinct, during
21 the most recent advanced voting. I have sent an email
22 to Ms. King ahead of this meeting about my experience.
23 I will forward it to the Board afterwards. The precinct
24 was laid out in such a way that the BMDs and ballot
25 scanners were in a separate room from the poll clerk

1 working the Poll Pads, checking voter registration. The
2 precinct managers were in a room with the BMDs and
3 scanners. The Poll Pad clerks doing the registration
4 were in the lobby area of the library. Upon
5 registration, voters were then directed to enter the
6 room with the managers and the BMDs to vote.

7 I think this is a very bad setup. All the
8 poll workers and the managers and equipment need to be
9 in the same room. Maybe the precinct needs to be moved
10 to another location since it is so small. There was an
11 incident at this precinct of the paper without the
12 watermark being used to produce ballots. I do not know
13 the specifics of how that happened, but maybe having
14 everyone in the room would have prevented it. Also,
15 only when the poll was closed were poll watchers allowed
16 in the room with the BMDs and scanners. At no other
17 time did they observe the operation of this equipment
18 and process. They only sat in the library lobby
19 observing the check-in process.

20 Also, I recommend labeling on the absentee
21 ballot drop box be changed. The sign on the absentee
22 ballot box should say, Insert absentee ballot here.
23 After printing their ballot, many voters would see the
24 box. They would see on top where it says, Enter ballot
25 here. They would put their ballot in the box. A poll

1 worker nearby the scanner would hear the sound, or the
2 manager would see them walking away from the box and
3 holler to stop. She would then announce that she was
4 opening the ballot box to retrieve the ballot. Then the
5 voter would properly scan the ballot. I think the sign
6 on the absentee ballot should say, Insert absentee
7 ballot here. Many of these instances should be averted.
8 Maybe the word absentee needs to be even in red to
9 increase visibility.

10 BOARD MEMBER COAN: Thank you, sir. I really
11 appreciate your comments.

12 Next up is Lucia Frazier.

13 MS. FRAZIER: Good morning, everybody. I
14 think that the key word going forward is risk
15 mitigation. So we had a lot of good stuff that has
16 happened, but there is still a lot of holes that we need
17 to close. And we now have plenty of time to look at
18 that and work with each other and talk about it in these
19 meetings, or however you want to do it. And then all
20 together in agreement come up with ways to have more
21 transparency.

22 I did a little watching at Georgia Tech, and I
23 was there for probably about an hour during early
24 voting. And there were a lot of students that were kind
25 of on the side, waiting for their registrations to

1 get -- they all had issues. They weren't in the Poll
2 Pad. They all had some sort of issue with their
3 registrations, and some of them were waiting a whole
4 hour before they could vote.

5 So obviously, there is still a lot of work to
6 be done. And it does -- you know, it does hurt voter
7 participation when you have to wait an hour for
8 something to get fixed on their registration, when we do
9 have plenty of time to clean all that up way ahead of
10 time.

11 So thank you very much.

12 BOARD MEMBER COAN: Thank you, Ms. Frazier.

13 Next up is Jason Frazier.

14 MR. FRAZIER: Hello. This is Jason Frazier.
15 I wanted to speak to a few things, I guess, to rebut Ms.
16 Draper, who called me out on, well, side AI when she was
17 trying to block us with 189. Yes. I'm that guy.

18 So some of her complaints were that EagleAI
19 does not have good source data. Well, EagleAI uses the
20 same source data that ERIC uses, same source data that
21 the candidates use when they get out and try to run and
22 send out mailers and try to reach out to potential
23 voters, same source data the counties use and actually
24 is generated at the county level, same source data the
25 municipalities use when they run their own elections.

1 And what is that data? It comes directly from the
2 Secretary of State's voter roll. The Secretary of
3 State's voter roll is dirty. It needs to be cleaned up.
4 I've been trained to clean it up. I would love to work
5 with you, Saira, to help clean up this mess.

6 I can't understand your --

7 MS. DRAPER: (Inaudible)

8 MR. FRAZIER: Yes, thank you.

9 So anyway, there are thousands of people that
10 have moved out of state. There are hundreds of
11 thousands of people that filed an NCOA and no longer
12 live here that Fulton County and other counties refuse
13 to take off the voter rolls. That costs all of us
14 money. It makes the elections work tremendously harder
15 because they're maintaining voter rolls for people that
16 aren't here, and it just gets worse.

17 We talked about, or some of the folks in this
18 building talked about, how we use REAL ID to try to vet
19 potential illegals from registering to vote here. Well,
20 we might use REAL ID, but it really surprises me
21 whenever I look at voter rolls and I see typos in
22 people's names. Right now, I just looked at a voter
23 roll that we got on the 14th, and there are 805 people
24 that have a date of birth of 1900, 1886, 1885, 1881, and
25 1800.

1 One would think REAL ID would verify a name
2 and a date of birth if they're going to verify somebody
3 is a citizen of this country. You would think that
4 would just be standard protocol. So if we're using REAL
5 ID to vet this, we need to check every data field so
6 that way everybody can vote that is supposed to vote. I
7 want clean elections.

8 That's it. Thank you.

9 BOARD MEMBER COAN: Thank you, Mr. Frazier.
10 Next up, we have Maria Gaudio.

11 MS. GAUDIO: Thank you. I would like to say
12 that the -- it's just pure common sense to have Lucia's
13 rules pass. The certified electors list and the
14 qualified voters list are imperative to have, and it
15 just needs to be available to us. Thank you.

16 As far as my poll watching for four
17 consecutive days at one of the last-minute locations,
18 where do I begin to tell the story of 130 Peachtree
19 Street. Gunshots blaring, a guy bleeding out on the
20 corner, but, oh, no, no, there's more. A few minutes
21 later, gunshots at the CVS. But the x-ray machine was
22 not working, the metal detectors not working for two
23 days. We saw dozens of voters registered and told they
24 could vote on Tuesday, individuals with multiple
25 ballots, not just two but four, eight, and 14 to 16,

1 some with chain-of-custody affidavits made. And this is
2 verified on video.

3 The registrar called the cops on me and made a
4 false report that I had assaulted her, but the SWAT team
5 members found other lies and insisted that I be moved to
6 the front window to continue my poll watching. I think
7 their services could have been better used in other ways
8 instead of that false report the registrar made on me.
9 Christine Sadowski from the Carter Center loaned her
10 name tag to someone else. That was just stupid. Why
11 would you do that? The Secretary of State's office has
12 not responded to my complaints as of yet. Thank you
13 very much.

14 BOARD MEMBER COAN: Thank you, Maria. I
15 appreciate your comments.

16 The next group of people: Sandra Burchardt,
17 Janet Grant, Don Hackney, and Stefan Bartelski. You
18 guys can come over to the line, please.

19 MS. BURCHARDT: My name is Sandy Burchardt,
20 and I'm a registered legal voter. I have a question.
21 What is lawfare? As an attorney, you, Ms. Ghazal, are
22 possibly more familiar with it than most people. I
23 found this definition fascinating: Lawfare is the use
24 of legal systems and institutions to damage or
25 delegitimize an opponent or to deter people from using

1 their legal rights.

2 Personally, I am sick of it. I see it as a
3 tool using fear to manipulate people who do not love
4 truth and justice enough to defend it. Fortunately
5 enough, courageous people, who believe in truth and
6 justice, are fed up with it as well. Our Georgia Code
7 book is full of laws that are totally ignored with
8 elections here.

9 Counting the ballots at each polling precinct
10 is not a figment of my imagination. It is a law. It is
11 disappointing that two members of this Board refuse to
12 care enough to promote laws that are in place for fair,
13 secure, transparent elections in Georgia in our recent
14 election year. We are no better off than we were before
15 other elections.

16 The Board has failed to uphold its purpose to
17 protect and defend all the legal voters in Georgia.
18 However, fortunately, truth is more powerful than lies,
19 and our country will have a legitimate president because
20 this time the corruption wasn't sufficient. At our last
21 elections, we honored those who fought for our freedom
22 and continued to defend the Constitution.

23 I hope I can look forward to more truth being
24 more powerful with this Board so that they can have an
25 impact.

1 BOARD MEMBER COAN: Thank you, Sandra, for
2 your comments.

3 Next up is Janet Grant.

4 MS. GRANT: Good morning. My name is Janet
5 Grant, and I live in DeKalb County, where I also serve
6 as an area poll manager. I'm here today to express my
7 concerns with the investigation presented at your last
8 meeting into eight counties for their handling of voter
9 challenges. This followed a last-minute added agenda
10 item from the meeting previously and was based only on
11 comments from the GOP county chair, which was filed up
12 to my, quote, data nerds.

13 The investigation was opened with no
14 representation or input from the impacted counties. We
15 later found out that one of the counties had not even
16 had any voter challenges in the last year. I have
17 followed the DeKalb Election Board for years and seen it
18 forced from a focus on true election administration to
19 being consumed by baseless voter challenges. The time
20 and focus required of the Board and our election
21 leadership and staff, as well as the cost to taxpayers,
22 should concern us all.

23 I'm also aware that DeKalb County and county
24 election officials from across the state have been
25 begging this board for years to develop guidance for

1 managing these challenges, yet nothing has been
2 provided. Counties have had to handle this on their
3 own. And in the case of DeKalb, they drafted and
4 approved procedures to guide their process and decision-
5 making. In addition, they recently approved a
6 scheduling resolution to comply with the National Voter
7 Registration Act, stating that challenges would be heard
8 after the election if submitted within 90 days of an
9 election.

10 The county GOP sued over 5,000 challenges that
11 were filed well within that 90-day window and then
12 turned around and brought their grievance here, rather
13 than waiting for the court action. The petition filed
14 by Peter Simmons of Protect Democracy and discussed by
15 your Board back in July and August would provide the
16 guidance that counties across the states are asking for.
17 I urge this Board to focus your attention on passing
18 this rule or something similar, rather than pursuing
19 questionable partisan allegations against our largest
20 counties.

21 Thank you.

22 BOARD MEMBER COAN: Thank you, Ms. Grant, for
23 your comments.

24 Mr. Hackney, you're up next.

25 MR. HACKNEY: I am Don Hackney, a retired

1 Atlanta attorney. In 2021, the General Assembly
2 dramatically changed the landscape for voter challenges
3 by permitting unlimited challenges. But this change
4 triggered the National Voter Registration Act, in which
5 Congress imposes strict limitations on the right to
6 remove voters from the voting rolls. Compliance with
7 the NVRA is not optional, and its provisions preempt
8 state and local laws that are in conflict with it.

9 Unfortunately, the General Assembly did not
10 amend Georgia's challenge laws to conform to the
11 requirements of the NVRA. This is the leading cause of
12 the rampant chaos and confusion that has plagued our
13 county boards of election. The NVRA prohibits removing
14 voters based on change of residence unless the removal
15 process complies with the procedural requirements of the
16 Act. Unfortunately, Georgia's two voter statutes --
17 voter challenge statutes do not remotely comply with the
18 NVRA's requirements. Voter challenges based on issues
19 other than changes in residency are not permitted by the
20 NVRA and must be dismissed. Lastly, the NVRA's 90-day
21 rule prohibits voter removal efforts that are not fully
22 completed 90 days prior to an election. And please
23 note, the Senate Bill 189's 40-day rule does not and
24 cannot legally amend a federal law.

25 I do not know what will be discussed later

1 today. But in my view, the worst thing that this Board
2 could do is to take some type of official action without
3 first following the advice of attorneys who understand
4 the NVRA and its severe restrictions on voter
5 challenges. To do otherwise, would compound the chaos
6 and confusion that Democratic and Republican Board
7 members already face when they have to deal with the
8 disruptive avalanche of voter challenges.

9 Thank you.

10 BOARD MEMBER COAN: Thank you, Mr. Hackney. I
11 appreciate your comments.

12 Stefan Bartelski, you're up next.

13 MR. BARTELSKI: Good morning. My name is
14 Stefan Bartelski. I'm a voter in Forsyth County. And I
15 represent Common Sense, and I do it as a volunteer.
16 Just very quickly before I start my topic, I just want
17 to mention, the two previous speakers talked about voter
18 challenges. We do not challenge voters. We challenge
19 voter registrations that we have evidence that are
20 ineligible and are fully compliant with the NVRA by the
21 Board. Now, it can be open to interpretation, but that
22 is something that you can sort out. But most of our
23 challenges -- 90 percent of those challenges are fully
24 compliant with the NVRA.

25 Anyway, what I did want to talk about, we've

1 been told that Georgia has the most secure, honest
2 elections and voter rolls in the USA. God help the USA
3 if we are the best because we are really bad. Here are
4 some examples that I need to quickly run through. We
5 had about 3.7 million early voters. Early voters are
6 classified as absentee ballots. 1,400 of those actually
7 have a flag that they were not absentee ballots. The
8 voter history file has almost 4,000 people who do not
9 appear in the voter registration file, the QVL file, the
10 qualified voter list that Jason Frazier asked for and
11 was provided by the Secretary of State. 4,000. How can
12 that be?

13 And we also have a large number of people who
14 voted in person, but they are flagged as being absentee
15 ballot voters. The system is broken. The system is
16 broken. Is it the system, is it the processes, or is it
17 people who actually are trying to find ways to cheat?
18 The people of Georgia deserve to know what's going on.

19 BOARD MEMBER COAN: Thank you, Mr. Bartelski.
20 Okay. Next group to approach could I have come forward:
21 Julie Adams, we've got Victoria Cruz, Stephen Hashire --
22 Aleshire, excuse me, and Charles Rambo. If you guys
23 would please come get in the line. We'd love to hear
24 from you. You can head over, please.

25 Board Member Adams, you have the floor.

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1 MS. ADAMS: Thank you. I was sworn in on the
2 Board of Fulton County Elections in February. And since
3 March, I've been trying to get documents to certify
4 elections. It's been a long journey. And I'm here to
5 report, as I said to all of you-all last night, we
6 certify the elections without the number of voters list
7 and without a list of precincts, the number of people
8 that voted and the vote method. We spent hours looking
9 at documents, and we didn't have the two most crucial
10 documents that we are by law supposed to have before we
11 certify.

12 I am asking the Board to try to help me. I've
13 done everything I can to get them to follow the law.
14 And I had to certify because I have a court order that
15 said I have to send emails to Certification. What we
16 did on Tuesday, in my opinion, is against the law. And
17 I want these documents. And it's just absolutely
18 ridiculous that we cannot get them. We have still not
19 gotten them.

20 And so that's what I'm here to say. I also
21 totally support Lucia Frazier's rules. I think more
22 transparency is needed. And I have to tell you, I'm
23 going to be up next time. I can present a rule, and I
24 am going to ask that all the documents that we need to
25 certify elections be made public on the website.

1 BOARD MEMBER KING: Julie, real quick, what
2 were those documents that you were not provided?

3 MS. ADAMS: It's the numbered list of voters.
4 And the numbered list of voters to certify is in SEB
5 183-1-12-112F. It is number 3. It's, The list of
6 voters who voted in the election shall be compiled by
7 category, the number of voters who voted on Election Day
8 in person, advanced voting, absentee, and provisional.
9 This list shall be examined for duplicates. This list
10 shall be sorted by precinct. The total number of unique
11 voter IDs from each precinct shall be counted. The
12 total number of unique voters who voted by each vote
13 method shall be reported by each -- for each precinct.

14 And then the next one goes on -- number 4 goes
15 on and explains more. Sorry. It's long.

16 BOARD MEMBER KING: What was -- what was the
17 reasoning?

18 MS. ADAMS: Pardon me?

19 BOARD MEMBER KING: What was the reasoning
20 they gave you not to provide it?

21 MS. ADAMS: So on Friday, I was told that we
22 would have it on Monday. On Monday, they were delayed
23 because they had to re-look at some ballots because they
24 hadn't given credit to qualified write-in candidates.
25 And so they kept saying when they finished that, they

1 would provide the lists. They finished around 3:00. We
2 did not certify until about 5:40, but we never got the
3 list.

4 And I was told, the Chairman told me all day
5 long, that I would have it. And as time was growing
6 later, she kept telling me I might not have that long to
7 review it. But then she gathered again for us to vote
8 and certify without giving it to me.

9 BOARD MEMBER KING: If you didn't certify,
10 even though you didn't have the documents that you
11 needed to feel confident to certify, you would be
12 breaking the law, basically.

13 MS. ADAMS: Well, I mean, I tried to point out
14 to her that many counties don't certify by that date
15 because some issue comes up. I will tell you, too, that
16 I was talking to our other board member, Mike Heekin,
17 after that. And he pointed out, and I really hadn't
18 thought of this, that what they were doing in re-looking
19 at those ballots, they had a vote review panel, wouldn't
20 have made any difference in the list of voters nor the
21 list of ballots cast per precinct. That day it didn't
22 really occur to me.

23 And so that's it.

24 BOARD MEMBER COAN: Thank you for your
25 testimony.

1 MS. ADAMS: Thank you.

2 BOARD MEMBER COAN: All right. Next up, we
3 have Victoria Cruz.

4 MS. CRUZ: Good morning, Board. My name is
5 Victoria Cruz. I'm a resident of Athens, Georgia, but I
6 live in Oconee County. And I would like to address an
7 error that was made. I think when your administrator
8 was sent to Athens to look for voter challenges that
9 have been denied, he should have gone to Athens in
10 Oconee County and not Athens, Clarke County. That's why
11 there was one county that had no challenges. Had he
12 gone to Oconee County and spoken with our director, he
13 would have found out the way the challenges were handled
14 there. And that's what I'm here to talk about.

15 I live in a small county and have for 27
16 years. I first became aware of the Oconee County
17 registration problem through Judicial Watch. Judicial
18 Watch, as you know, is a conservative organization, but
19 it has targeted over-registrations around the country.
20 And in 2017, Georgia was going to be sued -- it was
21 starting to be sued by Judicial Watch for being one of
22 the 11 counties with over 100 percent registered voters
23 compared to certain civilians of voting age
24 population -- civilian voting-age population, a citizen
25 for the means population. So I thought, well, that must

1 be a mistake. Certainly since 2017, they would have
2 addressed this.

3 And then again, I found out from data from Dr.
4 Frank (phonetic), who also analyzed voter roles across
5 the United States county by county, that indeed Oconee
6 County was still one of those that was over-registered.
7 How can my little red county not pay attention to voter
8 registration? And indeed, in their 2022 EAC, most
9 recent EAC report, they themselves report an active
10 registration at a 203.5 percent of the citizens -- of
11 the estimated citizen voting-age population. So I
12 decided to get --

13 I'm sorry. Is that two minutes?

14 BOARD MEMBER COAN: That's two minutes, but
15 that's all right.

16 MS. CRUZ: I got involved in all my challenges
17 of people who had moved and registered. The 229s were
18 dismissed. I wasn't able to get anybody out of their
19 roles. We ended up getting 64 230s after the Board
20 realized what its responsibility was. But in the end,
21 we got sued because -- the Board got sued to disallow
22 those challenges. These are just registration
23 challenges because a Democrat decided that my use of
24 EagleAI to obtain names of people who deserved looking
25 into was not right. And she called in the ACLU and the

1 Southern Poverty Law Center, and they sort of ganged up
2 on everything. And all the challenges were dismissed by
3 consent decree.

4 And Ryan Germany represented our county. I
5 don't know why our county attorney didn't. Ryan Germany
6 was called in to represent. He seemed really terrible
7 to me. But he also did a terrible job, and the case was
8 lost. Anyway, very strange happenings, and I think that
9 we need better rules about challenges.

10 BOARD MEMBER COAN: Thank you, Ms. Cruz. We
11 appreciate your comments.

12 MS. CRUZ: Oh, and my daughter only got off
13 the DeKalb voter rolls this year when I encouraged her
14 to go on to the Secretary of State's website and remove
15 herself because she moved into New York and started
16 voting there and was still on the voter rolls with her
17 husband in 2024. She moved in 2018.

18 BOARD MEMBER COAN: Thank her for being a
19 diligent voter. Thank you.

20 All right. Next up is Stephen Aleshire.

21 I hope I got your name right, sir.

22 MR. ALESHIRE: Close enough. Thank you. My
23 name is Stephen Aleshire. I reside in Oconee County. I
24 poll watched for eight and a half complete 12-hour days
25 in Clarke County. As Victoria has just alluded to, we

1 are adjacent counties. I was at the Tate Student Center
2 at the University of Georgia, where it was open for
3 student voting for three days, October 28th through 30.

4 Now, I was present half of the morning of the
5 day. A problem throughout the days at the Tate Center
6 was for me to use so-called supplemental voter pathway
7 because students wanted to vote at the University. They
8 almost uniformly said that they thought they were
9 registered in Clarke County, Athens, while they had
10 originally been registered in their home county, often
11 in the metro area here in Atlanta.

12 They usually -- this was usually blamed by the
13 poll workers on the GARViS system not having moved the
14 registration to the new county, Clarke. This
15 necessitated the poll workers at the Tate Student Center
16 having to have their students complete a form called the
17 Application for In-person Absentee Ballot in a rather
18 chaotic effort. The students were really just massed
19 around, like 20 at a time around a very small picnic
20 table, while doing all this.

21 The application is of an uncertain origin. It
22 does not bear the seal of the secretary of the state.
23 Its legal providence is uncertain, but it was used
24 extensively at that location. Then the poll worker
25 would call the local election office to get a login

1 phone code, followed by the worker taking the voter
2 directly to the ballot marking device, bypassing the
3 Poll Pad component except for the initial rejection of
4 the Poll Pad, where they had found that the voter was
5 still registered in their home county.

6 There are three codes necessary to activate
7 the PMDs. After the PMD logged in by the poll worker,
8 the student voted in the usual manner including printing
9 a physical paper ballot, which went into the tabulator
10 scanner. This also happened at several other Clarke
11 County precincts where we poll watched. It became so
12 commonplace that Clarke County itself sent out
13 designated laptop computers to the precincts to look up
14 their own logins and have the manager directly log into
15 GARViS, followed by allowing the voter to vote.

16 I'm not sure if the codes are unique, but
17 they're written in a physical notebook for each
18 precinct, which implies that the codes are not unique.
19 One poll manager that I spoke to at length and who had
20 an extensive IT background said GARViS does CATSyncing,
21 but whether that means every 15 minutes or 12 or 24
22 hours is uncertain.

23 The first day, according to another poll
24 watcher my wife and I know personally, there were more
25 than 140 so-called supplemental voter applications. My

1 half day there were between 40 and 50. So considering
2 the county all together, it seems reasonable. And you'd
3 expect that at least there were 200 of these so-called
4 special workarounds. And as a personal opinion, this
5 seems very similar to same-day registration.

6 Thank you.

7 BOARD MEMBER COAN: Thank you, sir, for your
8 comments. I appreciate that. Thank you.

9 MR. RAMBO: Good morning to this Board. My
10 name is Charles Rambo, and I am a Fulton County
11 registered voter as well as a recent write-in candidate
12 for Fulton County Sheriff. I am here to petition to you
13 as the State Board and a citizen, setting aside the
14 results of the Fulton County Sheriff's race and for
15 these fair reasons. Under OCGA 21-2-521, I have filed
16 before the Fulton County Board of Elections the petition
17 raising concerns of which I was only given ten minutes,
18 basically, to respond to some of the things that I
19 raised in this particular race.

20 Particularly, I realized when I ran as a
21 write-in that this is how this could end. But at the
22 end of the day, it's not just me. It's the voters who
23 came to the polls to write my name in and still do not
24 have any certification or capitalization of results, not
25 for the Fulton County Sheriff's side nor for the

1 Secretary of State. So how is it that you have the
2 certification from Fulton County and have no results to
3 show what an official write-in candidate's numbers look
4 like?

5 I have gone before them, and I have requested
6 three times. I've requested three times under this
7 particular law to come in and at least allow me as a
8 candidate to be an observer. I realize the rules that
9 comes along with that. I'm a retired law enforcement
10 officer. But at the same time, I have not received any
11 response whatsoever. I'm sorry. I did not know all
12 parts of the candidacy. But at the end of the day, I
13 have served my community as a military person, a law
14 enforcement officer, and I don't deserve that level of
15 disrespect from them or from anyone else. And I won't
16 tolerate that.

17 With that, I am asking for you to at least
18 revisit it. I understand you have 17 days after a
19 write-in candidate's certification has been provided to
20 you to make your certification to the Secretary of
21 State. And that still has not been calculated. If you
22 look on Fulton's website, that number still has not been
23 brought forward.

24 Ms. Adams, I want to thank you. I am not
25 implicating her, but she specifically just sat and told

1 you what one of the concerns was, and that was with
2 write-in tabulations. We owe it not only to myself and
3 the time that I put into this effort, but also the
4 voters, particularly the ones that came out unexpected.
5 And I did not realize that the North Fulton voters, you
6 can look at those precincts and look that there was zero
7 numbers reported forward.

8 So as I close, this is the one case that I
9 would ask you to take a similar look at, even though it
10 was not litigation. And that was with Michelle Spears
11 Long in DeKalb County, when she faced a similar
12 situation where it said that she had very little vote
13 counts. And did they miscount, the DeKalb County
14 Commission?

15 Please take that under advisement and
16 consideration. Thank you very much.

17 BOARD MEMBER COAN: Thank you, sir. We
18 appreciate your comments and your service to our
19 country. Thank you.

20 Last but not least, we have Garland Favorito
21 up next.

22 MR. FAVORITO: I have a handout for you.

23 BOARD MEMBER COAN: Thank you, sir.

24 MR. FAVORITO: Okay. Thank you, Mr. Chairman.

25 As you can see, we're still here. We had an

1 election, but we're still concerned about election
2 integrity. Yesterday I emailed you a complaint that
3 many counties did not perform the tabulation tape total
4 valid reconciliation that was required to match to the
5 scanned ballot counts. This was required by the two new
6 rules that you-all passed with no controversy and no
7 legal challenge. I'm asking that, Mr. Chairman, that
8 you, the Board, write a letter informing them that they
9 must comply with the rules that you have for this
10 election and have the executive director come follow up
11 with the counties to make sure they comply. I'm not
12 interested in investigating or prosecuting anybody.
13 Just simply want to make sure that this is done because
14 it is very important.

15 I want to note that the Secretary of State has
16 failed to provide any guidance to the counties about
17 this, and they failed to reply when I wrote them my
18 concerns prior to certification. The reason this is
19 important is because, as I explained to the previous
20 committee, who was foolish and didn't think it necessary
21 to ensure the Dominion Voting System tabulators were not
22 ejecting ballots without detection. This was found to
23 have occurred in the same system used in Tennessee,
24 where it was replaced after the Secretary of State
25 recommended its discontinuance.

1 We know from the auto-log analysis that
2 Georgia's system has the same type of error throughout
3 most of the counties. I provided official government
4 reports at the September 20th meeting to show that our
5 voting system failed to count 1,642 ballots in Gwinnett
6 County in the 2020 election, failed to count 224 ballots
7 in the DeKalb County 2020 election, and how it declared
8 the wrong winners. It showed Rambo just narrowly
9 scrambling. It happened in DeKalb, 2022 District 2
10 commission primary.

11 So I'm asking that the Board simply follow up
12 on this and make sure that the Counties comply, because
13 it's absolutely critical to ensure that this voting
14 system is counting correctly.

15 Thank you.

16 BOARD MEMBER COAN: Thank you, Mr. Favorito
17 for your comments.

18 So that concludes our public comment section.

19 So Mr. Chairman, I'll turn it back over to
20 you. Thank you.

21 CHAIRMAN FERVIER: Thank you.

22 I'm going to take this opportunity to approve
23 the Board Meeting Minutes. Once we do that, we will
24 take a short recess. The Board has Meeting Minutes from
25 the October 18th, 2024, meeting. They have been

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1 previously reviewed. The Board will now attend to the
2 motion.

3 BOARD MEMBER COAN: So moved.

4 CHAIRMAN FERVIER: We have a motion to approve
5 the October 8th, 2024, meeting minutes.

6 Is there a second?

7 BOARD MEMBER JEFFARES: Second.

8 CHAIRMAN FERVIER: We have a motion to second.

9 Any discussion on the minutes? All those in
10 favor of approving the October 8th, 2024, meeting
11 minutes, signify by saying, Aye.

12 BOARD MEMBERS: Aye.

13 CHAIRMAN FERVIER: Any opposition? Hearing
14 none, so moved. The Minutes are approved.

15 The Chairman attends a motion for a short
16 comfort break.

17 BOARD MEMBER COAN: So moved.

18 CHAIRMAN FERVIER: Is there a motion to
19 second?

20 BOARD MEMBER JEFFARES: Second.

21 CHAIRMAN FERVIER: The motion is seconded.
22 All those in favor say, Aye.

23 BOARD MEMBERS: Aye.

24 CHAIRMAN FERVIER: We'll take a ten-minute
25 break. Be back here at 10:10.

1 (A recess was taken.)

2 CHAIRMAN FERVIER: Thank you. I'll call this
3 meeting back to order. First, I want to announce there
4 was a petition that was submitted and approved for a
5 rule making by this Board for the petition by Sally
6 Groves (phonetic). That petition, we hadn't set the
7 meeting date in time for it to be properly heard at this
8 meeting. So Ms. Groves petition will be heard at our
9 next meeting, which right now is scheduled for February
10 25th. But that will be -- that's when it's on the
11 schedule. But Ms. Groves petition will be part of our
12 next meeting that we have.

13 So we'll get into procedural matters now. One
14 other thing, the executive discussion at the end of the
15 meeting -- the executive discussion at the end of the
16 meeting is solely for the purpose of discussing a
17 personnel matter and not any legal issues. So those of
18 you that are waiting around, we really need to address
19 this personnel issue. At this time, I'm returning to
20 procedural matters, we have a petition for (inaudible)
21 Rule 183-1-12-.19, Subsection 11 presented by -- do you
22 see a Frazier -- Ms. Frazier?

23 You actually booked the petition, so we will
24 finish the first one and then roll right into the second
25 one.

1 MS. FRAZIER: Sorry about that. So this is
2 the petition for the certified list of electors before
3 the election. And I just wanted to -- I have a few
4 slides. I just wanted to show some new concerns and
5 refresh the old concerns as to why I'm really pushing
6 for this. So this is a list of some absurdities that --
7 I have labeled it that way because they were just
8 absurd.

9 The Fulton BRE greatly limited board member
10 access to election data, as you heard. They had to be
11 taken to court in order to give election data to board
12 members. And then they voted -- they said, Well, okay,
13 you have to give them data. But then they voted no
14 digital, just paper and pencil. And Fulton County is
15 550,000 voters-ish. That's no way to be able to audit
16 an election.

17 So ironically, I'm claiming the paper was
18 their most secure method for looking at the election
19 data. So additionally, we heard that they never really
20 got to see all the numbers reconciled, you know, from
21 all the three main sources. And then the number list
22 was on the agreed list of items, but still not provided.
23 Okay. So this is just to emphasize that transparency is
24 necessary. The certified list of voters before an
25 election and the number list of voters after are a way

1 to audit, and counties shouldn't be playing these games
2 and hiding this stuff.

3 So concerns. This election, I learned a new
4 word when I was poll watching, manual activations.
5 That's when you-allow people to vote who are not in the
6 poll book. How do we know that they registered on time?
7 That there's no way that -- you know, we don't know that
8 the registration date is accurate and back-dated.

9 All this stuff should really be taken care of.
10 October 7th is the deadline. I understand you get an
11 influx of registrations that day. I think a week before
12 early voting, October 7th to October 14th, is enough
13 time to get everybody in. And if there's a pending
14 status, because I understand people leave information
15 off, they have 30 days to share it.

16 Then, you know, we should have a list if being
17 on it. Before, you have the certified list, and then
18 you have all these people that are in pending status
19 that we know there's a finite number of people. And
20 while people are manually activated, there is a written
21 document in the poll to show that includes the number
22 list of voters that are showing up that are not in the
23 polls. That's at least the official record that they
24 get voter credit. Just letting you know that that is a
25 document and that is something that we need to -- that

1 is included in the before and after records.

2 And like I said earlier, watching Georgia
3 Tech, that those manual activations were a really big
4 hassle. I know that there were kids there that waited
5 for an hour, the whole hour I was there. Also, there
6 was some barcode poll where you put your driver's
7 license at the check-in, and that brought up a different
8 person. So I know that's a barcode issue probably, but
9 that's still an issue that was in this election that I
10 had not seen before.

11 Additionally, 4,000 registrations statewide
12 that were not on the certified list were given credit
13 for voting. So the certified list that we finally got
14 was given on November 1st. So between November 1st and
15 November 5th, somehow there was that many additional
16 people statewide. It just seems like all this stuff
17 should be resolved before early voting starts. And I
18 will say this is -- the last time I presented on this, I
19 showed you a lot of different errors in the
20 registration. So my last point is that they're still
21 there. There hasn't really been a process change to fix
22 that. And so as registrations come in, we're still
23 having a lot of registrations with errors.

24 Teamwork. I think we can all agree when I say
25 teamwork, I mean all of us and all of you, all Board

1 members. I think we can all agree that the elector list
2 should be frozen before voting starts to have an audit
3 roll election. And the certified list of electors
4 before voting starts as public information so that we
5 can have public oversight so that there's ability to
6 audit. Counties are responsible for the content of the
7 voter registration list. And so I believe the easiest
8 way to provide that and be transparent is for the
9 counties to post that link.

10 Just a little bit on ORR and the list of
11 voters. Yes, you can send an ORR to get this data. So
12 we did that. It was sent to Fulton County October 7th.
13 It was certified by the civil auditors. It was ignored.
14 Actually, they just sent a link to the Secretary of
15 State to buy the voter roll. So that's not the same
16 thing as a certified list of voters. An ORR was sent to
17 the Secretary of State. Same request. They replied it
18 would be sent on October 30th.

19 And when we called and asked about it, they
20 said, Oh, we'll send it November 21st, which is way too
21 late. So after a lot of calls and pressure, it was
22 received on November 1st. And then we had submitted an
23 ORR to the Secretary of State for the numbered list. No
24 response from that. So I just wanted to emphasize that
25 the ORR communication is limited and doesn't work very

1 well.

2 And just a quick timeline to show you there's
3 a lot of time here spent. This is per the law, the
4 current on the top. On October 4th, that's your
5 registration deadline and that's per law. -- Sorry.
6 October 4th is when there's no postmark, so October 7th.
7 And then you have that week until early voting where
8 registrations are being uploaded. And then even through
9 all three weeks of early voting, there's still items
10 being updated in GARViS. And typically those are
11 reflected on the Poll Pad immediately.

12 However, this time that didn't happen. I
13 guess there was an issue with the polls or something
14 that the Poll Pads were not being updated when people
15 were being added. So that's why there was a lot of
16 discrepancy there. I don't know why. So that's
17 something we do need to figure out, this process of why
18 Poll Pads weren't being updated.

19 What my proposed additions are going to do, if
20 you look on the bottom of this timeline, is at that
21 point right before early voting, what we're asking for
22 is all -- you typically have all your registrations
23 entered, and then you can post the certified elector
24 list. And then you can also post the list of
25 registrations that are incomplete, just names. You may

1 not have all the data that they need. And then have
2 that supplemental -- have a supplemental file, just like
3 the absentee voter file that's posted daily by the SOS,
4 whereas when people are added as electors, they're added
5 to the supplemental file.

6 Now, this is happening during early voting. I
7 think the intent of the law was not for that to happen.
8 I think that everything is supposed to be in before
9 that, but that's what's happening. So as people are
10 being added for different reasons, I understand the law
11 allows for those errors, we should just have visibility
12 to that. That's all I'm saying.

13 So this is the first petition. I don't know
14 if there is anything else you wanted from me.

15 CHAIRMAN FERVIER: Okay.

16 MS. FRAZIER: So that's what I have for this
17 first one.

18 CHAIRMAN FERVIER: Thank you. There is one
19 thing, if you can tell us. It's that I have a whole
20 bunch of whole notations here. And one thing that I
21 would ask about is people coming in and saying they
22 weren't registered on the Poll Pads. And constantly, I
23 was getting this comment that they would go back and
24 check the DBS site and show them as being registered,
25 but for some reason but they didn't make the voter list.

1 And therefore, they were allowing them to vote because
2 they had registered timely on DBS but didn't make the
3 list.

4 I'd like to know the answer to that and why it
5 happened here. There were a lot of people who were
6 agitated because they had registered properly, but they
7 just for some reason didn't get on the roll list.

8 BOARD MEMBER COAN: I think that I would like
9 to hear the other petitioner because they go hand in
10 hand. But I will say that I have had similar complaints
11 as well during this election cycle and just concerns
12 about people not being listed in the system as far as
13 when you go into the Poll Pad and it's not showing up
14 versus them being able to prove that they did register
15 on time.

16 So there are issues with whether or not we
17 are, you know, handling this process correctly. So I do
18 have concerns about that. But I do think that maybe we
19 should hear the petition and then maybe have a
20 discussion all together because they kind of go hand in
21 hand.

22 CHAIRMAN FERVIER: Yeah, it wasn't to
23 complicate or go against this. I just -- it was just
24 something that I found interesting. And I also was very
25 pleased and proud of the poll workers that went that

1 extra step to try and prove these people did register
2 and allowed them to vote instead of just discounting
3 their vote. So they went through extraordinary steps to
4 try and verify which voters could vote, so --

5 DR. JOHNSTON: I'd like to say a few more
6 words. There are two things that are absolutely
7 required for a ballot election to start with. One is
8 who is on the list to vote? Who is eligible to vote?
9 That is the qualified electors list or the qualified
10 voters list. You have to have that in order to begin an
11 election. And then with the election, you have to know
12 who voted. So who's eligible to vote, and who voted.
13 And those two items are absolutely necessary. It's
14 necessary from an election integrity standpoint.

15 We need to be able to check and make sure our
16 county governments are doing the job they're supposed to
17 do. Are they looking at the voter list? Are they
18 maintaining the voter list? Are they checking the voter
19 list? Are they making sure that it is accurate and
20 current for the election that is about to take place?
21 There's nothing that you can substitute that is an
22 excuse for why that is not available. It's also
23 necessary for election security because we know that
24 electronic records now can be hacked. It's not a matter
25 of if they're hacked. It's a matter of when. And so a

1 publicly available voter list allows not only the
2 county, but the public, but the candidates, but the
3 campaigns to check those voter lists and make sure that
4 swaths of voters have not been removed or added
5 inappropriately.

6 It's also very important for voting rights.
7 We know that there is a history of voter suppression in
8 different states, in different localities, in different
9 jurisdictions, and a publicly posted voter list provides
10 that balance, that check, that publicly visible list of
11 who is eligible to vote in this election.

12 And finally, it addresses the issue of
13 campaign equity. So an incumbent has an advantage.
14 They already have their list. They have their targeted
15 voters. But somebody who's trying to run for office and
16 does not have that information readily available, is at
17 a disadvantage. This provides an equal opportunity for
18 all candidates -- for each candidate to have access to
19 that voter list so that they can direct their efforts
20 and their campaign to those eligible voters. And they
21 must be eligible voters.

22 So I find it curious that there is a --
23 there's a pending list. There's a supplemental list,
24 maybe. But in the office meeting of the State Election
25 Board, like Evans told the Board and all those that were

1 listening, that we don't really need the supplemental
2 list anymore because we have an up-to-date electronic
3 voter registration system. And he acted like that was
4 not a necessary thing because the voter list was updated
5 on a daily or nightly basis. DBSEye sends this
6 information to the Secretary of State on a nightly basis
7 for updating. So I don't know why DBS voter
8 registrations were not in the system to start with.

9 When Mr. Evans was asked about the
10 supplemental list, he said, Well maybe for Election Day.
11 Well, that's not good enough. If there's a supplemental
12 list, it needs to be addressed or published along with
13 the qualified voter list during early voting. I think
14 most of these laws were written when elections were a
15 one-day event.

16 Well, they're not a one-day event anymore.
17 There is a month-long voting period. And so you have to
18 adjust to that month-long voting period. And if voters
19 need to be added because they want the glut of last
20 minute registrations, then there needs to be a
21 supplemental list published every day. Make that also a
22 publicly available list of new voters in that
23 jurisdiction.

24 So I would also question why can't we charge
25 individuals? It's that same old question. If you've

1 got the money, you can play. It's pay to play, you
2 know. So if you have the money, you get the voter list.
3 But if you don't have the money, what do you do? What
4 do you do? If you want to be interested and you're a
5 data person and you like to look at this, or if you're a
6 candidate who doesn't have much money and this is yet
7 another thing to pay for, what do you do?

8 Why don't we consider having this part of the
9 legislative budget to provide for these voter lists to
10 be published and available to the public? Why wasn't it
11 part of the budget so that everyone, whether they have
12 the money or not, can participate in the review of our
13 voter list and our numbered voter roll, too -- the
14 numbered voter list.

15 Thank you.

16 CHAIRMAN FERVIER: Have you heard anything or
17 had a response back from anyone?

18 BOARD MEMBER KING: Me? So I did reach out to
19 some county election workers who did provide their
20 feedback. You know, we can kind of bumped up against
21 the same challenges of whether or not you can alter how
22 the election is being implemented. However, I will say
23 being a part of this process, reading through the emails
24 that you provided, the information, and I thank you
25 because it did provide me with a lot of clarity around

1 why this is important, why we need this information to
2 be readily accessible.

3 I have to add that I have major concerns about
4 the amount of money we're charging for documents that
5 are supposed to be readily available to the public. I
6 feel like it disenfranchises candidates and
7 disenfranchises voters. It's basically to what Dr. Jan
8 was stating. When you tell me that I have to be able to
9 afford something that should be readily available to me
10 as the public, that's a problem for me.

11 So I don't know exactly what we can do as a
12 Board, but I do know that that's something that needs to
13 be addressed. And I would love it -- as I stated
14 before, I would love it if some of these attorneys that
15 are continuously suing us would look into the
16 disenfranchisement of voters and actually put their
17 efforts towards working for the people.

18 CHAIRMAN FERVIER: Anything else?

19 MS. FRAZIER: I would like to make one more
20 comment. The question about having the -- requesting or
21 requiring the county to post this on their website,
22 while I think that from my standpoint, that would be
23 certainly permissible and allowable. I don't think the
24 counties who are so tethered to the Secretary of State
25 would be willing to do that. I think you would have a

1 lot of non-cooperation from the counties if we adopted a
2 rule that said that they would have to post this. They
3 always defer back to the Secretary of the State anyway
4 because it's the Secretary of State that holds their
5 rolls and makes the county's voter rolls. And it's the
6 Secretary of State that controls the database, the
7 program, the voter registration system. So it's
8 problematic from a implementation of practical
9 standpoint.

10 I will add that -- I think it's Florida that
11 the counties post. They post it as well as the
12 Secretary of State, but the individual counties post
13 that on their own website as well. So I believe there
14 is a way for each county to pull just their own subset
15 and post the link to that.

16 CHAIRMAN FERVIER: Member Ghazal?

17 BOARD MEMBER TINDALL GHAZAL: In my view, this
18 exceeds our authority as a Board. This is a legislative
19 issue. We need to take this up with the legislature
20 when the legislature meets in six weeks.

21 BOARD MEMBER KING: Yeah. I think I share the
22 same concerns that Dr. Jan mentioned as well, that it
23 almost will be futile for us to try to push this through
24 knowing that we don't have the support and leadership to
25 actually back it. So this is something that I do think

1 should be presented to legislators. I have already
2 spoken with some legislators about how I do feel that
3 this process is disenfranchising voters. So I'm hoping
4 to see something happen in session.

5 DR. JOHNSTON: I'm not aware of any county
6 that provided their qualified voter list to any person
7 or board member. If anyone here is aware of that,
8 please raise your hand here to speak up. But I think of
9 all these lists, that list in particular is always
10 referred back to the Secretary of State for obtaining at
11 a cost -- at a price.

12 MR. FRAZIER: And one other thing, I mean, if
13 we are going to lean that direction, is there any way
14 this Board can try to get us a numbered list of voters?
15 I mean, Julie had to certify without a numbered list. I
16 have submitted an open record request. I have called.
17 They've told me they're going to get back to me. It's
18 like every other local department of government you
19 call. You don't get an answer. You call. They say,
20 We'll get back to you. I'm still waiting. A county
21 should not certify an election without knowing who
22 voted. So one way or another, it's got to happen. I
23 don't think we're partial on how it happens. We just
24 need a date. The people need a date.

25 DR. JOHNSTON: Now, this petition is for the

1 qualified voters list, right?

2 MR. FRAZIER: Right. Right. So there was
3 some overlap that we talked about. My guess is they'll
4 probably both go the same direction. So just letting
5 you know, we don't have that. And it was not easy to
6 get the certified list either. I had to put it on
7 Twitter. I had to drum up. I had to reach out to
8 everyone I knew. So that way you could put pressure.
9 So that way they'd respond instead of getting the
10 certified list on November 21st, well after the
11 election. That's unacceptable. So one way or another,
12 we need to improve the process. How that's improved,
13 we're all up for suggestions. It just needs improved.

14 CHAIRMAN FERVIER: Let me clarify that this is
15 not a bill today to accept the petition or to vote to
16 initiate any more procedures. Instead, we'll put this
17 out on the website, and you can go and comment. Because
18 this is -- we're not asking you to rule today or vote to
19 initiate any more procedures.

20 UNIDENTIFIED SPEAKER: I'm sure you're all
21 aware of this. I just want to remind the Board that one
22 of your duties specified in Georgia Code is to recommend
23 changes to the General Assembly. And on a topic this
24 important, I would hope and encourage the Board to do
25 just that.

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1 MR. HACKNEY: Excuse me. Mr. Chairman, I just
2 wanted to -- I got the code book here. I just wanted to
3 point out two things. Under 21-2-401 and 21-2-456, the
4 burden for the number of listed voters and the eligible
5 list of voters falls to the county. It does not fall to
6 the Secretary of State. It's very clear in this
7 statute, 21-2-401 and 21-2-456.

8 MS. FRAZIER: Yeah. I think that's what I
9 was -- one of my main points is the counties do own the
10 data. So very open to suggestions on how we move
11 forward. And is there anything that we can do through
12 this method, through the rule method, the rule maybe.
13 But very open to hearing and gathering comments about
14 that, in addition to legislation.

15 DR. JOHNSTON: I agree that the burden does --
16 or the authority lies with the county to provide these
17 lists. But as we know, the counties do not move without
18 the permission of the Secretary of State. And I hate to
19 say that, but that's the reality of the situation today.
20 And as far as the numbered voter list, the numbered
21 voter list really violates half the principles that
22 require a paper auditable trail.

23 The numbered voter list is now an electronic
24 file. It's not -- there's not a written paper document
25 that can be audited in that case. And it's actually --

1 it's outsourced to a vendor. So we've outsourced the
2 documentation of who votes in our elections to a vendor.
3 It's not held in the state. We don't own it. We have
4 to request it from this vendor.

5 I can't imagine we would conduct an election,
6 and it's a vendor that holds the information of how our
7 election was just administered. So that I find
8 problematic as far that we don't have a paper trail.
9 It's electronic. It has to be requested by the county
10 to this vendor. Otherwise, the vendor does not provide
11 this to the county to give it to -- to provide it to
12 somebody that wants to have this or needs it or a
13 superintendent that wants to look at it. And I find
14 that totally unacceptable.

15 So the numbered voter list is not compliant to
16 federal law nor is it certainly available to people that
17 need it for certification, people that want it for
18 evaluation and investigation. So this is definitely a
19 legislative issue, and the legislature should look at
20 this and look at it from a federal requirement
21 standpoint whether we're compliant with the Help America
22 Vote Act. And also, I would encourage the legislatures
23 to put this in the budget also to provide for that, and
24 not charge, for a numbered voter list.

25 Pennsylvania actually has electronic poll

1 books, and they still have a handwritten numbered voter
2 list. So people that come in to vote in person, a
3 handwritten list is made at the time of voting. It's
4 the paper trail. It's the audit trail. And they're
5 still using e-poll books. So it can be done. It's
6 possible. People can still write on a piece of paper,
7 and I think it would be advisable to do that.

8 BOARD MEMBER KING: Yeah. I'd like to make a
9 motion that as a Board, we recommend this rule to the
10 General Assembly to be considered as a recommendation to
11 add to this upcoming session, particularly around the
12 cost of obtaining these documents as I do believe that
13 it disenfranchises voters.

14 CHAIRMAN FERVIER: I would like to hold on
15 that motion. First, we need to rule on the -- to
16 initiate the petition for the ruling on this petition.

17 BOARD MEMBER KING: If we were to -- so if we
18 were to rule against stating this as a rule-making
19 process, then I would come back and make a motion that
20 we recommended it to the General Assembly?

21 CHAIRMAN FERVIER: Or we could defer to
22 this -- to make a motion to defer it to the General
23 Assembly, so we could leave it on the table.

24 BOARD MEMBER KING: Okay. So the best move is
25 to leave it on the table and then make a motion to

1 recommend it to the General Assembly?

2 DR. JOHNSTON: Is there also a withdraw action
3 that would be good, or not?

4 BOARD MEMBER TINDALL GHAZAL: According to our
5 rules, we have to do it or we have to change.

6 CHAIRMAN FERVIER: Or we could table it moving
7 forward.

8 BOARD MEMBER TINDALL GHAZAL: Don't we have
9 the evidence that it's not compliant with our rules?

10 CHAIRMAN FERVIER: Exactly.

11 BOARD MEMBER KING: So what if she withdrew
12 it? Then could we make the motion to send it to the --
13 to recommend it to the General Assembly? That way it
14 will go to them with us having voted against it.

15 MS. FRAZIER: Okay.

16 CHAIRMAN FERVIER: So I think Member King is
17 asking whether we withdraw this and then to present
18 motion to send this to the legislator with the Board
19 recommendation.

20 MS. FRAZIER: Sure. If that's -- yeah. I
21 think that's fine.

22 CHAIRMAN FERVIER: All right. So --

23 MS. FRAZIER: I'm just relying on you-all's
24 expertise.

25 CHAIRMAN FERVIER: Yeah. Yeah.

1 MS. FRAZIER: So hopefully we'll --

2 CHAIRMAN FERVIER: We'll get it worked out.

3 But you will agree to withdraw this, and Member King
4 will make the motion to send this to the legislature.

5 MS. FRAZIER: Okay.

6 CHAIRMAN FERVIER: Is that for both of them?

7 MS. FRAZIER: Well, I don't know. Should we
8 not talk about either one or --

9 CHAIRMAN FERVIER: They're both --

10 MS. FRAZIER: Do you recommend --

11 CHAIRMAN FERVIER: They're both
12 substantially --

13 MS. FRAZIER: Okay. Do you recommend we do
14 both?

15 CHAIRMAN FERVIER: Yeah.

16 MS. FRAZIER: Okay. Well then I'll --

17 CHAIRMAN FERVIER: So we'll deal with the
18 first one first.

19 MS. FRAZIER: I don't have -- I was going to
20 say I don't think there was anything else I needed to
21 add except the one for you guys, so.

22 CHAIRMAN FERVIER: All right. Petitioner has
23 agreed to withdraw the Petition SEB Rule 183-1-12-.19
24 Subsection 11. The chore -- I mean the Chair will
25 obtain the motion from Member King.

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1 BOARD MEMBER KING: Yeah. I make a motion
2 that as a board, we recommend that this petition to the
3 General Assembly to be considered into law during their
4 upcoming session.

5 CHAIRMAN FERVIER: We have a motion from
6 Member King to take this petition and recommend it to
7 the legislature for potential relation to statute.

8 UNIDENTIFIED SPEAKER: Second.

9 CHAIRMAN FERVIER: Do we have a second? Any
10 discussion?

11 DR. JOHNSTON: Point of order, is this the
12 rule about the qualified voter list?

13 CHAIRMAN FERVIER: What's the number of it?
14 Subsection 11.

15 DR. JOHNSTON: Subsection 11 is the numbered
16 voter list -- numbered list of voters. So I thought we
17 were -- we just had a discussion about the qualified
18 voter list.

19 CHAIRMAN FERVIER: Well, we --

20 BOARD MEMBER JEFFARES: We started out and
21 then we --

22 MS. FRAZIER: We started with the second one.

23 DR. JOHNSTON: Oh, I didn't realize that.
24 Okay.

25 CHAIRMAN FERVIER: It was the first one on the

1 agenda and the second one on the list.

2 MS. FRAZIER: Okay. But I think you
3 understood my presentation of how it flows for both,
4 anyways. But if you have questions, I can still answer
5 them.

6 BOARD MEMBER KING: Mr. Chairman, I have a
7 slight modification.

8 CHAIRMAN FERVIER: All right.

9 BOARD MEMBER KING: I would like to make a
10 motion that we, as a board, send this petition to
11 General Assembly as well as request that they consider
12 adding funding to this particular petition so that those
13 who are unable to afford to purchase the documentation
14 that should be publicly available to them, that there is
15 funding already available that can cover that cost so
16 that they are able to obtain the documents, although
17 they may not be able to afford them. So that's my
18 modification.

19 CHAIRMAN FERVIER: And I want to clarify, this
20 is for Rule 183-1-12-.19 Subsection 11?

21 BOARD MEMBER KING: Correct.

22 CHAIRMAN FERVIER: Okay. We have a motion
23 from Member King to send this petition to the
24 legislature and ask them to create a statute and also
25 give funding. Do we have a second? We have motion for

1 a second. Is there any discussion?

2 BOARD MEMBER TINDALL GHAZAL: Without a survey
3 of this, we have experts with counties to really
4 understand. I'm not prepared to support any legislative
5 recommendations without having a full breakdown of the
6 matter.

7 CHAIRMAN FERVIER: You're certainly going
8 (Inaudible). Any further discussion?

9 DR. JOHNSTON: Well, I would not -- would like
10 to say that I think the two basic requirements for
11 voters is to know who is eligible to vote and who voted.
12 It's very simple. It's not any more complicated than
13 that, who's eligible to vote and who voted. So I don't
14 understand anybody's hesitancy. I think we all agree
15 that these are the basics of holding an election and in
16 administering an election. There's nothing secret about
17 this. There shouldn't be. There's nothing proprietary
18 about it. There shouldn't be.

19 This should be available to the counties, to
20 the superintendents, to the candidates, to the
21 campaigns. It is to the campaigns. And it should be
22 available to the public for those that are interested,
23 for those who have the time enamored with looking at
24 elections and looking at lists and making sure that
25 these lists are accurate and current.

1 Because electronic lists are -- there's a
2 certain risk with these, and I've been listening to
3 people call for the last three weeks about, My name's
4 not on the list. My name was mysteriously moved. I was
5 moved to another county. I thought I moved here, but
6 they moved me back. So this provides an opportunity for
7 everyone to help with the accuracy of who is eligible to
8 vote.

9 Thank you.

10 CHAIRMAN FERVIER: Thank you. Did we get it
11 resolved?

12 BOARD MEMBER TINDALL GHAZAL: I think so. The
13 challenges that you just outlined are precisely why I am
14 a little bit reluctant to say it in this form, that the
15 lists need to be published and then additional lists
16 published. Because it makes it appear that the lists
17 are static, and they are not. Our voter registration
18 deadline is a postmarked deadline, which means that a
19 voter needs to have their registration, if it's on
20 paper, in the mail by the deadline.

21 I know that within -- by the end of the first
22 week of early voting, there were counties that still had
23 tens of thousands of voter registrations that had not
24 yet been processed. And that's why we saw this. So
25 these supplemental lists, they don't actually exist

1 except for Election Day because the list isn't static.

2 There is not a fixed list when early voting starts

3 because the counties are still processing this.

4 I think it's a key problem that there were so
5 many -- there was such a backlog in some of these
6 counties to process the registration. So I need to have
7 a better understanding of the administrative order that
8 were adding to the counties before posting these lists
9 on a daily basis on top of everything else that they're
10 doing during the election. I think we owe it to the
11 counties before we're making a recommendation for
12 legislation to understand what it is that we're asking
13 them to do. I don't think we have that understanding
14 without hearing from them.

15 And then, absolutely, the legislative process
16 is the appropriate place to vet this because they will
17 have hearings, and the legislature may choose not even
18 to take it up. Somebody has to sponsor it as a bill.
19 You have to find a legislator to actually submit it and
20 drop it into the hopper. But that's --

21 BOARD MEMBER KING: I feel like your number
22 was off. I feel like you've kind of proven the point as
23 to why we need this rule. Because if we are going based
24 off of postmarked, right, that means that we are to
25 expect that there's going to be registrations that are

1 not going to necessarily be in the system prior to the
2 election beginning. To start an election without
3 knowing how many people are eligible to vote is bizarre
4 within itself. I think this is just proving why this is
5 a very important rule.

6 And maybe the legislators will look at those
7 different aspects of it because I do think that that is
8 extremely important to note and say, maybe we should
9 look at addressing the voter registration process where
10 we do make it where it is a cutoff date, and we actually
11 have an actual cutoff date that's not a postmarked date
12 that will prevent us from having thousands and thousands
13 of registrations that are just kind of sitting there
14 unprocessed.

15 I don't think there should be any
16 registrations unprocessed before the Election Day starts
17 or early voting starts or any form of voting starts.
18 That, in and of itself, creates the chaos that we claim
19 to be trying to prevent. So I think it's more of a
20 reason why I feel even more confident in support in
21 sending this to the General Assembly so that they can
22 kind of flush out those details and create a process
23 that people can have confidence in.

24 CHAIRMAN FERVIER: Any further comments? I
25 think everyone knows I'm a huge component of letting

1 legislatures legislate. So we have a motion and a
2 second to send this petition to the -- or the
3 recommendation to the legislature and the recommendation
4 to fund it.

5 So hearing no further discussion, all of those
6 in favor, signify by saying, Aye.

7 BOARD MEMBERS: Aye.

8 CHAIRMAN FERVIER: Any opposition? We have
9 revised one extension, and the motion carries. We will
10 move to the second petition, which is -- the next one is
11 Petition for Amendment of SEB Rule 83-12-.19 Subsection
12 6.

13 Ms. Frazier, you want to withdraw that
14 petition?

15 MS. FRAZIER: Yes.

16 CHAIRMAN FERVIER: With Ms. Frazier
17 withdrawing the petition, do we have a motion on the
18 petition?

19 BOARD MEMBER KING: I would like to make the
20 same motion, that the Board send this particular
21 petition to the General Assembly for consideration into
22 lawmaking in this upcoming session.

23 CHAIRMAN FERVIER: And funding.

24 BOARD MEMBER KING: And funding. If there's
25 funding that needs to be provided, yes, that they will

1 provide it.

2 CHAIRMAN FERVIER: We have a motion to send
3 SEB Rule 183-12-.19 Subsection 6 to the legislature with
4 the recommendation that they pass the legislation
5 pertaining to it and funding it.

6 Do we have a second?

7 BOARD MEMBER JEFFARES: Second.

8 CHAIRMAN FERVIER: Motion is seconded.

9 Any discussion? Hearing no discussion, all
10 those in favor signify by saying, Aye.

11 BOARD MEMBERS: Aye.

12 CHAIRMAN FERVIER: Any opposition? Yeah. We
13 have motion carries three to zero.

14 Thank you, Ms. Frazier.

15 MS. FRAZIER: Thank you. Just one closing
16 remark. I really appreciate everyone's input. I really
17 appreciate that you guys have looked into this with me.
18 I just ask that you continue. I think there's still a
19 lot of questions. If you could just dig in with your
20 county with the county supervisors on your own time and
21 get us that feedback. Be specific about what it would
22 take to get transparency, and that's all I would ask.
23 Thank you.

24 CHAIRMAN FERVIER: Yeah. We have a couple
25 former legislators up here, and the legislator will

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1 depend upon them to tell us how this needs to be sent to
2 the legislature. The next item on the agenda is a
3 discussion of voter challenges.

4 Mr. Coan, how long do you think that will
5 take?

6 BOARD MEMBER COAN: We have a speaker today
7 who is going to speak to that. And I believe you-all
8 carved out time for him, about a half an hour. And he's
9 going to get up and present exactly how this program
10 works and give you some data to consider from the '24
11 election. So with that, now would be the perfect time
12 to move forward.

13 CHAIRMAN FERVIER: So the question is whether
14 you want to do it now or do you want to cut to a break
15 first?

16 BOARD MEMBER COAN: Let's do it now.

17 CHAIRMAN FERVIER: We have a motion for a
18 counterclaim?

19 DR. JOHNSTON: I'll second.

20 CHAIRMAN FERVIER: We have a second. All
21 those in favor signify by saying, Aye.

22 BOARD MEMBERS: Aye.

23 CHAIRMAN FERVIER: We will break for -- we'll
24 come back at 11:10. 11:10.

25 (A recess was taken.)

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1 CHAIRMAN FERVIER: This meeting is called back
2 to order.

3 We now move into the unfinished business part
4 of our agenda. We're officially changing the name from
5 old business to unfinished business going forward.

6 Are we okay with that?

7 UNIDENTIFIED SPEAKER: Old business to --

8 CHAIRMAN FERVIER: We're changing it from old
9 business to unfinished business going forward. The item
10 on there is a discussion of voter challenges.

11 Director Coan?

12 BOARD MEMBER COAN: Mr. Chairman, and I'd like
13 to bring forward Dr. Richards -- excuse me, Dr. Rick
14 Richards. He's a family emergency physician in Evans,
15 Georgia. After serving in the Army, he joined the
16 Medical College of Georgia faculty, where he taught
17 medical students and residents and conducted research.
18 His pioneer innovations are healthcare access, cost
19 containment, medical management, and healthcare
20 technology. He's had over 70 publications in peer-
21 reviewed journals, seven book chapters, and multiple
22 computer programs. For the past 10 years, he was on the
23 Augusta University Research Institute Board and served
24 as chair of the audit and finance committee.

25 And with no further ado, Dr. Richards, please

1 come forward.

2 DR. RICHARDS: Thank you. Appreciate the
3 opportunity to appear. Many of you have never heard of
4 me because I prefer to stay quiet. You've not heard me
5 on podcast. You've not heard me out screaming and
6 talking about what's going on because I prefer to work
7 with data. My opinion is irrelevant. To push students
8 forward, my opinion on whether it's forward is
9 irrelevant. So I've been versed in the data for the
10 past few years. I've tried to conduct this as a
11 nonpartisan matter. Let the data speak for itself.
12 There have been numerous swings and arrows being thrown
13 in my direction about myself and about the software.
14 I'm going to talk about some of those today for the
15 first time.

16 I'm going to talk about how EagleAI works.
17 I'm going to talk about it in terms of the qualified
18 data voter list. I don't have the final voter
19 histories, but we'll talk about that a little bit as
20 well. As mentioned earlier by Eugene, EagleAI has no
21 data of its own. It only adjusts county, state, and
22 federal data. It does allow, through the acquisition of
23 additional information, documentary evidence, but it
24 uses the same methodology after interviewing large
25 numbers of county elections' workers who did voter list

1 maintenance.

2 I ask the questions, How do you do this? When
3 somebody calls and says, My Aunt Kay has died, how do
4 you go about documenting that? What do you need? What
5 must you have to determine that that person is actually
6 deceased. When somebody says, My neighbor moved from
7 Georgia to Florida, what do you do to document that
8 before you respond and give an action on the voter roll?
9 So there's the data and there's the documentary
10 evidence.

11 Now, I'm going to talk about both of those.
12 Then I'm also going to demonstrate how the program
13 works. I'm going to show you what we do, the
14 methodology. And for anybody that wants to stay around,
15 I will actually demo it. As long as I can get Wi-Fi
16 access, I can demo it. We can play with it until
17 midnight if you want to. I'll answer any questions.
18 I'll tell you anything you want to know about every
19 single step of every single thing the software does.

20 So according to officials, we're using multi-
21 pronged strategy to ensure our voter rolls are the
22 cleanest and most accurate in the nation. Clean. Let's
23 make sure we're talking about the same thing now:
24 Honest, fair, or showing that you have not done anything
25 illegal; accurate; conforming exactly to fact;

1 errorless; capable of providing a correct reading or
2 measurement. Clear enough.

3 I'm a Georgia voter. I've lived here since
4 1979. I am not pleased with the way the media appears
5 to be -- let me get this thing working. Nope, that
6 doesn't work. It worked this morning. I'll do it that
7 way, your way. So it was brought up in this meeting,
8 October 8th representative Draper said, When you are --
9 when you say there is more sophisticated technology out
10 there about voter challenges that's hard. About
11 EagleAI, Eagle I, well, I have spent a lot of time and
12 not to your fault. I'll bet that the things you have
13 spent a lot of time are the things that were written by
14 these institutions right here. If you look us up on the
15 internet, we have no website for a reason. It's not
16 about publicity. It's not about PR. It's not about
17 partisan. It's just about the data. I don't want a
18 website. I just want to crunch the data.

19 These entities, however, have gone off the
20 deep end and made up so many lies and myths about what
21 we're doing, it's absolutely funny, if it wasn't me,
22 that they could assume these things. So I actually took
23 their articles. This is one of them. The stuff you see
24 in black is what the article said. The stuff you see in
25 red are my corrections to what they wrote. That's how

1 bad these articles are. Now, what do you do when
2 somebody is writing a bunch of lies about you? I called
3 them up. I called every one of these organizations and
4 tried to talk to all of those people. Not a single one
5 would talk to me. I then followed up with a letter to
6 every one of them. Only one responded. Andrew Barber
7 responded on LinkedIn saying he wouldn't talk to me, but
8 I could send him anything I wanted. So I'm not
9 surprised if you have some misconceptions about what it
10 is we do and how we do it.

11 So let's go through a few of these things.
12 And EagleAI is a third party program. Think about that
13 for a moment. All software is a third party program.
14 So what's that about? That scrapes the internet. Well,
15 when you do research on the internet and you're a
16 developer, it's called scraping. It's now part of
17 what's known as artificial intelligence. So of course
18 we do that. Rejected by county election offices as
19 being worse than the programs they already have. Not a
20 single county has rejected our data, saying that it's
21 worse than the programs they already have. In fact, not
22 a single county election office has rejected our data
23 for any other reason than they didn't want to use it
24 because it is accurate. And I'll show you-all of that.

25 In fact if you go back, I studied the 2009

1 U.S. Election Assistant Commission's Best Practices for
2 Voter List Maintenance. And I used this manual, which
3 you can download and read, to design the software and
4 the methodology we use in the software. For example, it
5 recommends, States are encouraged to use technology to
6 ease the workload on their election offices as they deem
7 appropriate. Given the scarce resources for election
8 administration, states are encouraged to explore what
9 technology the process might help reduce the
10 administrative burden and increase the accuracy and
11 efficiency with which the election administration
12 information is collected and maintained.

13 Mission statement right here. Best practice.
14 It was also said when somebody dies, there is an
15 official database that you-all -- that we go to to
16 remove these people off the rolls. That would be ERIC
17 for Georgia. These were the states that ERIC has in its
18 membership, 24 states and District of Columbia. ERIC
19 says, on their website, they use voter registration,
20 Secretary of State, motor vehicle data, Social Security
21 death master list, and the post offices' national change
22 of address. I'm sort of thinking the states also use
23 their public health data for deaths, their felony data.
24 And I was hoping they'd used the jury declaration list
25 for non-citizens, but special legislation in Georgia

1 made it illegal to do that. So we can't use the data
2 that -- you can't use the data that you have on people
3 who define jury duty because they're non-citizens.

4 Just one problem with the Social Security
5 list. In 2011, they dropped all deaths that were over
6 three years old. They no longer give you any address
7 information except the ZIP Code. What's up with that?
8 The Social Security Administration admits that they have
9 missed 16 million obituaries. So we actually -- to take
10 a look at how that might affect the Georgia data, we
11 took all the data from the start of ERIC regarding every
12 state they were in, the population and the deaths. We
13 compared it to the census data, and we came out with 2.8
14 million. They picked up 324,000 over a four-year
15 period. That's their data. ERIC picked up 324,000
16 deceased in all of their member states. The census data
17 with the obituary data said there should have been 2.8
18 million. So they got 11 percent.

19 So for the record, and if anybody's talked to
20 or being interviewed on any podcast or media, these are
21 the facts. EagleAI NETWORK has no data of its own. So
22 don't say our data is not accurate. Our data is --
23 well, I'll go through that in a minute. No data. We
24 use the voter registration. We get it directly from
25 Secretary of State. The only difference is we only get

1 the year of birth. We used to get the date of birth.
2 But for some unknown reason, we don't get this anymore.
3 We should get it. I'd like you-all to ask the
4 legislator to put it back on. We get the voter history
5 from the Secretary of State, as does ERIC. We get the
6 change of address, as does ERIC. We only use permanent
7 move, so those statements about us using temporary moves
8 are a lie. And the natural obituary database, I
9 actually purchased all obituaries in the United States
10 from 1998 forward. That's documentary evidence.
11 Documentary evidence only.

12 So the best practice says, the human review
13 process, Human review process involves review and best
14 judgment based on attributes at hand because having more
15 attributes, more data, improves match accuracy. Having
16 more attributes produces the number of voters
17 inappropriately categorized as ineligible. True. So to
18 that data, we also acquire the corporate information
19 from the Georgia Secretary of State, the coding accuracy
20 support system data from the post office, the property
21 class zoning codes from the county, the land use codes
22 from the county, the tax assessor data from the county,
23 the felons' data from the state, and then we use Google
24 Business, Sky Street, Zillow for pictures to help in the
25 documentary evidence gathering only.

1 This is an example of the land use codes. So
2 we can punch in 9108, pick up everybody that's
3 registered as a cemetery. It's pretty simple. These
4 are the property classifications, and this is an example
5 of how we integrate it with color coding. So this is a
6 tax-exempt based on the property code. It's a religious
7 based on the land-use code. This is commercial retail
8 mailing agency licensing from the post office. This is
9 a virtual CRMA. This is one that the post office says
10 is a vacant address. This is the one the post office
11 says is residential -- is non-residential delivery. So
12 that would be a non-residential site. This is
13 additional documentary evidence to help the person
14 making the decision while they maintain the list at the
15 county.

16 If we throw a wide net that is too wide, we
17 run the risk of capturing incorrect data, incorrect data
18 that can potentially disenfranchise somebody. That is
19 wrong. That's very polling. I agree 100 percent with
20 this statement. But what about the 8,000 registrations
21 that were challenged this past year using this data? If
22 we do one mistake, which is possible of course, what's
23 the recourse? It takes them 30 minutes to re-register.
24 However, the other 7,999 who don't get taken off that
25 should be. What about disenfranchising the 7,999

1 people? They have no recourse. They can't vote. So if
2 we're going to talk about balance, we need to balance
3 the disenfranchisement.

4 During the presentation at the last election
5 meeting, I heard a lot of talk that I think is
6 misinformation about how challenges, elections, work.
7 And I think when we talk about election challenges, we
8 also have to keep in the context of regular list
9 maintenance because there's a very robust regular list
10 maintenance process happening all the time.

11 Let's listen to what that is.

12 (Audio played for the record.)

13 DR. RICHARDS: That didn't work out. I don't
14 know how to turn that volume up anyways. I would
15 encourage you-all to play it. It's at the website.
16 Let's see.

17 CHAIRMAN FERVIER: Try that again.

18 MR. FRAZIER: I can probably play it on this
19 if you prefer.

20 DR. RICHARDS: It's not going to play. We'll
21 come back and get it.

22 MR. FRAZIER: Let me turn this audio up.

23 (Audio played for the record.)

24 DR. RICHARDS: So according to the County
25 Attorney and Chairman of their Board of Registrars,

1 Fulton County never does any independent list
2 maintenance, period. That's not very robust. Another
3 example, 261 registration at 1501 Mercer University,
4 Bibb County. The Georgia Public Broadcasting had a
5 story. As for the other challenges, every building on
6 the Mercy University campus shares the same single
7 address. So the registered students there? The Board
8 said they're in the clear. Just like that, in the
9 clear. However, 199 of those registrants' registrations
10 were greater than six years old. I hope some of those
11 have graduated. Those should be reviewed.

12 The residence of any person shall be held to
13 be that place in which the person's habitation is fixed
14 without any present intention of removing there from. I
15 suspect most people go to college, move into a dorm, and
16 they have an intention presently of moving to another
17 dorm the next year and another dorm and then somewhere
18 else. It's certainly not a permanent residence. The
19 student post office is not a registration address.
20 Students are eligible to vote. Absolutely, they should
21 vote, but they need to vote like everybody else in
22 accordance with the law.

23 I was going to mention that I checked four of
24 the universities in the Atlanta area. There are 1,449
25 at one location with 785 greater than six years; 2,282

1 at another college, 584 of those greater than six years;
2 115 and 45; 2,108 with 1,110 registered over six years.
3 Somebody needs to be doing some robust routine list
4 maintenance.

5 When the election challenges were initially
6 contemplated, it was about personal knowledge of
7 somebody who wasn't eligible to be on the voter rolls.
8 While that may be true, this has nothing to do with
9 personal knowledge about a voter because the challenges
10 are against registrations, not voters. Nobody on the
11 Board of Registrations of the county knows these people
12 when they approve them. Nobody in the county knows
13 these people when they take them off for whatever
14 reason. Nobody in the Secretary of State has any
15 personal knowledge of these people. That's horse
16 hockey.

17 So let's go back and take a look at why some
18 of the counties might have had a question about some of
19 the EagleAI data. It's because they used ERIC for 24
20 states and the District of Columbia, 71 million or 42
21 percent of the population. EagleAI has 33 states plus
22 the District of Columbia, 137,000,082 percent of the
23 voting population in our database. So they're missing
24 at least twice. And by spring, we will have 90 percent
25 of voting age population in the database.

1 Let's focus on one little data element to
2 point out the problem. When you register to vote in
3 Georgia, number one, your legal name, and it defines it.
4 Your full legal name including any suffix, such as
5 senior, junior, the III is required on this form. In
6 Georgia, the definition of full legal name is all of
7 those components. In fact, there's a warning, it's a
8 felony not to fill out the application correctly.

9 Help America Vote Act of 2022 says the same
10 thing, full legal name. On the qualified list of
11 electors, three had no first name, 9,363 only had a
12 first initial, 951,160 had no middle name. It was
13 blank. Now, a lot of people, roughly 15 percent of the
14 population, don't have a middle name. So let's drop
15 that down to 808,000. And then 866,000 only had an
16 initial. All of those are ineligible voter
17 applications. All of them are felonies, if prosecuted.

18 1.6 million out of 8 million registrations are
19 ineligible for approval without correction prior to
20 granting active status. Names show up like these on the
21 left. Street addresses show up like these, five
22 different versions of the same address. The importance
23 is not just that it's legal, but when ERIC or anybody
24 else tries to do a match for cross-state duplication or
25 in-state duplication because they don't match, so they

1 end up being duplicate registrations. They're
2 registered one way now. If they go get their driver's
3 license renewed, they get a registration.

4 If an applicant fails to provide all of the
5 required information on the application for voter
6 registration with the exception of current and valid
7 identification, the Board of Registry shall notify the
8 registrant in writing of the missing information. None
9 of those should have been approved. None of those
10 should be active. All of those could have been
11 corrected during this last election when they showed up
12 and showed their ID and said, Oh, John. Oh, it says
13 here, John Williams Smith. I see, John Smith. Let me
14 fix that for you. Could have been fixed on the spot.
15 Problem gone.

16 It shall be the duty of the County Board of
17 Registrars to determine the eligibility of each person
18 applying to register. The Board of Registrars shall not
19 determine the eligibility of the applicant until and
20 unless all required information is supplied by the
21 applicant. 1.6 million registrations are ineligible
22 based on face value. The legal term aiding and abetting
23 refers to a person's action to help or support someone
24 else's illegal act. Aiding and abetting is a criminal
25 in -- is a crime in itself held against those who would

1 somehow assist a criminal short of physically
2 contributing to the act.

3 This is the trash that is in our database.
4 This is a name. This is a name. This is a name. This
5 is a name. This is a name. This is a name. This is an
6 apartment number. This is an apartment number. We will
7 be taking all of the qualified data and running it
8 through a series of filters. And it will show us the no
9 forwarding address, the address not known, the invalid
10 address, the partial address, the business address, the
11 P.O. Box type, those addresses that the post office says
12 are not delivering mail. This is the United States
13 Coding Accuracy Support System. Are you aware that
14 Georgia doesn't even use this?

15 They send out mail to everywhere and unlike
16 the people that send you-all those, Go vote, vote for
17 me, vote for this, and here's the catalog season. They
18 send those addresses to the post office to take all of
19 these off of them so they don't have to pay for them.
20 Why wouldn't a county or a state do the same thing
21 before they sent out all of these? I can tell you it's
22 over 100,000. I've already done a test run. It is over
23 100,000 people that are on the road using registration
24 addresses that cannot receive mail.

25 We will be looking at the Council of

1 Registration, who can vote. The obituary is not
2 verified. Those are the ones that are in our database,
3 but have not yet been physically reviewed by a human.
4 Those are the verified, non-residential verified, and
5 those will be viewed by you, and I'll show you how we do
6 that in a minute. This is the moved, moved and
7 registered, moved and registered and voted, and
8 homestead tax exemptions. We'll look at those in a
9 moment. I'm going to give you some exact data.

10 So what you heard earlier, that there were
11 about 4,000 who voted not on the certified list, it's
12 actually 4,536. How could that happen? How many are --
13 these are the ones that are registered in one county and
14 voted in another. These are the ones that registered
15 after 10-7. And if you could let me know which county
16 had over tens of thousands to do that, I'd be happy to
17 check that because according to the certified list, it
18 was 566. Nobody had 10,000, but I'd be happy to look
19 that up, those days' data. We normally have quite a few
20 people who have never voted, yet active.

21 So this is the program. This is the initial
22 screen. Let me explain it to you quickly. All of the
23 data is color coded. So anything that's light blue
24 comes from Secretary of State. Voter history, their
25 entire voter history is here. Here's their registration

1 information. Here's information in the state corporate
2 database. But if they happen to have moved, it will
3 show up in the post office data, which is purple. If we
4 grab the information, corporate information shows up
5 here. Here's the property tax and land use coding
6 information. So that's how that looks. Just quickly,
7 when you sign in, you can pick who you want to work.
8 Any citizen can sign in and get credentials and work
9 this. We don't give it to politicians or people running
10 for office or people I wouldn't double date with.

11 But here we have the type, non-residential.
12 Status, active. Look at those who voted in '22, it's
13 been assigned by me. They're from Chatham County. I
14 pick one of these. It pops it over to here, and this is
15 the workspace. It has all the information relative to
16 deceased, so anything we have relative to that person
17 being deceased. This is their year of birth, their age
18 calculation. We click that yellow bar. It does exactly
19 what the county list maintenance people do. It goes out
20 to their browser. It looks up the key information here.
21 Looks for their obituary. If it finds their obituary,
22 it will copy that obituary. It will place it right
23 here. It will place the information if we have their
24 obituary text. It'll place it right here. It grabs
25 their last date voted and puts it here.

1 We then make that available to the county,
2 just like this in a spreadsheet. And here's -- all they
3 have to do is click on that link, and it goes right to
4 the documentary evidence that they would spend 30 to 60
5 minutes trying to find when they're doing it manually
6 themselves. We can also send them a link to the
7 picture, send them a link to the website of the funeral
8 home.

9 BOARD MEMBER COAN: Amen.

10 DR. RICHARDS: This is for people who were
11 registered at non-residential addresses. This is the
12 same information. You'll recognize all the colors.
13 You'll notice in the corporate database lookup, it says
14 it's a UPS store. Here is a picture from the sky. Here
15 it's all labeled out. I can also click here and go to
16 Zillow, click here and get a SkyView group talk, click
17 here and go to a street view and navigate through it.
18 And click right here, any of these buttons will take me
19 to the site where I want to look this stuff up. I list
20 my favorites right there, and use my own tools. I can
21 click the button, and it will go out. And using the
22 typical logic that is defined, it will find all the
23 duplicates.

24 Now, the person that does vote on this
25 maintenance at the county has to verify all of this.

1 None of this is a decision. It just makes them more
2 efficient at doing what they were normally going to do
3 anyway. Just clicking that button, 1,609 duplicates.
4 The most was a person registered five times. This is
5 current, by the way. This is certified data --
6 qualified data. Excuse me.

7 Here is the wrong name. People are
8 registering in one state. The blue top line is Georgia
9 registration. The bottom line in yellow is any other of
10 the 33 states we have data on where that person is
11 registered. We correlate that information with the
12 national change of address information. The individual
13 says, I am going to move from 123 Main Street, Atlanta,
14 to 123 Main Street, Charlotte. We take that
15 information. We send it to the U.S. Post Office. They
16 send us back the barcodes for both of those addresses.
17 We then look up that barcode in the North Carolina
18 database, and we find the same person at 123 Main Street
19 in Charlotte. That is the same person, no question
20 about it. So this person registered in this state as
21 LeAnn, and they registered in this state as Leann with
22 nothing. Here, Cynthia and Cindy, Jackie and
23 Jacqueline, easy as it is with the accent and without
24 the accent and no middle name.

25 So the red marks where there is an aberration

1 between the two, a space, either before, in, or after
2 the name. Here, they put a dash. Here, they put an
3 L.G. These are matches. You say, Oh, well, that
4 happens every now and then. Let's take a count: 88,000
5 problems with the apostrophe, 372,000 problems with the
6 space, 951,000 with a green blank, 864,000 with it being
7 an initial instead of the name, 143,000 with it being a
8 dash, 35,000 with it being an initial and a period.

9 This is a big, big problem. There is a
10 technical term for this. In the data industry, we call
11 it garbage. This is garbage. I'm ashamed of our data
12 that it is no better than this. And I handed this
13 information to the Secretary of State, put it in his
14 hand twice, over a year ago. Nothing has been done.
15 Let's drill down on it. This is how we determine the
16 moves, who has moved; who is moving to register; who has
17 moved, registered, and voted.

18 A series of algorithms have been designed to
19 pick these things up so that the one means there is a
20 match. This means there is no match and no data. This
21 is their data. This is their vote state/county,
22 registration date, move date, last voter election date,
23 type, out of state versus in state versus in county.
24 This is their name, information, tax correlation score.
25 This is where this is a duplicate or not. One means it

1 is an exact dupe. This is their birth information;
2 match on month, day, year; match just on year; name
3 score; birth score. And then there is a lot of
4 information on out there.

5 So that is the way the information comes up.
6 Moved out of Georgia and registered, 43,883. I think
7 that is a problem. Homestead Tax Exemption at a
8 different address, 13,348. I think the county tax
9 administrators would like to know that. We will be
10 sending that to them so they can put these people back
11 on the -- for property tax. This is the documentary
12 evidence put together with the data that we get from the
13 various federal, state, and county. And it has all the
14 information to determine that this individual has a
15 Homestead Tax in another -- at another address, even
16 though they're registered at this place. This address
17 in Milledgeville, Georgia. They have a Homestead Tax at
18 Palm Courts -- Palm Coast, Florida. This is all the
19 information about that property: Moved to another
20 jurisdiction, registered in another jurisdiction, have a
21 Homestead Tax exemption at another property, 13,000.
22 This is how we provide the documentary evidence to the
23 counties, this information. This person is moving to
24 Georgia, and they left out this name. This is really
25 easy, but it should have been picked up before

1 eligibility was granted, the data was there. Just look
2 for it.

3 So how do we fix it? It's real easy. Most of
4 these errors could be fixed in a week or two, if they
5 just activated the normal, everyday date of validation
6 rules that almost all software -- CRM software has
7 today. Just do what you're supposed to do, and it'll
8 fix it. Don't allow any blank fields. Put in N. Run
9 the algorithms. I offered to give all of this to the
10 State, show them how. Crickets easy to fix, easy to
11 fix.

12 If you can go online and buy something, and it
13 says, Oh, do you want to use that address, or would you
14 like to use the right address? State could do that and
15 fix every one of those address problems if it wanted to.
16 Systems are designed to achieve the outcome that we get,
17 either by co-mission or omission. Someone or team of
18 ones have made a decision not to do it right, period.
19 It is easy to do it right. It takes more effort to do
20 it wrong.

21 So why have the counties not accepted the
22 challenges from the citizens who have used EagleAI as
23 part, only part, of their research. Forsyth and Cobb
24 said it was because the data is not certified.

25 I said, It's your data. What do you mean it's

1 not certified?

2 Well, who's certified in your machine?

3 I said, I don't know? Who do I need to
4 certify? I said three times, Who would you recommend I
5 have certify? They refused to answer the question.

6 They passed a motion to adjourn the meeting. And I
7 said, Excuse me. There's a question on the table. You
8 have not yet told me who I should ask to certify these
9 results.

10 The county attorney stood up and said, You-all
11 don't have to answer that. The meeting's over.

12 Bibb and Chatham said the information came
13 from third-party software. That would mean you can't
14 use Excel. You can't use Word. You can't use Google
15 browser. You can't basically use your computer. And,
16 heaven forbid, you write first-party software and use
17 it. And DeKalb said, as I sat there and watched it,
18 different date of birth, different date -- not date of
19 birth. Different date, different date, different date,
20 all denied.

21 Well, that's because Georgia only gives you
22 the year of birth. Others give you the age, and the age
23 happens to be calculated when you get the database. Or
24 on January 1st, it automatically adds a year, so it's
25 going to be a year off. And having looked at tens of

1 millions of these records, myself, I can tell you the
2 cheaters put their day, month, or year off by one,
3 occasionally two, to throw you off.

4 So I sat there watching them flip these,
5 denied, denied, denied, knowing those were the people
6 who were intentionally cheating, therefore, being left
7 on. And for those of you who say people don't vote in
8 multiple states, this column right here has a red line
9 if they either voted in the new state but were still
10 registered, voted in the old state after they moved to
11 the new state, voted in both states, and voted in both
12 states in the same election. And I can tell you,
13 nationwide in 33 states, it is in the hundreds of
14 thousands.

15 I am willing to wait until whenever. I'm
16 willing to sign-in live if I can get the internet, and
17 we can actually play you some live data if you want to.
18 You can't take pictures of course because it's real
19 people. But I'm happy to answer any questions. Thank
20 you for the opportunity to set the record straight. Two
21 plus two is four. Let's agree on that and quit all the
22 actions and adverts and assumptions and presumptions and
23 projections and transference that are taking place.

24 And I hope I've helped with what you had to
25 say earlier. I didn't mean to pick on you at all. Just

1 wanted to point out that I guarantee you went for those
2 same information sources that made this stuff up because
3 some of the things you said were exactly what they said.
4 But now, you're an intelligent lady. You're in the
5 right house with the representatives. I'd love to meet
6 with you for as long as you want. Love to play with it.
7 Let you see whatever you want to see. I have no
8 secrets. It's just data. It's publicly available data.
9 Everything in here is public data.

10 Questions?

11 Yes, ma'am?

12 BOARD MEMBER TINDALL GHAZAL: Yes, Dr.
13 Richards. You just said that this is all publicly
14 available data. So that means you do not have access to
15 PII that the states share confidentially through your
16 area?

17 DR. RICHARDS: I do not have access to the
18 last four of the Social Security number. What else?

19 BOARD MEMBER TINDALL GHAZAL: Dates of birth?

20 DR. RICHARDS: I have dates of birth from most
21 states. I don't have it from Georgia, but I have year
22 of birth and names. Check this -- let me --

23 BOARD MEMBER TINDALL GHAZAL: Do you have
24 driver's license information, driver's license numbers?

25 DR. RICHARDS: I do not have driver's license

1 information from all states.

2 BOARD MEMBER TINDALL GHAZAL: The reason that
3 I'm bringing this up is because we recently heard a case
4 where there were reported 350 allegations of people who
5 had possibly voted in two different states. Based on
6 the research conducted by the Secretary of State's
7 Office, that list was culled down to 15 because there
8 were so many false positives. There were so many --
9 based on publicly available data, there were hundreds of
10 these people. Once they actually compared the PII, more
11 than 340 of them that were not the same person.

12 So you understand why there are many people
13 who are very concerned about making these allegations
14 that there are hundreds of thousands of people when you
15 don't have access to the same level of data that the
16 states do when they're conducting their list
17 maintenance?

18 DR. RICHARDS: Let me -- let me put it into my
19 profession. Having taught about statistics in
20 epidemiology in a medical school as part of research, I
21 assure you there are a lot of medical tests that have
22 false positives. What is the recourse? The recourse is
23 you repeat the test. In this situation, this does not
24 make the answer, does not make the definitive. It gives
25 the information to the individual who will do that. So

1 your example functions precisely as it should have.

2 That's great. I appreciate the example. It reinforces
3 everything I was talking about.

4 BOARD MEMBER TINDALL GHAZAL: But that's also
5 why the states say that the data they get from ERIC, it
6 is vastly superior because ERIC provides the PII for
7 these lists. Are you also aware that NVRA requires that
8 if a voter has moved to a new state, you can only remove
9 their registration if you've got their signature. Now,
10 that signature can be, and generally it is, from a copy
11 of the voter registration from the new state, which is
12 then submitted to the old state. That is the only
13 circumstance that you can immediately remove a voter
14 from the voter rolls without going through the two
15 federal election cycles, under current legislation.

16 DR. RICHARDS: Ma'am, that's not true. The
17 State of North Carolina, when you sign up there to vote,
18 it and other states have in their form that you grant
19 permission for their registration to be removed if they
20 go and register at another location.

21 BOARD MEMBER TINDALL GHAZAL: That is the
22 signature. So that --

23 DR. RICHARDS: That --

24 BOARD MEMBER TINDALL GHAZAL: -- is the
25 signature on the form. That is precisely what I'm

1 saying. And there are some states that don't share
2 those forms. Florida does not share their voter
3 registration forms with Georgia. So we can't remove
4 voters who move from Georgia to Florida, unless we have
5 an affirmative signal from that voter, yes, I've moved.

6 DR. RICHARDS: So how does this work? Let me
7 give you an example. I moved from Evans, Georgia, to
8 Florida, and I registered to vote. And somebody calls
9 and says, Rick moved to Florida and registered to vote,
10 to my -- my county. My county goes online, and they see
11 that I registered to vote. And then they send me a
12 letter saying, Well, I understand you moved -- whatever
13 it says, the form letter. Would you please sign this?
14 And if I don't send that back, then you-all won't take
15 me off the roll in Georgia.

16 BOARD MEMBER TINDALL GHAZAL: That would be --
17 if they did without the signature, it would be a
18 violation of the NVRA. You would move into inactive
19 status and --

20 DR. RICHARDS: And if I vote -- and if I then
21 vote in Florida, what happens?

22 BOARD MEMBER TINDALL GHAZAL: It is a
23 violation of the NVRA if it is removed, if you would be
24 removed without your signature. I'm not saying that
25 that is necessarily the -- I am not making a PolicyView

1 on this. I'm telling you what the law says.

2 DR. RICHARDS: I would disagree on what -- I'm
3 not a lawyer, don't play one on TV.

4 BOARD MEMBER TINDALL GHAZAL: I am.

5 DR. RICHARDS: But -- well, I appreciate that.
6 My opinion -- which I rarely give, but my opinion is
7 that part of the NVRA says it applies to eligible
8 voters. And a voter who is registered in Florida and
9 voted in Florida does not meet Georgia's law threat on
10 requirements for registration.

11 BOARD MEMBER TINDALL GHAZAL: Every judge who
12 has adjudicated the --

13 DR. RICHARDS: Okay.

14 BOARD MEMBER TINDALL GHAZAL: -- NVRA
15 disagrees with you.

16 DR. RICHARDS: All right. What about
17 Homestead Exemption Tax in Florida?

18 BOARD MEMBER TINDALL GHAZAL: I'm --

19 DR. RICHARDS: Same thing?

20 BOARD MEMBER TINDALL GHAZAL: I didn't ask you
21 about that. I asked --

22 DR. RICHARDS: No. I'm asking about that.
23 What about if I have a Homestead Exemption Tax in
24 Florida, where I have declared that my -- that is my
25 principal residence --

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1 BOARD MEMBER TINDALL GHAZAL: The NVRA says --

2 DR. RICHARDS: -- does that take me off the
3 roll?

4 BOARD MEMBER TINDALL GHAZAL: -- you can only
5 remove voters from the rolls if they are felons, if they
6 have died, or if they have moved. And if they have
7 moved, you have to follow the EAC restrictions.

8 DR. RICHARDS: Okay. And what about those
9 people who were not eligible when they registered in
10 Georgia and then moved to another state? If they were
11 never eligible in Georgia, but approved in error, and
12 they moved to Florida?

13 BOARD MEMBER TINDALL GHAZAL: Okay. Would
14 this, in your view, include people who register first
15 name, last name, and middle initial?

16 DR. RICHARDS: You tell me. You're the
17 lawyer.

18 BOARD MEMBER TINDALL GHAZAL: You said --

19 DR. RICHARDS: You said you can't --

20 BOARD MEMBER TINDALL GHAZAL: You said -- but
21 I have to make sure I understand that your view is that
22 somebody who registers with a first name, last name, and
23 middle initial has committed a felony. That is your
24 statement. Is that what you said?

25 DR. RICHARDS: No. I just showed you what the

1 law said. My opinion doesn't matter on this one. The
2 law says it's a felony.

3 BOARD MEMBER TINDALL GHAZAL: I would also
4 like to understand how you deal with certain addresses,
5 such as extended-stay hotels and residential
6 rehabilitation facilities and college dorms. Are you --
7 do you classify those? Do you categorize those as non-
8 residential, and therefore --

9 DR. RICHARDS: Well, let me flip -- let me
10 flip that back. Non-residential has different
11 definitions there. The question is whether it qualifies
12 as a residential address based on the code. And plain
13 reading of the code says, No present intention of
14 moving. Everybody who moves into a college dorm is
15 going to move at the end of the semester or the end of
16 the year.

17 BOARD MEMBER TINDALL GHAZAL: But if there --

18 CHAIRMAN FERVIER: I just screwed up a little
19 bit. I said the same --

20 BOARD MEMBER TINDALL GHAZAL: Yeah. So --

21 CHAIRMAN FERVIER: -- four years.

22 BOARD MEMBER TINDALL GHAZAL: -- his present
23 intent. Like, where is it? Where am I sleeping right
24 now? Where am I staying? So --

25 DR. RICHARDS: Well, it's not the intent to

1 stay in college for present. For a long term, a
2 permanent move is what it says.

3 BOARD MEMBER TINDALL GHAZAL: Yeah. So I
4 think that --

5 DR. RICHARDS: Anyway, we're going to
6 disagree, and that's okay.

7 BOARD MEMBER TINDALL GHAZAL: Yeah. But my --

8 DR. RICHARDS: That's okay.

9 BOARD MEMBER TINDALL GHAZAL: -- but my point
10 is that these are -- you're flagging people, and you are
11 making the counties do this work. And you're flagging
12 eligible voters.

13 DR. RICHARDS: I don't think so. Other
14 questions?

15 Yes, sir?

16 UNIDENTIFIED SPEAKER: It's my understanding
17 that a challenge is -- a challenge is --

18 CHAIRMAN FERVIER: Let the Board ask the
19 questions for a moment.

20 UNIDENTIFIED SPEAKER: Sorry.

21 BOARD MEMBER KING: We -- we'll -- I don't
22 mind getting to the -- to the audience's level. I just
23 want to make sure I don't forget something. All right.
24 Let's just start with this. So, Number one, we are
25 debating whether or not we should have clean voter

1 rolls. I would venture to say that every single person
2 in this room, particularly every Board member on the
3 State Election Board, should be advocating for clean
4 voter rolls. That's number one.

5 Number two, ERIC, is that a private contract?
6 Where does ERIC run --

7 DR. RICHARDS: It is a membership organization
8 that is private.

9 BOARD MEMBER KING: So it's private? So is --
10 there is a contract that comes from the states --

11 DR. RICHARDS: That's correct.

12 BOARD MEMBER KING: -- that go to this
13 particular organization?

14 DR. RICHARDS: Well, there's multi levels
15 there. Georgia and other states are members. They
16 provide their data to ERIC. ERIC provides parts of that
17 data to SEER (phonetic). I don't think that's part of
18 the contract. I haven't seen the new one. And then
19 SEER is the one who sorts it out and says, These are the
20 eligible but unregistered, that the states are then
21 required to send voter registration information to. I
22 think it's every two years, that might not be true. But
23 periodically, the states are required to send everybody
24 who is unregistered but eligible.

25 BOARD MEMBER KING: So is this a for-profit?

1 Is this a non-profit? Is this a -- what type of
2 organization is it?

3 DR. RICHARDS: It's an association, a not-for-
4 profit association.

5 BOARD MEMBER KING: So this is a non-profit
6 association?

7 DR. RICHARDS: Correct me if I'm wrong on
8 that, but I think that's correct.

9 BOARD MEMBER KING: I don't have a problem
10 with competition in the marketplace. I think we need
11 competition in the marketplace. What I'm hearing and
12 what I'm seeing, based on the data you're presenting,
13 considering and taking under consideration, all that you
14 have mentioned as it relates to the information that
15 he's not provided to anyone, that he is not able to
16 access.

17 So you're working with as much as you can get.
18 And with as much information you have, and not being all
19 of the data but enough, you have found these potential
20 errors. I guess what I don't understand is why we have
21 a Secretary of State's Office that has not compared what
22 you have found to what we are paying for. Because as a
23 state, when I'm paying an association fee -- how much
24 would that be? Do you know?

25 DR. RICHARDS: I don't.

1 BOARD MEMBER KING: We don't even know how
2 much it is, right? So our tax dollars are going to this
3 association, this not-for-profit program that we're
4 signing into. We're trusting that they are doing their
5 job and doing it accurately. However, you are
6 presenting -- as a private entity, you're coming and
7 saying, Hey, I know this is what you're doing. I know
8 this is what we're trusting. I know this is what we're
9 hoping for. But however, I'm finding issues.

10 And so the problem to me is not whether or not
11 we can debate about voter rolls being clean. We all
12 should agree that our voter rolls should be clean. I
13 feel like it is asinine to debate that repeatedly. But
14 the real issue I have is that we have a private entity
15 that is showing us that with the information that he was
16 able to obtain publicly, that there are errors. There
17 are things that are not lining up with the law. That is
18 the issue here.

19 And this right here is why I have a problem
20 with us paying into an organization that we don't really
21 know who is running and then hoping that they do the job
22 that you've clearly done and did it without having an
23 association be connected to it. There seems to be zero
24 accountability. I don't like the fact that our election
25 officials get a bad rep because they're now blamed when

1 things like this come up. When you show a list of
2 voters that have registrations that are not filled out
3 correctly, that are outside of what the law says, that
4 this is how it should be filled out.

5 Now we're putting election workers in jeopardy
6 because they're not adequately trained, which, to me,
7 goes right back to our Secretary of State's Office. So
8 once again, we have election workers who are not being
9 properly trained, Secretary of State problem. Then we
10 have a private company that is coming before us and
11 showing irregularities in the program that we have
12 selected as a state that we are paying for. And there
13 is no investigation. For two years, you haven't heard
14 anything?

15 DR. RICHARDS: I started handing this to
16 Secretary of State in the spring of '23.

17 BOARD MEMBER KING: That's a problem. Therein
18 lies our major issue. I think that we have to -- when I
19 look at this, I would like to see some type of
20 comparison done. I would like to see some form of an
21 investigation into this because as a -- if I -- if I'm a
22 state and I'm paying into this organization, I think we
23 should consider another method. And this is an opinion.
24 I know you-all have opinions, and I understand that.
25 But this is my opinion. We need to put some type of

1 competition into the market that will ensure our data is
2 accurate. At the end of the day, this information not
3 being accurate will affect -- could affect
4 Representative Draper's race. It can affect any local
5 race out here. It could affect a federal race. This is
6 extremely important.

7 So I don't want to debate whether or not we
8 should have clean voter rolls. We all need to be on the
9 same page. But I do see that this is a problem.
10 Because if he can show me this without having all the
11 information, then the only argument is that you don't
12 have all the information. Then let's give him the
13 information so that we can see if there is a real issue
14 with ERIC. Let's at least find out. I just think that
15 makes -- it is just common sense.

16 BOARD MEMBER TINDALL GHAZAL: The problem is
17 it's over -- there are false positives. And I don't
18 know anything about the security of your database and
19 whether or not you have --

20 BOARD MEMBER KING: It's public information.

21 BOARD MEMBER TINDALL GHAZAL: We do, but you
22 just said we had no public information.

23 BOARD MEMBER KING: Well, I'm saying that you
24 can tell him that his information should not be utilized
25 simply because he doesn't have information that is being

1 held hostage by our Secretary of State's Office. Does
2 not -- that is not an adequate argument in my opinion.
3 If that's the case, then let's prove him wrong by
4 comparing the data.

5 BOARD MEMBER TINDALL GHAZAL: It's protected
6 by law.

7 DR. RICHARDS: Ma'am, I'm more than happy to
8 sign a Non-Disclosure Agreement. I am a physician.
9 I've been dealing with HIPAA for decades. This is not
10 an issue. These servers are up to bill spec standards.
11 The security is not an issue. I'm happy to sign the
12 exact same nondisclosure that ERIC signed.

13 BOARD MEMBER KING: Yeah. Because, again,
14 this is an outside organization. So if they're -- if
15 they can have any of the data, so why can't this voter
16 have the data?

17 BOARD MEMBER TINDALL GHAZAL: Because the
18 legislature determined that the Secretary of State
19 should enter into an agreement with ERIC.

20 BOARD MEMBER KING: The Secretary of State
21 needs to consider a comparison. That's what I'm saying.
22 There is nothing that -- excuse me, Mr. Chairman.

23 CHAIRMAN FERVIER: Please don't talk over each
24 other.

25 BOARD MEMBER KING: Okay. Thank you, Mr.

1 Chairman.

2 CHAIRMAN FERVIER: One at a time.

3 BOARD MEMBER KING: The point I'm making is
4 that, as a Board, we're right. We cannot tell the State
5 to utilize this over here. That is not what I'm saying
6 by any means. What I'm saying is, I need all of us to
7 put our thinking caps on and to really look at this with
8 common sense. If the only argument that is against what
9 he is presenting is that he is not privy to the
10 information -- all the information that the association,
11 ERIC, that -- we don't know who these people are, but
12 either way, these people have, then we need to figure
13 out a way, like he said, an NDA of some sort.

14 There should be a conversation. There should
15 at least be a meeting with the Secretary of State's
16 Office that says, Hey, this is concerning. I am paying
17 for a service that's not delivering a product that I can
18 have confidence in. Why are we continuing to waste
19 taxpayers dollars if we're not going to at least take
20 the ERIC information and compare it to what Eagle has?
21 I don't understand why our Secretary of State's Office
22 is not doing that. That's my argument. There needs to
23 be more of an argument. Thank you.

24 Mark, please.

25 CHAIRMAN FERVIER: Yes.

1 MR. DAVIS: I'd just like to point out a
2 couple of things. A lot of these issues being discussed
3 here, were litigated for a five or six-year vote. Being
4 here already is putting restrictions on how the
5 Secretary of State handles his routineless maintenance
6 activities. That is a separate issue from a voter
7 challenge. And this was litigated in that case. And
8 Judge Jones ruled that NCOA can be used by a challenger
9 to bring a challenge. And a Challenger's job, when he
10 walks in with a challenge to a county, is to provide
11 probable cause for the county to then take over and
12 investigate any issues that are there. So I just think
13 we shouldn't blur or muddy the water here with those
14 issues.

15 And the other point I want to make, and I want
16 to make this strongly, okay? There are a lot of false
17 claims being made here with regard to this PII. ERIC
18 may receive PII from Georgia, all right? They received
19 a hash version, which is an encrypted version of a full:
20 Date of birth, driver's license number, Social Security
21 number, things like that. It does get those things.
22 But here is the great misunderstanding that is in the
23 equation. The NCOA process itself does not use any of
24 that.

25 So in other words, even if ERIC possesses it,

1 when they run NCOA, it's just like when I run NCOA or
2 when Dr. Rick runs NCOA. That information is not used
3 in that process. And this is well documented in my
4 papers about the postal service. It was entered into
5 evidence and certified. So I just want to take some of
6 the mud out of the water here. I run NCOA just like
7 Rick, okay? In 2020, I found nearly 35,000 unqualified
8 voters that had cast ballots. In 2022, that number was
9 approximately 26,000. And in 2024, I have just
10 completed that processing, it was about 36,000. So over
11 the past four years, we're talking about nearly 100,000
12 voters with questionable ballots that were cast that are
13 stacked up.

14 Now granted, some of those will be long-term
15 temporary movers who file permanent changes of address.
16 If I go to the beach for six months, I'm going to file
17 temporary change of address. That information is not
18 going to be provided to a Mark Davis, or a Dr. Rick, or
19 anybody else running into NCOA because it's temporary.
20 By definition, the only changes of address that we get
21 back from NCOA processing were filed as permanent.

22 With that said, when a soldier goes away for a
23 tour of duty or a student goes away for four years of
24 college, or a contractor goes away for a brief contract
25 in another city, or what have you, many of them will

1 file a permanent change of address for what is
2 essentially a long-term temporary change. They'll file
3 when they leave. They'll file another one when they
4 come back. There's no way to take those out of the
5 equation.

6 And those are the red herrings that are used
7 to make arguments against keeping the voter rolls clean
8 using these processes and we should not allow that to
9 happen. Yes, these issues should be adjudicated on an
10 individual basis, but those red herrings shouldn't be
11 used as excuses for not doing this kind of list
12 maintenance at all.

13 BOARD MEMBER KING: Thank you, Mark.

14 BOARD MEMBER TINDALL GHAZAL: Mr. Davis, just
15 to clarify, the actual legal question in verifying the
16 true vote was whether or not voter challenges
17 constituted voter intimidation. And that is what the
18 ruling was, that voter challenges are not voter
19 intimidation. Now, whether or not -- you know -- so
20 that was the question at hand. So I don't want to
21 conflate that --

22 MR. DAVIS: Right.

23 BOARD MEMBER TINDALL GHAZAL: -- with an
24 adjudication --

25 MR. DAVIS: There was --

1 BOARD MEMBER TINDALL GHAZAL: -- of the NVRA
2 because that's not what it was.

3 MR. DAVIS: But there were a lot of these
4 claims made in there in that case. And I can show you
5 where Judge Jones said that NCOA can be used to bring
6 voter challenges at the county level, and that there is
7 a separation between the challenger and the County
8 Board. So the challenger is not acting under the cover
9 of law, and therefore, hasn't committed a voter
10 intimidation under the cover of law.

11 BOARD MEMBER TINDALL GHAZAL: And I don't
12 necessarily disagree with that ruling. And there is no
13 question that it's the only data that he has used. But
14 nonetheless, under the NVRA, NCOA data leads to moving
15 to inactive status and then outreach to the -- outreach
16 to the voter to determine whether or not --

17 MR. DAVIS: As part of the State's process,
18 yes --

19 BOARD MEMBER TINDALL GHAZAL: And that's --

20 MR. DAVIS: -- that is an absolute
21 requirement. But when we're talking about going to a
22 county board of elections to file a voter challenge,
23 that's not being done by the state. That's initiated by
24 a voter as part of voter challenge. And also voters
25 themselves can come within the 90-day window and update

1 their own records.

2 BOARD MEMBER TINDALL GHAZAL: Well, of course,
3 of course. And it is the County's determination of
4 whether or not probable cause --

5 MR. DAVIS: Yes.

6 BOARD MEMBER TINDALL GHAZAL: -- has been met
7 and that is very explicitly written into our laws, that
8 that is the role and responsibility of the county
9 superintendents. And if the challenger disagrees with
10 that, then they -- then they are to appeal that to the
11 superior court.

12 DR. JOHNSTON: Dr. Richards, is your program
13 complimentary or competitive or counter to ERIC?

14 DR. RICHARDS: It is not my intent to replace
15 ERIC. I can refer you to a company whose intent it is
16 to replace ERIC, but it's not my intent. My intent with
17 this was to do this for a year or two and be done.
18 Given that we have so many states involved now actively
19 using it and several hundred people with credentials for
20 the citizens to use it and numerous requests from
21 counties for this information directly, it appears that
22 in 2025, I will be making these reports available to
23 counties on a regular basis.

24 But this -- if the County wants to get on the
25 subscription list, pop me an email, I'll pop them out.

1 The citizens who are using it, I'd love to have 1,000
2 more actually working the data. A simple algorithm is,
3 show me everybody who's over 100 years old. Let's put
4 them in the unverified deceased list and let's look
5 every one of them up and find them, as people did in
6 Georgia for over 2,000 in the past year.

7 And if I remember right, if Eugene is still
8 here, the stuff from the deceased were pretty well taken
9 care of. You got the obituary, got a picture of it,
10 counties have being cooperative. There's little to
11 argue about there. So I'll have to think about your
12 question more.

13 DR. JOHNSTON: In your opinion, are your
14 results more accurate, as accurate, or less accurate
15 than what ERIC produces?

16 DR. RICHARDS: I haven't seen the ERIC
17 reports, but I have seen the records, the registrations
18 that are still on the rolls after what should have been
19 an ERIC report and state action. Now, ERIC does its
20 data. It gives the data to the state. It's up to the
21 state to do something with it. So ERIC's data could be
22 100 percent correct and the state not do anything with
23 it. Can't say. Don't know.

24 But based on what's still there that I look
25 at, one of those two things is not occurring. Plus I

1 have twice the data they have. So when they're looking
2 across state movers, they got 23 other states and D.C.
3 to look at. I've got 32 other and soon we'll have 40
4 other to look at.

5 DR. JOHNSTON: Thank you. So there's been a
6 lot of talk what -- one, my colleague mentioned the case
7 that we looked at recently concerning possible double
8 voters. There were a large number of possible
9 situations in one of the past elections. And as it
10 turned out, there appeared to be a lot of people with
11 the same name, the same first name, middle name, and
12 last name in different states. But that is based on
13 just a name and not with all this other data, this
14 publicly available data that's used by ERIC or by Dr.
15 Richards. So as the investigation took place, those
16 voters that actually had the same names in other states,
17 the answer was confirmed that, indeed, there are people
18 with the same names.

19 As far as the NVRA, Mark Elias has worked very
20 hard for the last 20 years to convince you and me and
21 everybody else that NVRA does not address the issue of
22 eligibility or ineligibility. And he certainly has done
23 this through the legal system with multiple suits and
24 certainly many letters of threat to different election
25 offices to warn them and intimidate them into actually

1 trying to the issue of voter rolls that are no longer
2 accurate. Since NVRA has passed, the voter rolls have
3 continued to become heavier and heavier and heavier and
4 less accurate as part of -- part of Motor Voter,
5 duplications that are -- that are entered, or voters
6 that are not removed.

7 So now we're dealing with many states that are
8 over registered. There -- they have more registration
9 than there are citizen voting age populations. And if
10 you -- if you drill down even further through the
11 reports of the Election Assistance Commission, you find
12 counties that exceed those expectations. So a whole
13 state might have 103 percent registration -- citizen
14 voting age population registration, like Georgia does.
15 But if you look at a certain county, like Cobb County,
16 they're over registered to 100 -- I can't remember, 110
17 percent. So they -- so there are some counties that
18 are, obviously, not attending to the issue of making
19 sure that the voter rolls are accurate and current.

20 NVRA needs to be looked at, and it's really
21 outdated. It's inadequate. And that's a legislative
22 problem for Washington. And I hope that they will look
23 at that in the very near future. And I would say ERIC
24 is also inadequate and perhaps outdated. Eight - eight
25 states have abandoned ERIC, so its subscription is

1 decreasing, not increasing.

2 And they have, for whatever reason, have
3 gotten a bad rep with the eligible, but unregistered
4 issue of requiring states to solicit registration. It's
5 for people that perhaps don't want to be registered to
6 vote. Perhaps it's a -- it's a good voter registration
7 program, but perhaps it's not really serving the purpose
8 that it aspires to.

9 So I think that any tool that we can use,
10 whether it's a credit service company -- they have much
11 more data than ERIC has or than Dr. Richards has. They
12 have -- they know data and they know how to use it. So
13 there are many tools that we have. Technology is a
14 wonderful thing if it's used in the right way, and I
15 would certainly encourage our Secretary of State to look
16 at -- into additional tools, more accurate tools to
17 provide accurate voter rolls for the state of Georgia.

18 CHAIRMAN FERVIER: Well, we have some that
19 want to make comments.

20 Any other questions from the Board?

21 BOARD MEMBER TINDALL GHAZAL: I just want to
22 point out the Social Security Administration considers a
23 legal name to be first name and last name. Middle name
24 is not considered part of the legal name as part of the
25 Social Security Administration. So you should probably

1 update that slide.

2 DR. RICHARDS: That it doesn't include middle
3 name?

4 BOARD MEMBER TINDALL GHAZAL: No.

5 DR. RICHARDS: That makes it even less
6 reliable, doesn't it?

7 BOARD MEMBER TINDALL GHAZAL: My point is
8 accusing people of committing felonies for not including
9 their middle name is rather extreme.

10 DR. RICHARDS: I'm only reading the Georgia
11 law and only reading HAVA.

12 CHAIRMAN FERVIER: We're going to -- we have
13 people that want to make comments from the audience.
14 Let's keep our promise to one minute, please, one
15 minute. If you'll press your buttons. One minute,
16 please.

17 Garland?

18 MR. FAVORITO: Thank you, Mr. Chairman. I
19 just wanted to add one point to Mr. Davis and Member
20 King. Member Ghazal correctly said the ERIC has
21 personal identification information in it. There is no
22 provision in the Georgia statute that allows the
23 Secretary of State to put our PII in a third-party, or a
24 Cloud, or a public system. We filed a lawsuit against
25 that two years ago when they first announced that, and

1 we have yet to have a hearing on it. But one of the
2 advantages of Dr. Rick's system, EagleAI, is that it
3 does not require PII. And we consider ERIC and our
4 members consider ERIC a threat to every voter in the
5 state of Georgia. It needs to go.

6 CHAIRMAN FERVIER: Thank you.

7 Number 77?

8 UNIDENTIFIED SPEAKER: Is that me, Mr.
9 Chairman?

10 CHAIRMAN FERVIER: Yes.

11 UNIDENTIFIED SPEAKER: Just a quick comment.

12 NVRA has been brought up a lot in this recent
13 discussion. And I would like to make the point that
14 while the NVRA does indeed say that a person cannot
15 be -- registration cannot be removed from the rolls
16 unless they -- there is a signature, nowhere in NVRA
17 does it state that this -- the state that they are
18 leaving from has to have that signature.

19 So quite frankly, the act of signing a voter
20 registration form in the new state or applying for a
21 driver's license, there is a signature and that meets
22 NVRA, that they have signed a piece of paper. And so
23 therefore the -- what EagleAI does, for example, it
24 shows who has registered in a state outside of Georgia,
25 and ergo a signature is available. The fact that it's

1 not sent to Georgia, that's not in NVRA at all.

2 CHAIRMAN FERVIER: Number 67?

3 BOARD MEMBER COAN: When you speak, could you
4 state your name for the record, please, so we know --
5 identify who you are?

6 MS. PYLE: Yes.

7 BOARD MEMBER COAN: Thank you.

8 MS. PYLE: Yeah, my name is Marissa Pyle. I
9 just have two very quick questions. Hopefully, they're
10 yes or no so that we're under the one-minute mark.

11 One, does the law say that it is prohibited to
12 register at a college dorm for college students?

13 DR. RICHARDS: I did not hear the question.

14 MS. PYLE: I'm sorry.

15 CHAIRMAN FERVIER: Could you say it again?

16 MS. PYLE: Does the -- does the law say that
17 it's prohibited to register at a college dorm for
18 college students?

19 DR. RICHARDS: It doesn't mention any of those
20 particular -- as I understand the law -- not a lawyer,
21 don't play one on TV. As I understand it from plain
22 reading is there is no special language regarding
23 campuses or students, other than that they not be
24 treated any differently than anybody else because they
25 are a student or are on campus. Therefore, the normal

1 regulations requiring registering at a residence would
2 apply. A college dormitory is not a permanent
3 residence. Plus it does not have a complete -- when
4 you -- when you have a registration address of 1501
5 Mercer University Avenue, that is an incomplete, non-
6 deliverable, non-conforming address according to the
7 U.S. Post Office. Therefore it would not meet
8 eligibility, just like not putting your apartment number
9 on a registration.

10 MS. PYLE: Excellent. Thank you.

11 DR. RICHARDS: So it would not qualify under
12 multiple renderings of the rules in my interpretation.

13 MS. PYLE: Okay. And then my question is, has
14 EagleAI or any of its servers ever been hacked?

15 DR. RICHARDS: Has EagleAI or any of its
16 servers have ever been hacked? The short answer is no.
17 I used that term when we had a denial of -- a denial of
18 service attack in our first few months after we were set
19 up. We since have changed servers.

20 CHAIRMAN FERVIER: Okay. Number 54. Behind
21 you.

22 MS. AVERS: Oh, okay. Kristen Avers.

23 CHAIRMAN FERVIER: Kristen Avers.

24 MS. AVERS: I have questions about media
25 reports and service -- I have questions about media

1 reports over the summer that some activists who were
2 using the EagleAI software complained that the data was
3 inaccurate. An activist in North Carolina said she
4 looked herself up in EagleAI and it showed that she was
5 living in another city. Also have had complaints from
6 activists using the software in Texas and Arizona and
7 from election officials in both Georgia and Florida that
8 say the information is not accurate.

9 So how do you answer those concerns?

10 DR. RICHARDS: Well, I can address that fairly
11 quickly. You've, obviously, read some of the articles
12 by those people that I had up on the list here, and it's
13 horse hockey. The particular incident you're talking
14 about in North Carolina, North Carolina has a unique use
15 of its voter ID and it concatenates a couple of fields
16 for creating voter ID. And the initial loading of that
17 data used just the one that actually was labeled Voter
18 ID when we needed to concatenate the two letters that go
19 along with it. Once it was pointed out to me, we fixed
20 that right away.

21 So no problem.

22 MS. AVERS: Just to answer your question about
23 it being horse hockey. These were based on recordings
24 of calls of election integrity calls, so --

25 DR. RICHARDS: Right.

1 MS. AVERS: Yeah.

2 DR. RICHARDS: Right. Consider your source.

3 CHAIRMAN FERVIER: Mr. Ferguson?

4 MR. FERGUSON: Okay. Am I on? Earl Ferguson,
5 I'm a resident of Fulton County and I challenge voters
6 in Fulton who have moved to other states and have
7 registered to vote or voted in those states. I use -- I
8 do not use EagleAI, although I support it, because
9 Fulton County will not allow me to use EagleAI. If they
10 used it, I wouldn't have to submit challenges. I have
11 two points that I would like to make.

12 First, with regard to ERIC. ERIC, when I
13 first looked at them was 39 states and now they're at
14 24. And I believe our most common move-to states are
15 Texas, North Carolina, and Florida. And I don't think
16 any of those three is an ERIC member; am I correct?

17 DR. RICHARDS: I think that's correct.

18 MR. FERGUSON: Okay. So they're not servicing
19 the areas where we have people moving. The second point
20 I would like to make is there is no question about the
21 eligibility or the applicability of the National Voter
22 Registration Act to remove people. The Department of
23 Justice says so. They have a document that's a question
24 and answer on the NVRA. I would refer you to question
25 number 35, which specifically says that the states can

1 remove ineligible voters.

2 Thank you.

3 CHAIRMAN FERVIER: Number 31?

4 MR. HACKNEY: Yes, my name is Don Hackney.

5 I'm a retired attorney --

6 BOARD MEMBER COAN: Grab your microphone,
7 please.

8 CHAIRMAN FERVIER: Grab your microphone.

9 BOARD MEMBER COAN: Grab your microphone,
10 please.

11 MR. HACKNEY: My name is Don Hackney. I'm a
12 retired attorney from here in Atlanta. A couple of
13 quick comments.

14 If I heard you correctly, I was a bit in
15 shock, you said that the Fulton County Board of
16 Elections does not engage in list maintenance
17 activities.

18 DR. RICHARDS: No, they said that. I didn't.

19 MR. HACKNEY: So she didn't say that. She did
20 not say that at all. And the notion that the
21 professional nonpartisan employees of the Fulton County
22 Board of Elections do not engage in list maintenance
23 activities, as you know, is just absolutely incorrect.
24 They do that on a daily --

25 DR. RICHARDS: Did you hear what she said?

1 MR. HACKNEY: They do that on a daily basis.

2 DR. RICHARDS: Did you hear what she said?

3 MR. HACKNEY: Every county board -- every

4 county board in the state is charged with and is

5 required to engage in list maintenance services.

6 Gabriel Sterling testified in front of the State Ethics

7 Committee at a hearing this past year and said that all

8 of these counties on a regular recurring basis engage in

9 list maintenance activities using a full array of tools

10 that the Secretary of State and others provide to them.

11 So that statement --

12 DR. RICHARDS: So this is the same Gabe

13 Sterling that took a leave of absence and \$300,000?

14 CHAIRMAN FERVIER: Excuse me, excuse me,

15 excuse me.

16 DR. RICHARDS: I'm sorry.

17 CHAIRMAN FERVIER: Let's not get in an

18 argument. Let's make our comments respectfully.

19 MR. HACKNEY: I'd just like to get through

20 these. Let's be clear. If somebody -- if my middle

21 initial is there, maybe that can and should be cleared

22 up in some form or fashion. But today's hearing is here

23 to talk about voter challenges, and it would be

24 completely inappropriate to remove somebody from a

25 voting list, taking away somebody's precious right to

1 vote, because either they or the state when they put the
2 information in, misspelled my name, I was a junior, my
3 father has passed away, I'm not a junior anymore,
4 whatever the issue might be.

5 And I want you-all to realize, as I indicated
6 to you in a written paper that I submitted, there's
7 another law. It's the Civil Rights Act of 1965. It has
8 a very famous, important provision called the
9 Materiality Provision, and it prohibits the removal of
10 somebody from the rolls if the -- because the
11 information on their voter registration materials is
12 immaterial. So that should -- that should take care of
13 so many of these reported challenges.

14 Lastly, just to be very clear, the NVRA is
15 applicable to all of these voter challenges. The True
16 the Vote case doesn't -- did not deal with that
17 specifically, as was mentioned. There's another Georgia
18 federal law case that immediately applied the NVRA to
19 Section 230 challenges and ruled that it was
20 inappropriate because it missed the 90-day rule and
21 because -- there was a reason -- oh, they didn't follow
22 the procedures at the end.

23 There was a North Carolina case, a federal
24 case, that says that voter challenges have to comply
25 with NVRA. And as was mentioned, the Department of

1 Justice, who in my humble opinion, is looking very
2 closely at what's going on here in Georgia, in September
3 amended their guidance on Georgia challenges to make it
4 very clear that the NVRA is applicable to voter
5 challenges.

6 One final comment, because this is more of a
7 broader issue. There was a comment that was made that
8 seemed to indicate that when people receive, at least
9 how I indicate -- felt, when folks challenged dozens,
10 hundreds, or thousands of people and they get these
11 formal letters from county boards, that to me is one of
12 the three evils of voter challenges because of the
13 intimidation and the threatening nature of getting
14 those. And it's not simply a question of taking 30
15 minutes and re-registering.

16 If you're wealthy, if you have access to
17 attorneys, if you understand the election law, you get
18 these letters, you can deal with it. It might be
19 annoying. It might cost some money. But if you're the
20 other 95 percent of Georgians, you're a school teacher,
21 you're a nurse, you're a fire fighter, you get a formal
22 notice from your Board of Education that says that you
23 have been formally challenged, and what do you do to
24 that? How do you feel about that? How do voters feel
25 about that? How do voters who don't have access to

1 money, don't have access to understanding our laws, or
2 access to lawyers, how do they deal with that?

3 So it's important that we get these right.
4 It's important that the NVRA is complied with.

5 Those are my thoughts.

6 CHAIRMAN FERVIER: All right. Thank you.

7 This Board looks like a light up Christmas
8 tree right now with everybody wanting to speak. I
9 understand that people have comments. The question is,
10 does the Board need anything, any further information?
11 We've been at this for about an hour and a half on this
12 one topic now.

13 Dr. Johnston?

14 DR. JOHNSTON: I just want to close my
15 thoughts out and then I will be done with this. There
16 is a -- which is really bizarre to me, the defense of
17 inefficiency. I believe, again, that this is about
18 efficiency. It's not about perfection. There's no
19 system that's going to be perfect, but it is about
20 efficiency. And I believe that to -- the gentleman who
21 just spoke, to your point, we should avoid placing
22 people in a position where they have to do personal
23 defense.

24 We should avoid having citizens have to
25 challenge voter rolls because the state is not doing

1 their job. That is where the problem lies. I don't
2 think anyone should have to be presenting their county
3 with a list of potential voter challenges simply because
4 we have a system that is not working.

5 If there are states that have pulled out of
6 this organization, we need to find out why. Why are we
7 paying for something that other states have deemed to be
8 inadequate? That makes no sense. Again, my frustration
9 is not with the election officials. My frustration is
10 not with our legislators. It's not with our activists.
11 It's not with these organizations.

12 My frustration is with the Secretary of
13 State's office because this is their job, and they're
14 putting all of this on us because they, for whatever
15 reason, would rather stay connected, and to use a word
16 that has been used today that I love, stay tethered to
17 an organization that is inefficient rather than looking
18 into a potential option that is efficient. That's where
19 the problem lies.

20 Debating it here I think is pointless, because
21 we all agree that this needs to be cleaned up. It needs
22 to be accurate. And I would hope that this message goes
23 to the Secretary of State's office as a message from the
24 people saying, get it together, stop putting us in this
25 position where we have to do your job.

1 CHAIRMAN FERVIER: Thank you. I think that
2 we've heard a lot stuff all the way around this, pro,
3 for, against all that, so we're going to move on.

4 Thank you, Doctor. We appreciate it.

5 DR. JOHNSTON: Thank you.

6 DR. RICHARDS: Thank you for the invitation to
7 speak and share two plus two is four. Thank you.

8 CHAIRMAN FERVIER: We are -- the next item on
9 the agenda is new business, and Director Coan is going
10 to make a short presentation on the status of the audit
11 that was conducted.

12 BOARD MEMBER COAN: All right. Most folks
13 here are familiar with Senate Bill 189 that passed last
14 year in the General Assembly. Part of that bill had the
15 ballot auditing tool as a piece to, really quite
16 frankly, give -- try to give the voter more comfort and
17 a confidence in what happened during the elections. And
18 so basically, it's -- the way I look at is, it's data
19 in, data out. So you had the memory cards go in.
20 They're not reading the QR code. It's actually reading
21 the ballot itself.

22 And so basically, I've spoken with Enhanced
23 Voting. They got -- there's a \$5 million add in the
24 budget for this. We took bids and the low bidder was
25 Enhanced Voting that came in I believe a little over

1 \$1.5 million, so saved a lot of money, quite frankly,
2 and got the job done. That's why I'm here right now.
3 They gotten the job done.

4 I spoke with their people. As of Friday you
5 had over 79 counties were -- had already complied with
6 it. Their numbers were in. Most of them were -- would
7 be in by close of business today. They're going to
8 start putting the report together starting Wednesday.
9 State certification is Friday, so it looks like they're
10 ahead of schedule, and that's good news. The big --
11 there's a lot of little, small issues. I think they had
12 five counties had technical difficulties.

13 They would -- had sent their people down there
14 to help those counties get up to snuff on those issues
15 they were having problems with. It may have been just
16 putting the memory cards in. I don't know what it was.
17 I'm not going to guess. But long story short is, those
18 were -- they said something like simple issues they
19 could just go in and fix.

20 Let's see what else -- and again, they had a
21 few aware where a person on absentee ballots had voted
22 in two candidates on the same race. So they were trying
23 to adjudicate those and obviously they wouldn't count
24 otherwise. And so that's pretty -- it's a quick, easy
25 report because they had no real discrepancies found. So

1 for something that was -- caused a lot of grief on the
2 front end, quite frankly, it's turned out to be a really
3 good thing, very smooth, and we look forward to getting
4 their executive summary and reports with all the data
5 for all of us data nerds to look at and crunch and look
6 at and digest.

7 So that concludes my report. Thank you.

8 CHAIRMAN FERVIER: Is there any other new
9 business to come before the Board?

10 Hearing no other new business, the only -- the
11 only two things that will happen is an executive
12 session. The Board will break to go into executive
13 session for about the next 20 minutes or so, and then
14 we'll come directly back and just adjourn. That will be
15 the only things that will be happening. So we
16 appreciate you showing up today and for all of your
17 comments. I think it's very educational for us.

18 And do we have a motion to go into executive
19 session? Let me say the purpose of the executive
20 session is simply to discuss a personnel issue. Simply.

21 BOARD MEMBER KING: So moved.

22 CHAIRMAN FERVIER: We have a motion.

23 Do we have a second?

24 DR. JOHNSTON: Second.

25 CHAIRMAN FERVIER: We have a motion and a

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1 second. All those in favor, signify by saying, Aye.

2 BOARD MEMBERS: Aye.

3 CHAIRMAN FERVIER: Any opposition?

4 Hearing no opposition, so moved.

5 We'll adjourn for executive session.

6 (A recess was taken.)

7 CHAIRMAN FERVIER: We're back in session. No

8 new business has come to the Board.

9 Do we have a motion to adjourn?

10 We have a motion to adjourn. Do we have a

11 second?

12 Any discussion?

13 All those in favor signify by saying, "Aye."

14 BOARD MEMBERS: Aye.

15 (Board Meeting concluded at 1:01 p.m.)

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2 Pursuant to Article 10.B of the Rules and
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annotations by me during the proceeding.

I further certify that I am not related to
any of the parties to this action by blood or marriage
and that I am not interested in the outcome of this
matter, financial or otherwise.

IN WITNESS THEREOF, I have hereunto set my
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I further certify that I am neither attorney
for nor a relative or employee of any of the parties
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